



CITY COUNCIL SPECIAL AND REGULAR MEETING AGENDA

Tuesday, May 21, 2013

6:00 P.M.

701 Laurel Street, Menlo Park, CA 94025

City Council Chambers

6:00 P.M. STUDY SESSION

- SS1.** Review of the City Manager's proposed 2013-14 Budget and Capital Improvement Program for the City of Menlo Park *(Staff report #13-086)*

7:00 P.M. REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

A. PRESENTATIONS AND PROCLAMATIONS – None

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

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.** Adopt a resolution giving preliminary approval of the Engineer's Report for the Menlo Park Landscaping District for Fiscal Year 2013-14 which proposes no increases to the tree or sidewalk portions of the assessment; adopt a resolution of Intent to Order the Levy and Collection of assessments at the current rates for the Menlo Park Landscaping District for Fiscal Year 2013-14; and set the date for the Public Hearing for June 11, 2013

(Staff report #13-085)

- D2.** Approve the response to the San Mateo Grand Jury Report "Water Recycling – An Important component of Wise Water Management" *(Staff report #13-083)*

E. PUBLIC HEARINGS

- E1.** Consider the Planning Commission recommendation to approve the Housing Element of the General Plan and associated General Plan amendments, Zoning Ordinance amendments, rezonings and environmental review *(Staff report #13-084)*

F. REGULAR BUSINESS

- F1.** 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 – None

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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701 Laurel Street, Menlo Park, CA 94025
 Telephone (650) 330-6610 www.menlopark.org

May 16, 2013

Mayor Ohtaki &
 Members of the Menlo Park City Council
 701 Laurel Street
 Menlo Park, CA 94025

Dear Mayor Ohtaki and Members of the City Council,

I am pleased to present to the City Council and to the residents of Menlo Park the Proposed 2013-2014 Budget. It represents a \$75.5 million overall spending plan for the coming year that funds valued public services, advances Council-adopted community goals and initiatives, and perhaps, most importantly, and for the first time in half a decade, is balanced without reducing public services or relying on fund balances to do so.

To that end, the City's Proposed General Fund is

Revenues	\$42,549,847
Expenditures	\$42,347,339
Surplus/Deficit	\$ 202,508

According to Section 2.08 of the Menlo Park City Code, the City Manager "shall prepare and submit to the City Council the annual budget." This letter outlines the Proposed Budget for City Council consideration and was developed utilizing the Budget Development Principles adopted by the Council on April 2, 2013. It is also based upon staff's best efforts to gather the most recent information available concerning projected revenues, the costs of providing the current level of services, and recommendations for adjustments to budget allocations to achieve desired policy objectives. The Budget document is included as Attachment A.

2013-14 City Manager's Proposed Budget Summary					
	General Fund	Capital Improvement Projects	Water Operating Fund	Other Funds	Total
Expenditures:					
Personnel	29,340,599	1,032,945	830,830	2,789,652	33,994,026
Operating	8,614,374	10,050,585	5,596,324	4,790,368	29,051,651
Services	4,392,366	6,518,470	372,500	1,150,594	12,433,930
Total Expenditures	\$42,347,339	\$17,602,000	\$6,799,654	\$8,730,614	\$75,479,607

Where we have been

The last five years have been difficult for Menlo Park, and almost every local government in the Country as the 2007-2009 Great Recession was the most severe economic contraction since the Great Depression. Moreover, the impact of the recession has been magnified as the national recovery continues to be very slow by historical standards. According to the State Legislative Analyst's Office (LAO), following the 1981-82 recession, the U.S. real GDP expanded at 3.5% or greater in each of the next four years, and the nation's employment grew at 2.5% or greater in five of the six years during the 1984-89 period. After the 1990-91 recession, the GDP grew by 3-5 percent in all but two years between 1992-2000, while employment grew by 2-3 percent annually through almost all of that period. To date, GDP growth since the Great Recession has only been in the 2 percent range per year, while employment growth has been even more disappointing.

The recession had the expected effect on City revenues. Sales Tax generating activity fell as consumers reacted to the economic downturn; investment income fell severely as the Federal Reserve reacted to the recession by lowering interest rates to near record lows; and as housing price growth leveled off, so did Property Tax growth. While some cities were slow to react to the recession, Menlo Park, to its credit, took decisive and bold actions to remain fiscally sound. Strategic actions by this and prior City Councils included:

- Reduction in services and positions,
- Negotiated concessions in wages and benefits from the City's employees,
- Cost shifting and cost sharing of benefits with employees,
- Establishment of a new and less costly employee retirement tier, and
- Enforcement of a cost recovery policy for certain fee-driven City services.

As a result of the above, going into the current fiscal year, Menlo Park remains fiscally strong. In fact, the City recently received re-affirmation of our AAA rating by Fitch (the highest possible) which cited these types of City Council and management decisions. Having resisted the temptation many other cities succumbed to by utilizing fund reserves to close budget shortfalls, we remain in compliance with our reserve policy objectives, and maintain a very healthy, if not enviable, General Fund Reserve. In the current year, Menlo Park was also able to avoid further service erosions, while achieving a ten-year forecast that projects modest positive fund balances during the entire forecast period.

The 2012-13 Adopted Budget's theme was "Fiscal Stabilization," designed to achieve stability, maintain existing City service levels and to cement the fiscal house to the foundation. As was presented in the Mid-Year review earlier in the year, the City should realize a General Fund operating year-end surplus of approximately \$696,000 after transferring \$2.7 million in one-time revenues to the Capital Improvement Fund. This is on the heels of the City realizing an operating surplus of \$1.9 million from the 2011-2012 fiscal year, further demonstrating fiscal sustainability. We view the 2013-14 fiscal year and this Proposed Budget as one where the City can cautiously turn the financial corner through a growing economy.

However, the Proposed Budget does not assume we are completely out of the woods. To the contrary, this Budget proposes only nominal service restorations, such as pre-holiday library

hours. It is, primarily, a “status quo” budget that, while proposing a few modest investments, basically maintains services and costs at current levels until we can be more confident that the economic upturn seemingly underway, particularly in the Bay Area and Silicon Valley, has staying power, and that we have positioned ourselves to face the formidable obstacles lying ahead. Fiscal discipline will be important at both Council and management levels.

Consistent with the theme of “turning the financial corner,” as directed by the City Council, the approximate \$7.68 million of one-time funding that has been and will be received in the current year is not proposed for use for ongoing purposes, but is, instead, proposed for inclusion in the Capital Improvement Fund for investment in one-time technology upgrades (\$3.0 million), and upcoming comprehensive planning efforts (\$2.0 million), as well as increasing our General Fund Reserve (\$2.68 million).

Proposed FY 2013-2014 Budget

The City Manager’s Proposed Budget (and related Capital Improvement Program) for the City of Menlo Park for fiscal year 2013-14 is shown as Attachment A to this staff report. Total funding proposed is \$75,479,607.

The Proposed Budget was prepared in accordance with direction provided by the City Council on April 2, 2013 utilizing the following Budget Development Principles:

The City will:

1. Invest in baseline City services and City Council adopted goals.
2. Invest in programs, services, and capital promoting long-term prosperity.
3. Look for opportunities to leverage existing resources and consolidate services within and across government agencies.
4. Move toward recovering the full cost of any fee-based service except where the Council sees a clear public interest in providing a subsidy.
5. Seek operational efficiencies and revenue enhancement opportunities.
6. Invest in employee performance and/or production.
7. Maintain existing infrastructure and invest in technologies to support the organization.
8. Invest in the implementation of Council-adopted plans and strategies.
9. Evaluate one-time revenues for highest and best investment and/or use.
10. Align and adjust work program with staff capacity.
11. Assure that new initiatives require new funding.

These Budget Development Principles were informed by a set of Council-adopted Operating Principles which include:

1. Provide services and programs that meet the current and future needs of the community.
2. Recognize staff capabilities and capacity.
3. Operate efficiently but always with an eye towards quality and accuracy.
4. Provide professional, safe and secure public spaces, infrastructure and facilities.
5. Maintain strong budget reporting and management accountability.
6. Value our City employees and the experience and skill they bring to the organization.
7. Treat all employees and employee groups fairly and respectfully.
8. Provide services that are at least minimally compliant with federal, state and local laws.
9. Re-build operational and institutional depth in the organization.
10. Recognize the need for ongoing and meaningful community engagement.
11. Create a courageous environment that supports good decision making.
12. Maintain an eye toward long term fiscal sustainability.

Budget Overview

Proposals contained in this budget designed to achieve the Principles above include:

1. Invest in Council-adopted Goals – On March 26, 2013, Council adopted a set of Goals for the organization:

- a) Update the Economic Development Plan
- b) Beautify Santa Cruz Avenue (Downtown)
- c) Initiate enhanced Disaster Preparedness Training
- d) Initiate work on the update of the General Plan
- e) Improve traffic flow on El Camino Real

Further, the Council established seven operating goals for the City Manager:

- a) Create a staffing plan with a timeline and resources needed to accomplish the Council's goals.
- b) Create an Information Technology strategy to bring the City into the 21st Century. Provide timelines and implementation schedule with costs.
- c) Broaden the Branding project within Community Services to be Citywide to enhance the positive image of the City.
- d) Prepare three initiatives for implementing a shared services model that will share resources or increase efficiency.
- e) Begin a Public Safety initiative for a disaster planning program for the City.
- f) Bring forward an evaluation of the labor market, and create a cultural change to a High Performance Team with staff and City Council characterized by optimism and willingness to take risks for success.

Each goal and strategy above is reflected in the Proposed Budget with deadlines developed and agreed to by the City Council (for expediency purposes, I have not included these milestones here). The two Council economic development goals are underway with the recent City Council award of a contract to replace irrigation infrastructure downtown and to beautify the landscaping there. The Economic Development Plan is being revised and will be back before the City Council for approval this winter.

The Proposed CIP captures two City Council goals. The Council's direction to complete the work on the Housing Element and initiate the process for the General Plan Update is underway and reflected in the proposed Community Development and Public Works departments' budgets as well as the CIP. The Proposed CIP reflects \$2 million to pre-fund the General Plan Update as a multi-year project. Similarly, two El Camino Real traffic improvement projects were accelerated by the Council and can be found in the proposed CIP, included here as Attachment C.

Goals set by the City Council for the City Manager can be found throughout the budget document. The Council's adopted goals reflect timelines and milestones for accomplishment. The City Council tentatively approved setting aside \$3 million for a multi-year CIP project to upgrade the City's technology by to a 21st Century model. The CIP reflects this funding for the development of a Technology Master Plan.

Funding has also been proposed in this budget to allow for a branding initiative, including the primary task of introducing a logo update for the Council's consideration. This will be followed by development of design guidelines for standardizing the use of the updated logo, as well as development of templates for updating all of the City's graphic materials, including the website.

Finally, the desire of the City Council to instill a High Performance Team culture and create a work environment of optimism and risk-taking is something that the overall budget reflects in the form of funding for rewarding performance, matching staff resources to service outcomes, celebrating staff successes, maintaining labor peace and supporting staff efforts. Other Council goals as they are supported by the Proposed Budget are detailed (and underlined) in the items below.

- 2. Invest in programs and services promoting long term prosperity; and align and adjust work program with staff capacity: increase resources to respond to anticipated development activity** – Increased development activities in the City are expected to result in increased revenues and workload for both the Community Development and Public Works Departments. As discussed with the City Council at its February 12 meeting, the City is experiencing an unprecedented number of large and highly complex development projects that have either already been submitted, or that staff believe will be submitted in the next year.

Specifically, the City is currently reviewing land use entitlements for:

- 500 El Camino Real,
- The Commonwealth Corporate Center, and
- The SRI Campus Modernization project.

The City is also expecting formal applications for several large housing and mixed use projects over the next year related, in part, to the anticipated adoption of the Housing Element. Additionally, through the first four months of 2013, the City has accepted an average of 12 new development applications each month, the highest level of activity seen in several decades. This steady stream of applications includes residential and commercial development submittals. In addition, long-vacant downtown storefronts are leasing up as new businesses apply for building permits or existing businesses seek to expand, all adding to the development staff workload.

There are also development projects which have obtained land use entitlements and have, or are, moving into construction. In addition to the Menlo Gateway project which appears to be ready to proceed soon, others include:

- Facebook West campus,
- The Hunter mixed use project (formerly known as Beltramos), and
- 389 El Camino Real.

As a result of all of this activity, revenues related to charges for planning review are projected to be 40 percent, or \$310,000, higher than for the previous year for a total of \$1.1 million. Similarly, charges for building and engineering plan check and inspection activities are projected to be approximately 25 percent, or \$475,000, higher than the previous year for a total of approximately \$2.4 million. The increase in development activity will require additional staff resources. Staff is anticipating using primarily contract services for the added planning activity and this is reflected by including \$300,000 in the Proposed Budget for contract planning services sufficient for two to three contract planners, depending on skill level.

The Proposed Budget for contract plan check and inspection services to supplement staff in Community Development and Public Works is proposed to be increased by approximately 107 percent, or \$350,000 for a total of approximately \$675,000. In addition to contract services, more of the existing staff resources are being allocated to development services and, in accordance with the Council authorization provided at the February 12 meeting, the terms of the existing two provisional planners have been extended. The expenditures for contract services would be timed with actual need, with the increased revenues balancing the increased expenditures. Staff will also be monitoring the revenues and expenditures with the intent of making any necessary adjustments at mid-year.

Public Works has also increased revenue related to encroachment permits, which are expected to increase due to development activity in the amount of \$120,000. The proposed

budget also includes additional funding in contract services of \$108,000 to review and inspect the permits

This proposal remains an imperfect solution, as it fails to completely resolve the need for oversight, the level of expediency desired by developers and the efficient timeframes the community is expecting and funding. Nonetheless, it satisfies the City Council's explicit concern about adding staff. Staff will carefully monitor the projects and should the higher activity levels prove to be lasting or the work fail to be completed within reasonable time frames in a quality manner, or customer complaints increase, consideration may eventually need to be given to the addition of City staff as previously recommended.

- 3. Look for opportunities to consolidate services** – The City continues to discuss contracting opportunities with the Menlo Park Fire Protection District to meet the Council goal of improving disaster preparedness by providing additional disaster preparedness services to the City. The District is preparing a response to the City's proposed scope of work which will then be subject to the Fire Board's approval. The Proposed Police Department Budget reflects funding to pay for these shared services.

The City Council's desire to continue to explore shared services initiatives is also underway with a number of other public agencies including the cities of Redwood City and East Palo Alto as well as the Fire District. Since the outcomes are unknown at this time, the Proposed Budget does not reflect these initiatives. Any successful agreements between these agencies can be incorporated during the Mid-Year Review. Agreements are in place and budgets do reflect shared services for fleet maintenance by the Public Works Department for the West Bay Sanitary District and the Menlo Park City School District.

- 4. Continue pursuit of appropriate cost recovery in all departments** – As stated in the User Fee Cost Recovery Policy, total cost recovery should be the goal for all fee-based programs, except where a community purpose is served by providing some level of subsidy. Annually, the City departments review their service fees and the relationship of those fees to the costs of providing services. On April 2, 2013, the Council reviewed and approved a resolution amending the City's Master Fee schedule, effective July 1. The fee changes approved in that schedule are included in this Proposed Budget.

In particular, significant revenue increases are projected in the Community Services Department. Resident Charges for Services are projected to increase by \$515,000. This increase comes from a combination of fee increases described above, which are part of the Department's multi-year strategy to increase cost recovery, and from the greatly increased participation in programs housed at the three new facilities. With the higher quality and expanded capacity of the facilities on the Burgess Campus, fee increases will support overall cost recovery and bring Menlo Park's fees into alignment with other surrounding communities' recreation fees. Overall cost recovery in the Community Services Department has increased over 16% in the last three years with 12 of 14 programs hitting cost recovery targets set in the Cost Recovery Policy.

5. **Seek operational efficiencies and revenue enhancement opportunities: Improve Library efficiencies** – Through the re-investment of a minor amount of additional funding improvements in Library services and resources are proposed. With the allocation of an additional \$10,000 and the revamping of library staffing hours, the Library will be able to restore the ability to remain open on City holiday weekends. This reverses a reduction action taken several years ago. In addition, a 5% increase (\$19,000) in the General Fund Library materials budget is proposed.
6. **Invest in employee performance and/or production** – Staff recommends that funds be set aside for potential staff compensation adjustments, which would be decided through the City's bargaining group negotiation process. Non-sworn staff in Menlo Park have sacrificed overall cost-of-living pay adjustments for five years, and all the City's labor agreements include cost sharing measures that have provided considerable savings in order to preserve public services. As the City turns this financial corner, the time has come to begin investing in measures that serve to assure retention of our current work force and create the high performing innovative team our community has come to expect. I believe that we must begin to invest in our staff in order to keep Menlo Park's compensation levels commensurate in the market to retain and attract quality employees. There is evidence of several high-profile departures recently from the City for positions with other agencies at higher rates of compensation and it is proving more difficult to recruit quality talent to Menlo Park with our current compensation program.

Menlo Park, like all local agencies, is a service organization with approximately 70% of our costs invested in personnel. The public has come to enjoy and expect the broad array of services that make Menlo Park a highly desirable place to live and work. While every attempt is taken to make sure that the service delivery model is appropriate (contracting, consolidation, cooperation, etc.), we still find ourselves as a local government with 228 full-time equivalent employees (FTE's). The demand remains strong for the provision of more quality public services, as evidenced by the community's response in recent years when elimination of programs has been suggested.

7. **Maintain existing infrastructure and invest in technology** – Each and every year, as policy, the City has transferred moneys from the General Fund to the CIP. Again this year, the Proposed Budget recommends a transfer of \$2.4 million to the Capital Improvement Program fund. This is an increase of approximately \$90,000 from the 2012-13 level, in keeping with the City's policy of growing the investment by a cost-of-living factor. This investment is in addition to the proposal described above to place \$3.0 million of the one-time funds received during this year into the Capital Improvement Fund for future investments in City Technology and Communication infrastructure improvements.
8. **Invest in Council-adopted plans, strategies and priorities: Traffic safety and community policing** – The Police Department is in the process of re-deploying motorcycle officers on the street as a means of addressing increasing traffic safety concerns throughout the community including the enforcement of traffic laws to reduce traffic accidents, congestion

and other traffic related issues. Additional traffic safety measures include the proposed siting of an additional Redflex red-light camera at Bayfront Expressway and Chilco.

While not reflected in the Proposed Budget, the Police Department has requested an additional ¼ time civilian position (for a total of 1.0 FTE) Red-Flex coordinator. This extra time will relieve the Sergeant who is presently attending court on traffic violations and will allow the Sergeant to spend more time in the field. Staff may bring this item back to the City Council for a conversation when the entire Red-Flex contract returns to the City Council this summer for renewal.

- 9. Utilize one-time revenues for one-time highest and best investment** – As reported in an April 2, 2013 staff report, the City has, or is expecting to receive, a significant amount of one-time revenue during the current fiscal year. Totaling \$7.68 million, funds have or will be available as noted below:

Revenue Item	\$(million)
2011-12 GF Surplus	1.90
Stanford Med Expansion	1.23
RDA Dissolution - Other	1.30
RDA Dissolution - Housing	0.58
Facebook East	1.10
Sale of Terminal Avenue	0.77
Sale of Hamilton Avenue	0.80
Total	\$7.68

As approved in concept by the Council, this Budget proposes these funds be set aside for three purposes:

- a) \$2.68 million to be added to the Undesignated General Fund Reserve
- b) \$3.00 million to be added to the Capital Improvement Program Fund for Technology and Communications projects, and
- c) \$2.00 million to be added to the Capital Improvement Fund for future Comprehensive Planning activities.

A total of \$2.3 million of these funds have already been placed in the Capital Improvement Program Fund. The Council will be asked to authorize the transfer of the funds at the end of the current fiscal year.

Uncertainties around the Corner

Legislation – Finally, several unknowns remain as we turn the corner toward financial stability. We remain ever-wary of Federal and/or State actions that could adversely affect the City; specifically, the effects of Federal sequestration actions on local governments, and the costs that may accrue to the City through the implementation of the new national Affordable Health Care Act. And, even though the State seems to be in better shape than in recent years, we are all only too familiar with the State’s history of developing new and ingenious ways of tapping into local revenues and shifting State costs to local government. Staff will keep a watchful eye on both levels of government.

CalPERS – Perhaps the most imposing unknown that the City must begin to position itself for is the likely increase in employee retirement costs. Previously announced increases in CalPERS costs for FY 2013-14 and projected for FY 2014-15 and FY 2015-16 have been included in this budget and in the balanced 10-year forecast. However, CalPERS is re-examining its various standards for projections, and its Board has just given tentative approval to changes in actuarial methods that could significantly increase costs to CalPERS agencies such as Menlo Park. No final numbers have been provided to what is being billed as a five-year phased in set of incremental rate increases beginning in 2015. According to CalPERS, the changes are designed to return CalPERS to full funding over a 30-year period, and avoid precipitous increases during fiscal down times. The PERS costs for the current year and the upcoming fiscal year are shown below.

Budgeted Citywide PERS Costs	
2012-13	\$3,555,021
2013-14	\$3,736,670
Increase	\$ 181,649

A recent analysis provided by the Capital Weekly estimated that the new rates after seven years could be as much as twice the increase previously planned. There is much consternation and debate about these actions around the State, and it will obviously be important that we closely monitor developments and begin to prepare the City for these retirement cost increases. To this end, it is recommended that the City begin putting money aside for this purpose. As a first step in that direction, we are recommending that Council consider earmarking the positive balance of \$202,508 projected for the Proposed 2013-14 General Fund budget to provide a very modest initial investment in a retirement cost reserve. While it carries some risk, the Council could consider pre-funding CalPERS and reap potential savings in the long term.

Police Substation – Additionally, great progress has been made in the last several weeks to re-locate the Police Substation from the corner of Willow and Newbridge to a more accessible community location at Willow and Hamilton. Negotiations for a lease agreement are underway that would not add additional costs to the Police Department budget and would enhance community policing in the Belle Haven neighborhood. However, costs of staffing at the substation and the possible addition of other City services at that location remain unknown at this time.

General Fund Summary

The following table shows the City’s General Fund actual revenues and expenditures in fiscal years 2010-11 and 2011-12, along with both the adopted and adjusted budgets for 2012-13. The last column of the table reflects a summary of the General Fund Budget included in the City Manager’s 2013-14 Proposed Budget.

General Fund Summary						
	2010-11 Actual	2011-12 Actual	2012-13 Adopted Budget	2012-13 Adjusted Budget	2012-13 Estimated Actual	2013-14 Proposed Budget
Property Taxes *	\$12,811,324	\$13,239,856	\$13,658,000	\$13,853,000	\$15,373,000	\$13,955,000
Sales Tax	5,988,055	5,938,310	6,330,000	6,280,000	5,901,950	6,331,400
Transient Occupancy Tax	2,453,981	2,939,475	3,326,000	3,326,000	3,400,000	3,743,000
Utility Users Tax	1,122,940	1,080,435	1,180,500	1,165,500	1,165,500	1,184,620
Franchise Fees	1,677,016	1,758,705	1,873,500	1,873,500	1,750,567	1,812,300
Licenses & Permits	3,239,561	3,685,556	4,266,465	4,326,465	4,270,465	4,459,465
Intergovernmental	1,946,156	1,158,010	911,263	838,130	783,606	741,704
Fines	953,195	1,067,327	1,085,200	991,400	1,016,855	1,319,980
Interest and Rent Income	575,758	761,326	770,018	752,018	752,018	777,710
Charges for Services	5,246,251	6,743,126	6,370,600	7,080,246	7,241,145	7,795,222
Transfers & Other *	730,505	606,176	418,123	420,123	1,179,689	429,446
Total Revenue	\$36,744,741	\$38,978,301	\$40,189,669	\$40,906,382	\$42,834,795	\$42,549,847
Personnel	26,845,802	26,544,150	28,612,146	28,241,954	27,471,655	29,340,598
Operating	4,614,492	4,893,216	5,709,452	6,011,295	5,791,836	6,059,774
Contract Services	2,250,243	3,203,334	3,143,401	3,962,937	3,710,820	4,392,367
Transfers Out *	2,267,950	2,377,800	2,464,328	2,464,328	5,164,328	2,554,600
Total Expenditures	\$35,978,487	\$37,018,500	\$39,929,327	\$40,680,514	\$42,138,639	\$42,347,339
Net Operating Revenue	\$766,254	\$1,959,801	\$260,342	\$225,868	\$696,156	\$202,508
Total General Fund Surplus				\$225,868	\$696,156	\$202,508
* Estimated 2012-13 includes one-time money transferred to CIP \$2,700,000						

General Fund Revenues – For fiscal year 2013-14, total General Fund revenues of \$42.5 million are projected. This is approximately 3.8% above the 2012-13 Adjusted Budget level.

The most significant changes from prior forecasts include a drop in anticipated Property Tax proceeds, in anticipation of a negative effect from San Mateo County's rather unique experiencing of a new State impact termed "insufficient ERAF" (Educational Revenue Augmentation Fund). This situation is an outcome of two very complicated funding mechanisms developed over the past decade to deal with State shortfalls: the triple flip and the vehicle license fee (VLF) swap. In order to repay State bond proceeds, funding from California cities' and counties' sales tax and VLF revenues were reduced, but these losses were to be offset by property taxes redirected from the countywide ERAF account. Until recently, this mechanism has worked. The City's 2012-13 adopted budget anticipated approximately \$1.3 million.

However, starting last year, for three counties in the State, Amador and Marin counties and our own San Mateo County, due to various factors including meeting the minimum requirements for basic-aid schools, the amount of money available in the County's ERAF account has and is proving to be insufficient to completely offset cities' losses from the State actions. Menlo Park experienced a shortfall from this development this year, and therefore budgeted a shortfall of

\$655,000 in 2013-14, pending further information from the County and State about what, if anything, can or should be done about this situation. Information available in the next few months should allow the City to make a more precise estimation of what the impact will be.

General Fund Expenditures

The Proposed General Fund Budget for fiscal year 2013-14 is balanced, reflecting a \$42.3 million expenditure. The City’s General Fund accounts for revenues and spending for the City’s general government operations that do not require separate accounting. It is the most recognized and scrutinized fund as it accounts for the City’s largest revenue sources – Property, Sales, and Transient Occupancy taxes – as well as expenses related to public safety, community services, planning, parks, library and administrative services.

Of the \$42.3 million, approximately 70% is for Personnel costs. This proposed expenditure level represents an approximately 4.1% increase from the 2012-13 Adjusted Budget. The expenditure amount included in the 2013-14 forecast last shown to Council was \$41.7 million. The difference is due to the additional contract services in Community Development to accommodate development demand.

In general, and by design, most department expenditure budgets have been held at existing levels, and there is no proposed increase in employee FTEs.

General Fund Expenditures Summary by Department						
	2010-11 Actual	2011-12 Actual	2012-13 Adopted Budget	2012-13 Adjusted Budget	2012-13 Estimated Actual	2013-14 Proposed Budget
Community Development	\$2,503,579	\$3,383,568	\$2,946,137	\$3,197,249	\$3,073,916	\$3,369,769
Library	1,914,899	1,871,633	2,042,465	2,042,465	2,025,701	2,109,769
Community Services	6,169,154	6,310,929	7,039,934	7,080,106	6,948,037	7,309,436
Administrative Services	4,677,761	4,616,945	5,576,544	5,898,279	5,412,254	6,592,302
Public Works	4,517,248	4,482,385	5,239,516	5,535,334	5,286,495	5,550,915
Public Safety	13,927,896	13,975,240	14,706,931	14,462,753	14,227,908	14,860,548
Transfers Out	2,267,950	2,377,800	2,377,800	2,464,328	5,164,328	2,554,600
Total Expenditures	\$35,978,487	\$37,018,500	\$39,929,327	\$40,680,514	\$42,138,639	\$42,347,339

Note that the 2013-14 Proposed Budget results in small positive General Fund surplus of \$202,508. As described above, staff proposes that the City Council consider setting this, or whatever surplus may result following any revisions the Council may make, be set aside for specific purposes such as a fund for future retirement costs.

General Fund Balance/Reserves

As described above, as a result of prudent fiscal management, the City enjoys a rather healthy General Fund reserve. As of the end of the 2011-12 fiscal year, the City’s General Fund balance was approximately \$21.5 million (of which \$19.3 was “spendable”). The fund balance at the

end of the current year can be expected to be above that level due to the Council approved addition of \$2.68 million to that reserve from the one-time funding to be received this fiscal year, as well as a projected year-end surplus in the General Fund of approximately \$696,000.

The City’s Fund Balance Policy, adopted in June, 2011, states that the total goal range for the City’s unrestricted fund balance is 43-55% of General Fund expenditures, which compares very favorably with the Government Finance Officers Association benchmark that reserves should cover at least 2-3 months of operating expenses (or approximately 25% reserve). The projected 53% fund balance for the end of the current year should be well within the Council’s policy range. These reserves provide a crucial safety net for emergencies, unforeseen operational contingencies or fiscal set-backs, and/or potential funding for significant non-recurring investment opportunities which could enhance the City’s fiscal position.

General Fund Balance			
Fiscal year	Ending Fund Balance	General Fund Budget	Reserve
2011-12 Actual	\$21,497,995	\$39,670,622	54.2%
2012-13 Estimate	\$22,194,151	\$40,680,514	54.6%
2013-14 Projected	\$22,396,662	\$42,347,338	52.9%

10-Year Forecast Update

A revised 10-Year General Fund Forecast is provided as Attachment B to this report. It is an update of forecasts that have been provided to the Council at several points during the year. It uses the 2013-14 Proposed Budget as a starting point for estimating revenue and expenses for the forecast period. The forecast is developed utilizing a Muncast system, which allows a variety of projection iterations, from optimistic to most likely to pessimistic. Only the “most likely” scenario is presented in this report. The notes to the Projection attempt to articulate major deviations for a flat growth assumption within any category.

It is a given that budgetary risks grow, and the accuracy of projections lessen, the further into the future a long-term projection such as this one goes, and that no forecast that goes ten years out can be counted on to be completely predictive. The ups and downs of economic fortune that will inevitably occur cannot be projected with any certainty beyond the near term, if then, as recent history has vividly demonstrated. As a general gauge of the current stability of the city’s financial status, however, we believe this tool is quite useful. At this point, our 10-year horizon indicates that, barring major changes in the environment, the City has achieved relative stability. The forecast shows consistent, if relatively small positive balances in each year. This is far better than forecasts for many local government organizations that indicate persistent structural shortfalls. It does not indicate, however, that we should be planning for any major restoration and/or expansion of service levels, but neither does it indicate that significant additional service erosion will prove necessary.

All of the risks and opportunities that have been discussed elsewhere in this letter present challenges or opportunities to this forecast for relative stability. On the upside, the recent uptick in major economic development activities would seem to offer great opportunities to improve the tax base of the City. Conversely, the overall uncertainties in the national and international economies, and the cost challenges the City faces in the health care and retirement areas are of definite concern. Staff has endeavored to provide the most realistic depiction of the fiscal status and future of the City given information now available. Analysis of the developments that change that picture will be closely monitored and brought to the City Council's attention as they occur.

Other Funds

The City has over forty active funds, most of which are included in the annual budgeting process. Estimated year-end balances are carefully tracked to identify potential future problems. Over time, for example, within any given fund, dwindling fund balances may indicate a potential future threat to the City's General Fund unless corrective action is taken. A summary of Fund Balances over a three year period is shown as part of the Budget Document.

One proposed change of significance in the special fund category involves the Comprehensive Planning Fund. Established two years ago as a sub-fund to the General Fund, this was to provide and account for funding for the development of comprehensive planning projects, including the General Plan update, as they were approved by Council. This arrangement has proved to be less than useful, as no funding source for the fund was ever identified, and it does not really exist as a separate fund. In the 2013-14 Proposed Budget, therefore, staff proposes to close out this fund and move the existing obligations as well as the new \$2.0 million comprehensive planning project described above into the City's Capital Improvement Program fund as a capital project allocation.

Many of the City's funds are designated largely for capital projects. Beginning in Fiscal Year 2010-11, the capital planning process was formalized in the development of a 5-year Capital Improvement Plan (CIP). The use of a 5-year CIP is intended to strengthen and stabilize future funding plans and scheduling, addressing the Council's goal of improving long-term planning. The City's 2013-14 Proposed CIP was reviewed at a Council Study Session on March 26, 2013, and funding for the projects included in that proposed CIP are included in the attached 2013-14 City Manager's Proposed Budget.

Maintenance of the City's infrastructure (streets, parking plazas, storm drains, sidewalks, buildings, parks and bridges) remains a high priority for Menlo Park. Funding for much of this infrastructure maintenance is provided for each year as a fund transfer from the General Fund to the General Fund Capital Improvement Projects (CIP) Fund. The 2013-14 Proposed Budget includes an increase in the transfer to the CIP fund of 4%, bringing the transfer total to \$2,340,000. This is the second year in row that the transfer is being proposed to increase by the 4% goal set by Council. Prior to that, the transfer amount had remained unchanged since the 2008-09 fiscal year. This transfer of General Fund dollars to support infrastructure maintenance is rare among cities today and is one other reason bond rating agencies continue to refer to Menlo Park as financially strong and well-managed. It should also be noted that the

General Fund CIP only funds a portion of the City's infrastructure needs. Several other funding sources are utilized, particularly for street maintenance, such as the City's Building Construction Impact Fee, State gasoline taxes, and Federal grants.

The proposed CIP budget for 2013-14 is summarized in Attachment C, along with the remaining balances in the 2012-13 CIP budget. The 2013-14 Proposed CIP for all funds totals \$17,602,00.

Utility User Tax Rate Considerations

The Utility Users Tax was approved by the voters in November 2006 to provide for the long-term sustainability of the General Fund budget. The rate has not been assessed at the full level of the rates provided for in the UUT ordinance. If that were to happen, an additional \$2.3 million in General Fund revenue would be available. An annual finding by the City Council that the continuation of the tax is necessary for the financial health of the City and an accompanying action to continue the rate at the current reduced level is required.

It is clear from a review of the 10-year Forecast attached to this report that the continuation of the tax at the current level is essential to maintaining the City's fiscal position. Its loss would immediately throw the General Fund into a significant deficit position. It is equally true that under current circumstances there are not compelling reasons to change the rate applied beyond the current 1% level. It is therefore recommended that the Council, as part of the budget adoption process, take the appropriate actions necessary to extend the current temporary reduction of the UUT tax for another year beyond the current expiration date of September 30, 2013.

The Budget Document

The complete budget document as proposed by the City Manager for Fiscal Year 2013-14 is included here as Attachment A. The Proposed Budget is the detailed explanation of the spending plan, reflecting the City's policies, goals and priorities as approved by the City Council.

The Budget document contains expense and funding information for all City funds. The Table of Contents is helpful in orienting to each section. Each program service is listed along with actual 2011-12 costs, the current year (2012-13) adopted and adjusted budgets, estimates for 2012-13 year end status, as well as the proposed budget allocations for the upcoming 2013-14 fiscal year. In the back of the document is information about the City's estimated fund balances and the planned Capital Improvements projects for 2013-14.

Next Steps

The City Council is scheduled to conduct a Study Session on the Proposed Budget on May 21, 2013. It is simply a presentation of the Proposed Budget and an explanation of the highlights.

A Public Hearing is scheduled for June 4, 2013 wherein the public and the City Council will have the opportunity to ask questions and the City Council will begin to develop consensus on desired outcomes of the budget.

The final 2013-14 Proposed Budget is scheduled to be adopted on June 11, 2013.

The document, incorporating any changes that the City Council may have directed during the prior sessions, will be available on-line and to the Council for its June 11 regular Council meeting where approval of the budget will be on the agenda. All appropriate resolutions, including a resolution regarding the continuance of reduced UUT rates as of October 1, 2013 will also be prepared for adoption on June 11.

Final Thoughts

We've turned a corner.

Our financial outlook is optimistic. You should know that City Managers, as a profession, are a cautious breed. So, for me to offer this financial insight will be considered alarming to some. The heady heydays of the late 1990's and early 2000's are behind us and likely never to be seen here again. And that is not what I strive for. Through careful Council leadership and steady management, as well as honoring the strategic decisions made in the past, we can maintain our standing as a financially strong community.

As I took over the position of City Manager in 2012, I carefully selected a City that demonstrated a willingness to provide high-quality and professional public services to its residents and offered opportunity to diversify both the delivery and types of services provided. As we look toward the future, public service pressures and demands from this community will only continue to grow as the economy strengthens. Careful guidance by City Councils can balance the needs of the community with the City's ability to afford them.

Menlo Park remains an extremely attractive place to live and work. The desire to live here remains strong. I know that when I purchased my home here, the cost per square foot of my house was astronomically high, and has seemingly gone higher since. Residents don't make those types of investments in communities failing to maintain high quality standards. Maintaining public services, whether it be – beautiful parks and open space, considered and efficient development, responsive and approachable law enforcement, or attractive recreation and library services – will all be critical to keeping our high quality of life and to continuing to attract the residents who will appreciate them.

Employment opportunities within the community will continue to expand as pressures to develop grow. Facebook was first; I believe more will follow. Not a week goes by where members of the development community are not exploring with me and other staff new job creating development opportunities. I know that careful consideration of job creation opportunities balanced with the needs of our residents secure our place as a great place to work and live. And the City Council continues to focus on investing in and enhancing the desirability of our shopping experiences. Our future is strong.

We have turned a corner.

Special Thanks

The development of a complex spending plan as appears before you takes significant staff time and expertise. When the City's Finance Director left us in March, it put the staff into a bit of a

quandary about how best to complete the budget. We were fortunate to have quality staff step up and take on the responsibility of completing the work that had already begun.

I would like to acknowledge Geoffrey Buchheim, Stephen Green and John McGirr from the Finance Department who truly rose to the occasion to develop the information in this document. Staff was fortunate to be able to attract back to the City the former Finance Director, Uma Chokkalingam, to serve as Interim Finance Director, offering a stabilizing presence in the Department. And the City asked Larry Lisenbee to coordinate and manage the budget preparation process. None of this could have been done without his steady leadership, calm and knowledge.

The expertise of the City's department head team needs to be acknowledged since three of them had never participated in the Menlo Park budget development process before. And finally, Assistant City Manager Starla Jerome-Robinson, who carefully and steadily guided this process through its uncertain and choppy waters, deserves high accolades.

I look forward to your thoughtful comments on this important policy document.

Sincerely,



Alex D. McIntyre
City Manager

Attachments:

- A. City Manager's 2013-14 Proposed Budget Draft
- B. Revised 10-Year General Fund Forecast
- C. 2013-14 Summary CIP

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CITY MANAGER'S PROPOSED
BUDGET REPORT

2013-14

City of Menlo Park



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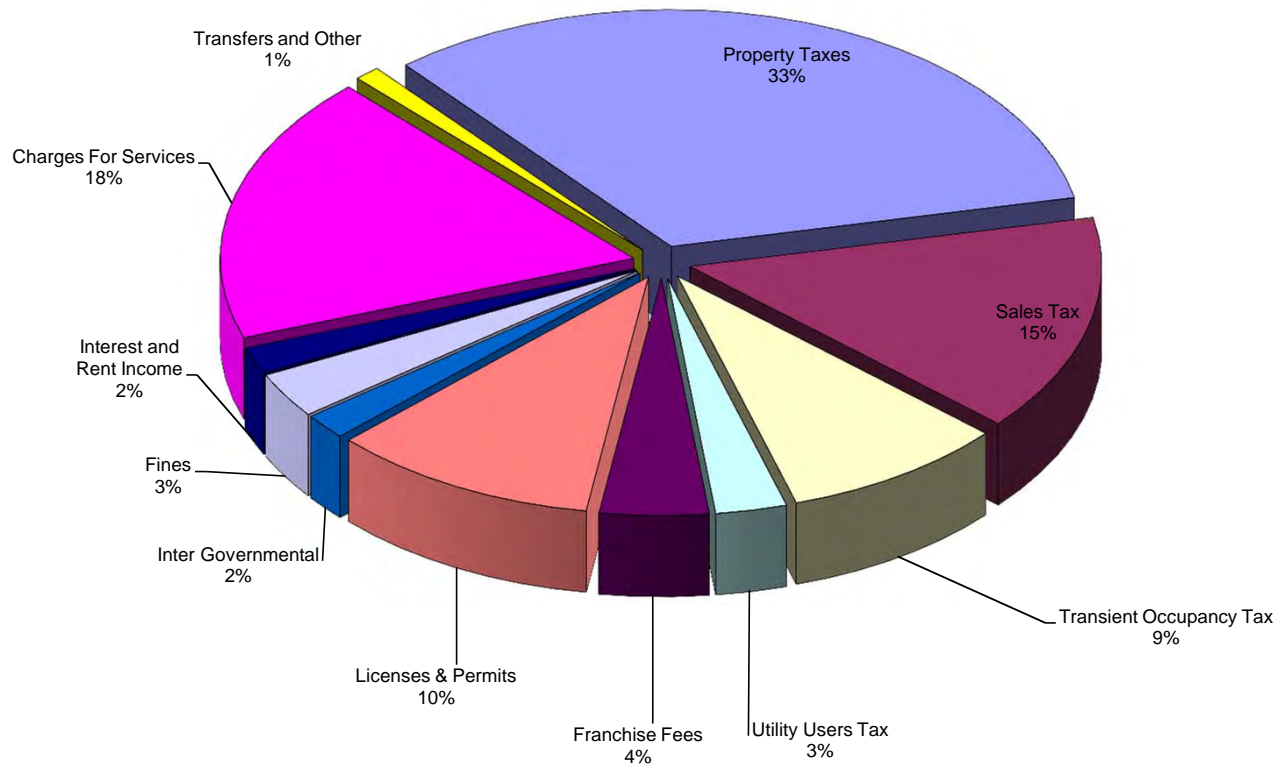
CITY OF MENLO PARK FISCAL YEAR 2013 – 14



BUDGET OVERVIEW

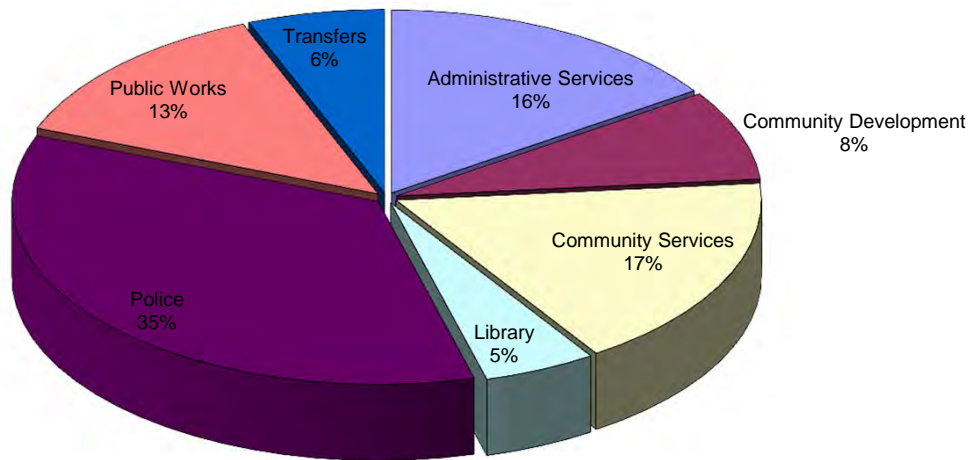
Pages 1 thru 8 are the transmittal letter which will be included in the 2013-14 Adopted Budget Document

**City of Menlo Park
2013-14 General Fund Revenue - Budget**



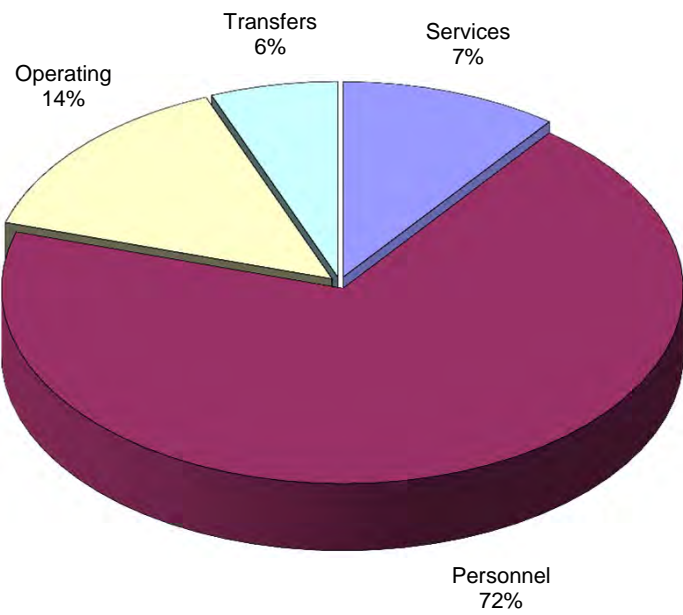
Property Taxes	\$ 13,955,000	33%
Sales Tax	6,331,400	15%
Transient Occupancy Tax	3,743,000	9%
Utility Users Tax	1,184,620	3%
Franchise Fees	1,812,300	4%
Licenses & Permits	4,459,465	10%
Inter Governmental	741,704	2%
Fines	1,319,980	3%
Interest and Rent Income	777,712	2%
Charges For Services	7,795,222	18%
Transfers and Other	429,444	1%
Total Revenue	\$ 42,549,847	

**City of Menlo Park
2013-14 General Fund Expenditures by Lead Department**



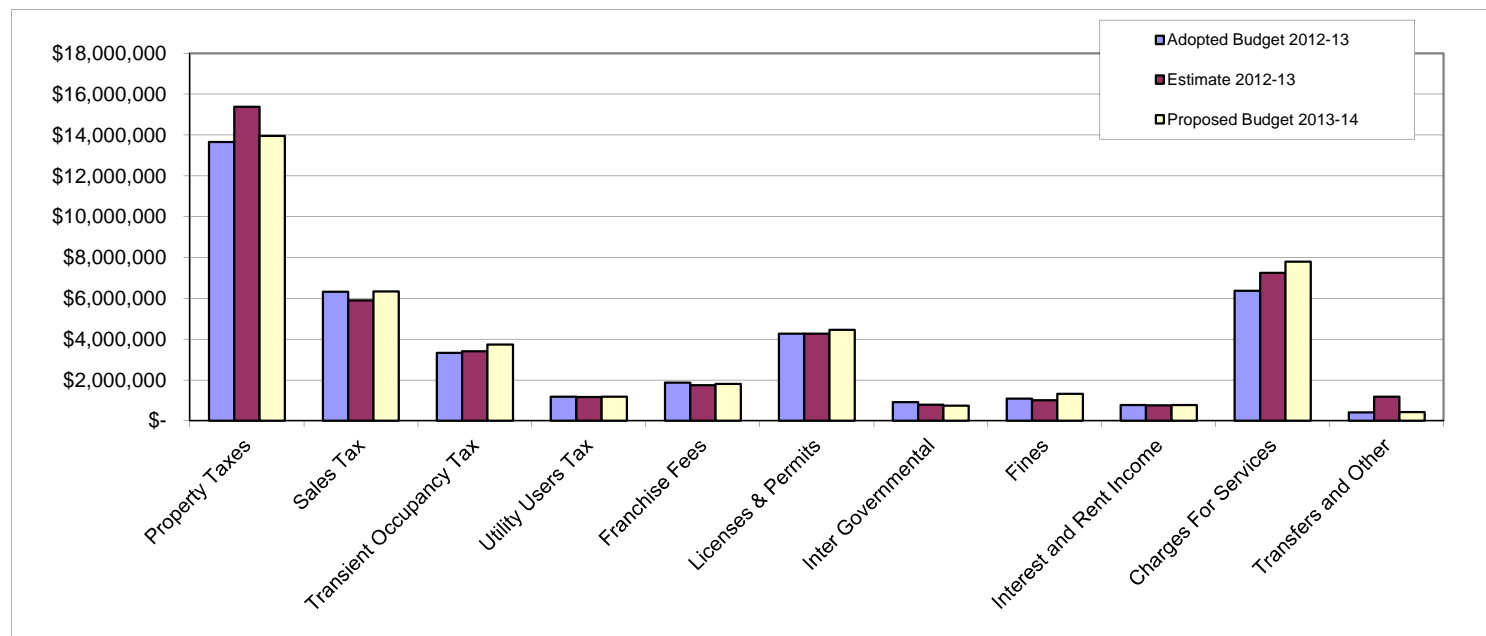
Administrative Services	\$ 6,592,302	16%
Community Development	3,369,769	8%
Community Services	7,309,436	17%
Library	2,109,769	5%
Police	14,860,547	35%
Public Works	5,550,916	13%
Transfers	2,554,600	6%
Total Expenditures	\$42,347,339	

**City of Menlo Park
2013-14 General Fund Expenditures by Category**



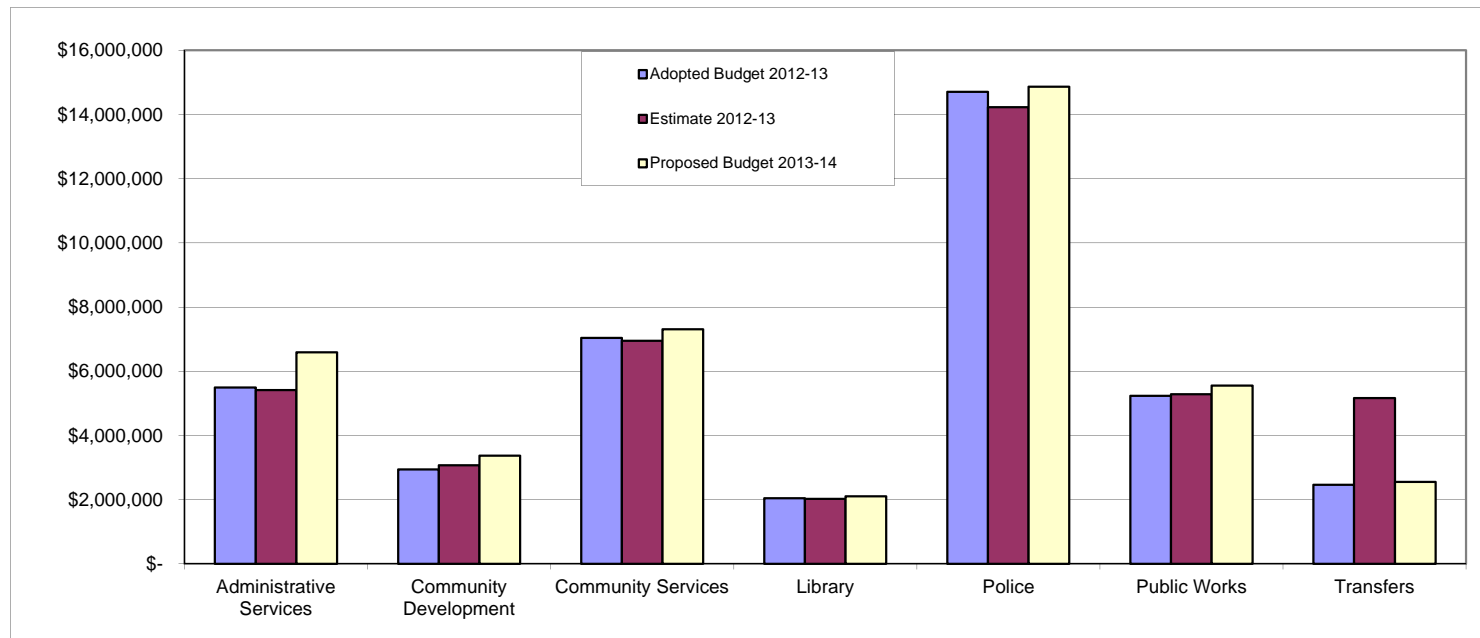
Services	\$ 4,392,366	10%
Personnel	29,340,599	69%
Operating	6,059,774	14%
Transfers	2,554,600	6%
Total Expenditures	\$ 42,347,339	

**City of Menlo Park
2013-14 General Fund
Revenue Increase/(Decrease) by Category
2012-13 Adopted Budget and Estimate vs. 2013-14 Proposed**



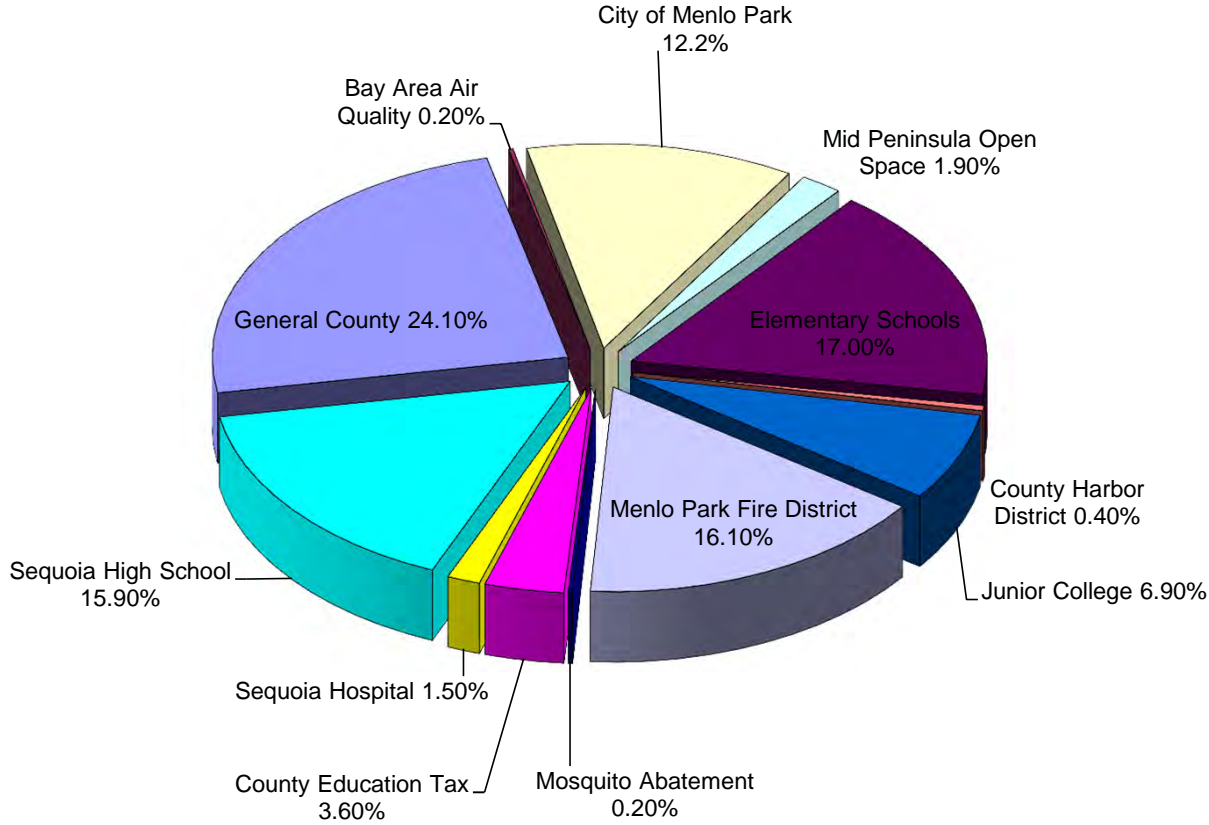
Operating Revenues	Adopted Budget 2012-13	Estimate 2012-13	Proposed Budget 2013-14	2012-13 Adopted Budget vs. Proposed		2012-13 Estimate vs. Proposed	
				Increase/(Decrease) Amount	Increase/(Decrease) %	Increase/(Decrease) Amount	Increase/(Decrease) %
Property Taxes	\$ 13,658,000	\$ 15,373,000	\$ 13,955,000	\$ 297,000	2%	\$ (1,418,000)	-9%
Sales Tax	6,330,000	5,901,950	6,331,400	1,400	0%	429,450	7%
Transient Occupancy Tax	3,326,000	3,400,000	3,743,000	417,000	13%	343,000	10%
Utility Users Tax	1,180,500	1,165,500	1,184,620	4,120	0%	19,120	2%
Franchise Fees	1,873,500	1,750,567	1,812,300	(61,200)	-3%	61,733	4%
Licenses & Permits	4,266,465	4,270,465	4,459,465	193,000	5%	189,000	4%
Inter Governmental	911,263	783,606	741,704	(169,559)	-19%	(41,902)	-5%
Fines	1,085,200	1,016,855	1,319,980	234,780	22%	303,125	30%
Interest and Rent Income	770,018	752,018	777,712	7,694	1%	25,694	3%
Charges For Services	6,370,600	7,241,145	7,795,222	1,424,622	22%	554,077	8%
Transfers and Other	418,123	1,179,689	429,444	11,321	3%	(750,245)	-64%
Total Revenue	\$ 40,189,669	\$ 42,834,795	\$ 42,549,847	\$ 2,360,178	5.9%	\$ (284,948)	-1%

**City of Menlo Park
2013-14 General Fund
Expenditure Increase/(Decrease) by Lead Department
2012-2013 Adopted Budget and Estimate vs. 2013-14 Proposed**



	Adopted Budget 2012-13	Estimate 2012-13	Proposed Budget 2013-14	2012-13 Adopted Budget vs. Proposed		2012-13 Estimate vs. Proposed	
				Increase/ (Decrease) Amount	Increase/ (Decrease) %	Increase/ (Decrease) Amount	Increase/ (Decrease) %
Administrative Services	\$ 5,490,017	\$ 5,412,254	\$ 6,592,302	\$ 1,102,285	20%	\$ 1,180,048	22%
Community Development	2,946,137	3,073,916	3,369,769	423,632	14%	295,853	10%
Community Services	7,039,934	6,948,037	7,309,436	269,502	4%	361,399	5%
Library	2,042,465	2,025,701	2,109,769	67,304	3%	84,068	4%
Police	14,706,931	14,227,908	14,860,547	153,616	1%	632,639	4%
Public Works	5,239,516	5,286,495	5,550,916	311,400	6%	264,421	5%
Transfers	2,464,328	5,164,328	2,554,600	90,272	4%	(2,609,728)	-51%
Total Expenditures	\$ 39,929,328	\$ 42,138,639	\$ 42,347,339	\$ 2,418,011	6%	\$ 208,700	0%
Total Expenditures less Transfers	37,465,000	36,974,311	39,792,739	2,327,739	6%	2,818,428	8%

Property Tax Split



General County	24.10%
Bay Area Air Quality	0.20%
City of Menlo Park	12.20%
Mid Peninsula Open Space	1.90%
Elementary Schools	17.00%
County Harbor District	0.40%
Junior College	6.90%
Menlo Park Fire District	16.10%
Mosquito Abatement	0.20%
County Education Tax	3.60%
Sequoia Hospital	1.50%
Sequoia High School	15.90%

**FY 2013-14 BUDGET SUMMARY
By Department and Program**

	GENERAL FUND				ALL FUNDS			
	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14
700 - Administrative Services Department								
Program 502 - Community Development Area/Agency	13,759	23,400	22,600	-	11,785,956	23,400	22,600	-
Program 701 - Policy Development And City Council Support	830,870	1,033,590	984,738	1,522,164	830,870	1,033,590	984,738	1,522,164
Program 702 - Service Excellence	221,357	287,197	259,664	422,012	221,357	287,197	259,664	422,012
Program 703 - Elections And Records	67,829	120,508	81,644	88,582	67,829	120,508	81,644	88,582
Program 704 - Community Engagement	180,775	342,967	283,441	343,278	207,373	342,967	283,441	343,278
Program 705 - Asset Preservation	3,580,794	4,061,759	6,600,910	4,127,232	60,617,130	12,908,218	10,207,033	7,071,709
Program 706 - Information Support	820,711	978,566	923,210	1,003,696	820,711	978,566	923,210	1,003,696
Program 707 - Internet And World Wide Web	23,996	87,166	66,050	80,000	23,996	87,166	66,050	80,000
Program 708 - Employee Support	795,275	800,557	984,386	928,820	1,350,484	1,381,557	1,525,875	1,544,360
Program 709 - Legal Services	300,649	336,696	303,054	349,170	556,020	349,784	421,749	362,244
Program 710 - Business Development	158,730	290,202	66,885	281,948	180,197	290,202	66,885	281,948
Department Total	6,994,746	8,362,608	10,576,582	9,146,902	76,661,924	17,803,155	14,842,888	12,719,993
600 - Community Development Department								
Program 601 - Comprehensive Planning	582,241	171,012	138,740	24,210	765,480	1,509,578	1,383,185	2,292,496
Program 602 - Land and Building Development Services	2,800,892	3,026,236	2,935,176	3,345,558	3,908,557	3,132,562	2,941,704	3,345,558
Department Total	3,383,133	3,197,248	3,073,916	3,369,769	4,674,038	4,642,140	4,324,889	5,638,055
300 - Community Services Department								
Program 310 - Social Services & Childcare	3,521,690	3,808,115	3,634,413	3,888,767	3,593,003	3,915,736	3,737,835	3,890,669
Program 311 - Recreation/Physical Activities	2,656,698	3,236,648	3,249,936	3,413,571	2,657,398	3,237,348	3,249,936	3,414,271
Program 501 - Affordable Housing	132,542	34,342	63,688	7,098	7,634,878	157,957	633,042	143,598
Department Total	6,310,930	7,079,105	6,948,037	7,309,436	13,885,278	7,311,041	7,620,813	7,448,538
400 - Library Department								
Program 401 - Library Collections And Online Resources	1,501,881	1,657,776	1,653,966	1,722,131	1,516,843	1,799,088	1,700,851	1,832,987
Program 402 - Reading Promotion And Life Skills	369,751	384,690	371,735	387,639	604,836	645,405	592,393	640,065
Department Total	1,871,632	2,042,466	2,025,701	2,109,769	2,121,680	2,444,493	2,293,244	2,473,053
100 - Police Department								
Program 101 - Community Safety	9,622,791	9,985,724	10,059,830	10,510,164	10,317,136	10,125,507	10,203,628	10,620,164
Program 102 - Patrol Support	3,004,644	2,985,193	2,776,615	2,847,230	3,013,052	3,009,278	2,784,408	2,868,630
Program 103 - Emergency Preparedness	228,768	245,537	225,141	253,328	228,768	245,537	225,141	253,328
Program 104 - Traffic And School Safety	1,119,037	1,246,299	1,166,323	1,249,824	1,119,037	1,246,299	1,166,323	1,249,824
Department Total	13,975,240	14,462,753	14,227,908	14,860,547	14,677,993	14,626,621	14,379,499	14,991,947
200 - Public Works Department								
Program 201 - City Facilities	2,167,689	2,608,285	2,444,441	2,586,694	21,187,800	33,935,776	11,060,800	19,006,114
Program 202 - Menlo Park Municipal Water District Water Supply	-	-	-	-	5,571,052	6,559,734	6,222,703	6,555,772
Program 203 - City Vehicles And Equipment	332,064	366,552	338,425	378,767	548,896	726,610	705,140	726,460
Program 204 - Urban Forest	281,107	303,570	310,337	350,131	842,738	999,448	914,594	972,814
Program 205 - City-Owned Street And Other Right-Of-Way	1,215,787	1,567,549	1,560,206	1,485,017	1,739,319	2,129,269	2,024,876	1,957,114
Program 206 - Stormwater Management	127,564	280,588	257,845	347,913	502,874	622,413	473,484	678,893
Program 207 - Resource Conservation	66,582	107,490	89,037	111,624	252,870	378,557	331,719	369,142
Program 208 - Transportation Management	291,593	301,300	286,204	290,770	1,465,126	1,979,781	1,568,839	1,941,713
Department Total	4,482,386	5,535,334	5,286,495	5,550,916	32,110,674	47,331,588	23,302,155	32,208,022
City Totals	37,018,066	40,679,514	42,138,639	42,347,339	144,131,586	94,159,038	66,763,489	75,479,607

**FY 2013-14 BUDGET SUMMARY
By Department, Program and Service**

	GENERAL FUND				ALL FUNDS			
	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14
700 - Administrative Services Department								
Program 502 - Community Development Area/Agency								
Service 502-01 - Policy, Program & Project Development	9,959	12,000	11,600	-	130,726	12,000	11,600	-
Service 502-02 - Facility Improvement	-	-	-	-	11,642,881	-	-	-
Service 502-03 - Service Enhancement	3,800	11,400	11,000	-	12,350	11,400	11,000	-
Program Total	13,759	23,400	22,600	-	11,785,956	23,400	22,600	-
Program 701 - Policy Development And City Council Support								
Service 701-01 - Effective Staffing	501,274	563,808	585,963	1,010,097	501,274	563,808	585,963	1,010,097
Service 701-02 - Intergovernmental Liaison	205,259	283,862	276,247	299,995	205,259	283,862	276,247	299,995
Service 701-03 - Commissions	28,151	52,175	29,530	62,192	28,151	52,175	29,530	62,192
Service 701-04 - Constituent Assistance	96,186	133,745	92,998	149,881	96,186	133,745	92,998	149,881
Program Total	830,870	1,033,590	984,738	1,522,164	830,870	1,033,590	984,738	1,522,164
Program 702 - Service Excellence								
Service 702-01 - Priority Setting	107,882	143,784	114,560	230,680	107,882	143,784	114,560	230,680
Service 702-02 - Performance Accountability and Workplace Env.	65,746	90,491	94,102	114,674	65,746	90,491	94,102	114,674
Service 702-03 - Interdepartmental Initiatives	47,729	52,922	51,003	76,658	47,729	52,922	51,003	76,658
Program Total	221,357	287,197	259,664	422,012	221,357	287,197	259,664	422,012
Program 703 - Elections And Records								
Service 703-01 - Coordinated Elections	11,680	74,747	50,972	40,039	11,680	74,747	50,972	40,039
Service 703-02 - Election Records Management	56,149	45,761	30,672	48,544	56,149	45,761	30,672	48,544
Program Total	67,829	120,508	81,644	88,582	67,829	120,508	81,644	88,582
Program 704 - Community Engagement								
Service 704-01 - Community Information	133,022	288,404	245,095	188,057	133,022	288,404	245,095	188,057
Service 704-02 - Community Involvement	44,145	40,536	34,952	141,094	70,742	40,536	34,952	141,094
Service 704-04 - Volunteers	3,608	14,027	3,394	14,126	3,608	14,027	3,394	14,126
Program Total	180,775	342,967	283,441	343,278	207,373	342,967	283,441	343,278
Program 705 - Asset Preservation								
Service 705-01 - Financial Planning	197,036	197,493	136,194	205,217	197,036	202,354	136,194	205,717
Service 705-02 - Investments	37,041	34,276	41,677	34,601	37,041	34,276	41,677	34,601
Service 705-03 - Revenue Management	356,477	385,267	380,322	387,940	911,449	1,013,569	811,953	639,228
Service 705-04 - Accounting and Reporting	436,421	651,568	602,945	545,475	(23,871,385)	651,568	613,882	547,475
Service 705-05 - Accounts Payable and Purchasing	120,653	135,648	140,165	135,896	137,456	148,142	142,711	146,402
Service 705-06 - Risk Management	-	-	-	-	1,769,405	1,233,537	1,035,532	1,404,353
Service 705-07 - General	2,377,800	2,464,328	5,164,328	2,554,600	2,377,800	2,464,328	5,164,328	2,554,600
Service 705-08 - Debt Service	-	-	-	-	79,002,962	6,967,265	2,125,477	1,275,830
Service 705-09 - Payroll	55,367	193,179	135,278	263,503	55,367	193,179	135,278	263,503
Program Total	3,580,794	4,061,759	6,600,910	4,127,231	60,617,130	12,908,218	10,207,033	7,071,709
Program 706 - Information Support								
Service 706-01 - Desktop Maintenance	449,263	513,720	514,280	525,181	449,263	513,720	514,280	525,181
Service 706-02 - Network Infrastructure Maintenance	229,338	271,335	267,487	307,210	229,338	271,335	267,487	307,210
Service 706-03 - Design and Advice	-	-	-	1,000	-	-	-	1,000
Service 706-04 - Remote Access	524	-	500	500	524	-	500	500
Service 706-05 - Printing Support	141,586	193,511	140,943	169,805	141,586	193,511	140,943	169,805
Program Total	820,711	978,566	923,210	1,003,696	820,711	978,566	923,210	1,003,696
Program 707 - Internet And World Wide Web								
Service 707-01 - Web Posting	10,498	24,966	20,050	20,000	10,498	24,966	20,050	20,000
Service 707-02 - Interactive Web Services	13,499	62,200	46,000	60,000	13,499	62,200	46,000	60,000
Program Total	23,996	87,166	66,050	80,000	23,996	87,166	66,050	80,000

**FY 2013-14 BUDGET SUMMARY
By Department, Program and Service**

	GENERAL FUND				ALL FUNDS			
	<u>Actual 2011-12</u>	<u>Budget 2012-13</u>	<u>Estimate 2012-13</u>	<u>Proposed 2013-14</u>	<u>Actual 2011-12</u>	<u>Budget 2012-13</u>	<u>Estimate 2012-13</u>	<u>Proposed 2013-14</u>
Program 708 - Employee Support								
Service708-01 - Personnel & Benefits Administration	290,241	220,164	222,893	264,558	290,241	220,164	222,893	264,558
Service 708-02 - Employee Development	15,254	20,686	14,236	51,777	15,254	20,686	14,236	51,777
Service 708-03 - Employee Relations	175,514	196,807	184,942	193,111	175,514	196,807	184,942	193,111
Service 708-04 - Recruitment and Selection	98,371	141,713	129,028	122,975	98,371	141,713	129,028	122,975
Service 708-05 - General Employee Benefits	215,895	221,187	433,288	296,400	771,104	802,187	974,777	911,940
Program Total	795,275	800,557	984,386	928,820	1,350,484	1,381,557	1,525,875	1,544,360
Program 709 - Legal Services								
Service 709-01 - City Council and City Manager Support	66,387	78,661	78,047	69,270	89,304	78,661	78,047	69,270
Service 709-02 - Planning Staff and Planning Commission Support	113,043	58,690	53,188	73,721	113,043	58,690	53,188	73,721
Service 709-03 - Personnel, Risk Management and Other City Prog.	80,928	173,605	160,583	174,748	287,355	186,693	279,278	187,822
Service 709-05 - Sucessor Agency to the Community Development Agency	40,291	25,740	11,236	31,430	66,318	25,740	11,236	31,430
Program Total	300,649	336,696	303,054	349,169	556,020	349,784	421,749	362,244
Program 710 - Business Development								
Service 710-01 - Strategic Partnerships	51,980	142,393	32,005	138,789	73,446	142,393	32,005	138,789
Service 710-02 - Market Information and Research	73,940	81,169	26,564	77,637	73,940	81,169	26,564	77,637
Service 710-03 - Diversifying Tax Base	32,810	66,640	8,316	65,522	32,810	66,640	8,316	65,522
Program Total	158,730	290,202	66,885	281,948	180,197	290,202	66,885	281,948
Department Total	6,994,746	8,362,608	10,576,582	9,146,901	76,661,924	17,803,155	14,842,888	12,719,993
600 - Community Development Department								
Program 601 - Comprehensive Planning								
Service 601-01 - General Plan	571,327	90,149	87,173	20,231	754,567	1,428,715	1,176,618	2,288,517
Service 601-02 - Zoning Ord.& Related Documents	10,913	80,863	51,566	3,979	10,913	80,863	206,566	3,979
Program Total	582,241	171,012	138,740	24,210	765,480	1,509,578	1,383,185	2,292,496
Program 602 - Land and Building Development Services								
Service 602-01 - Pre-Application Information	260,347	271,507	315,231	282,396	260,347	271,507	315,231	282,396
Service 602-02 - Zoning Review	1,149,583	1,061,339	994,185	1,187,698	2,257,248	1,167,665	1,000,713	1,187,698
Service 602-03 - Plan Check and Permitting	876,009	1,131,827	1,082,192	1,094,850	876,009	1,131,827	1,082,192	1,094,850
Service 602-04 - Inspecting and Monitoring	514,953	561,563	543,568	780,615	514,953	561,563	543,568	780,615
Program Total	2,800,892	3,026,236	2,935,176	3,345,558	3,908,557	3,132,562	2,941,704	3,345,558
Department Total	3,383,133	3,197,248	3,073,916	3,369,769	4,674,038	4,642,140	4,324,889	5,638,055

**FY 2013-14 BUDGET SUMMARY
By Department, Program and Service**

	GENERAL FUND				ALL FUNDS			
	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14
300 - Community Services Department								
Program 310 - Social Services & Childcare								
Service 310-01 - Seniors	424,723	458,509	451,998	492,981	424,723	458,509	451,998	492,981
Service 310-02 - Pre-School Child Care	1,854,409	2,051,320	1,886,729	1,927,563	1,854,409	2,051,320	1,886,729	1,927,563
Service 310-03 - Peninsula Partnership	40,103	40,209	40,448	125,510	111,416	147,830	143,871	127,412
Service 310-04 - School-Age Child Care	725,910	731,420	739,876	758,024	725,910	731,420	739,876	758,024
Service 310-05 - Teen Programs	10	-	-	-	10	-	-	-
Service 310-06 - Neighborhood Services	476,535	526,657	515,361	584,689	476,535	526,657	515,361	584,689
Program Total	3,521,690	3,808,115	3,634,413	3,888,767	3,593,003	3,915,736	3,737,835	3,890,669
Program 311 - Recreation/Physical Activities								
Service 311-01 - Youth Sports	383,616	478,735	471,995	489,729	383,616	478,735	471,995	489,729
Service 311-02 - Adult Sports	290,736	285,515	305,304	308,139	290,736	285,515	305,304	308,139
Service 311-03 - Gymnastics	613,210	904,571	941,282	1,066,485	613,210	904,571	941,282	1,066,485
Service 311-04 - Aquatics	232,409	287,628	272,966	269,072	232,409	287,628	272,966	269,072
Service 311-05 - Contract Classes	766,908	852,120	861,555	794,516	766,908	852,120	861,555	794,516
Service 311-06 - Events & Concerts	198,924	213,010	200,179	235,843	199,624	213,710	200,179	236,543
Service 311-07 - Community Facilities Service	170,895	215,069	196,654	249,787	170,895	215,069	196,654	249,787
Program Total	2,656,698	3,236,648	3,249,936	3,413,571	2,657,398	3,237,348	3,249,936	3,414,271
Program 501 - Affordable Housing								
Service 501-01 - Increase Supply of Affordable Housing	24,014	14,233	18,949	5,000	7,272,375	72,048	523,803	50,000
Service 501-02 - Maintain Existing Affordable Housing Stock	38,822	11,173	3,128	-	183,000	76,973	67,628	91,500
Service 501-05 - Policy Development	69,705	8,936	41,611	2,098	179,503	8,936	41,611	2,098
Program Total	132,542	34,342	63,688	7,098	7,634,878	157,957	633,042	143,598
Department Total	6,310,930	7,079,105	6,948,037	7,309,436	13,885,278	7,311,041	7,620,813	7,448,538
400 - Library Department								
Program 401 - Library Collections And Online Resources								
Service 401-01 - Library Materials	534,492	577,798	607,013	597,460	546,092	675,248	646,513	686,460
Service 401-02 - Circulation	518,579	629,155	589,464	641,644	518,579	629,155	589,464	641,644
Service 401-03 - User Assistance	448,809	450,823	457,489	483,027	452,172	494,685	464,874	504,884
Program Total	1,501,881	1,657,776	1,653,966	1,722,131	1,516,843	1,799,088	1,700,851	1,832,987
Program 402 - Reading Promotion And Life Skills								
Service 402-01 - Programs and events	76,571	80,181	85,158	81,873	126,756	158,051	146,789	159,796
Service 402-02 - Foster community	41,811	47,715	38,504	48,080	41,811	47,715	38,504	48,080
Service 402-03 - Teaching	21	-	-	-	184,921	182,845	159,028	174,504
Service 402-04 - Belle Haven	251,349	256,794	248,073	257,685	251,349	256,794	248,073	257,685
Program Total	369,751	384,690	371,735	387,639	604,836	645,405	592,393	640,065
Department Total	1,871,632	2,042,466	2,025,701	2,109,769	2,121,680	2,444,493	2,293,244	2,473,053
100 - Police Department								
Program 101 - Community Safety								
101-01 - Patrol Service	6,832,039	7,065,255	7,177,160	7,025,955	6,907,117	7,195,038	7,310,958	7,125,955
101-02 - Investigations	1,455,851	1,085,353	1,000,495	1,147,149	1,455,851	1,085,353	1,000,495	1,147,149
101-04 - Community Outreach	664,760	732,033	738,726	752,131	664,760	732,033	738,726	752,131
101-05 - Narcotic Abatement	479,309	845,266	903,972	1,262,415	901,000	855,266	913,972	1,272,415
101-06 - Code Enforcement	190,833	257,817	239,477	322,514	388,408	257,817	239,477	322,514
Program Total	9,622,791	9,985,724	10,059,830	10,510,164	10,317,136	10,125,507	10,203,628	10,620,164

**FY 2013-14 BUDGET SUMMARY
By Department, Program and Service**

	GENERAL FUND				ALL FUNDS			
	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14
Program 102 - Patrol Support								
102-01 - Dispatch	1,648,078	1,430,222	1,466,782	1,447,424	1,648,078	1,430,222	1,466,782	1,447,424
102-02 - Records Management	601,779	531,196	518,359	512,979	601,779	531,196	518,359	512,979
102-04 - Police Training	362,438	464,536	454,219	430,089	362,438	464,536	454,219	430,089
102-05 - Parking Management	392,349	559,239	337,255	456,738	400,757	583,324	345,048	478,138
Program Total	3,004,644	2,985,193	2,776,615	2,847,230	3,013,052	3,009,278	2,784,408	2,868,630
Program 103 - Emergency Preparedness								
103-01 - Information Outreach	42,531	40,955	33,736	36,429	42,531	40,955	33,736	36,429
103-02 - Disaster Management Coordination	157,009	168,359	160,600	188,165	157,009	168,359	160,600	188,165
103-03 - Emergency Preparedness Training	29,228	36,223	30,805	28,734	29,228	36,223	30,805	28,734
Program Total	228,768	245,537	225,141	253,328	228,768	245,537	225,141	253,328
Program 104 - Traffic And School Safety								
104-01 - Public Traffic Safety Education	153,022	89,371	150,605	91,788	153,022	89,371	150,605	91,788
104-02 - Enforcement of Traffic Laws	966,014	1,156,928	1,015,718	1,158,037	966,014	1,156,928	1,015,718	1,158,037
Program Total	1,119,037	1,246,299	1,166,323	1,249,825	1,119,037	1,246,299	1,166,323	1,249,824
Department Total	13,975,240	14,462,753	14,227,908	14,860,547	14,677,993	14,626,621	14,379,499	14,991,947
200 - Public Works Department								
Program 201 - City Facilities								
Service 201-01 - Facility/Field Capital Projects	20,111	24,679	18,395	-	18,734,401	30,236,220	8,185,974	15,967,172
Service 201-02 - Facility Maintenance	1,109,841	1,354,246	1,247,118	1,368,610	1,109,841	1,354,246	1,247,118	1,368,610
Service 201-03 - Field/Grounds Maintenance	1,037,737	1,229,360	1,178,929	1,218,083	1,343,558	2,345,310	1,627,708	1,670,332
Program Total	2,167,689	2,608,285	2,444,441	2,586,694	21,187,800	33,935,776	11,060,800	19,006,114
Program 202 - Menlo Park Municipal Water District Water Supply								
Service 202-01 - Water Delivery System	-	-	-	-	4,141,590	6,157,280	5,949,037	6,124,800
Service 202-02 - Water Supply	-	-	-	-	1,429,462	402,454	273,666	430,973
Program Total	-	-	-	-	5,571,052	6,559,734	6,222,703	6,555,772
Program 203 - City Vehicles And Equipment								
Service 203-01 - Vehicle Replacement	7,468	15,794	9,058	15,974	180,103	331,894	325,158	320,974
Service 203-02 - Vehicle Repair and Maintenance	324,596	350,758	329,367	362,792	368,794	394,716	379,982	405,486
Program Total	332,064	366,552	338,425	378,767	548,896	726,610	705,140	726,460
Program 204 - Urban Forest								
Service 204-02 - City Tree Maintenance	207,913	212,405	220,394	229,971	769,543	908,283	824,651	852,653
Service 204-03 - Heritage Trees	73,194	91,165	89,943	120,161	73,194	91,165	89,943	120,161
Program Total	281,107	303,570	310,337	350,131	842,738	999,448	914,594	972,814
Program 205 - City-Owned Street And Other Right-Of-Way								
Service 205-01 - Right-of-Way Maintenance/Repair	384,222	464,454	461,571	446,079	433,633	565,666	562,149	548,470
Service 205-02 - Street Fixture Maintenance	211,963	231,923	231,985	222,898	211,963	231,923	231,985	222,898
Service 205-03 - Median/Roadway Landscaping	340,892	345,021	356,264	366,047	490,716	503,626	516,137	522,491
Service 205-04 - Street Cleaning	-	55,000	55,000	55,000	233,389	277,542	235,124	217,818
Service 205-05 - Right-of-Way Encroachments	278,710	471,151	455,386	394,993	369,618	550,512	479,481	445,437
Program Total	1,215,787	1,567,549	1,560,206	1,485,017	1,739,319	2,129,269	2,024,876	1,957,114

**FY 2013-14 BUDGET SUMMARY
By Department, Program and Service**

	GENERAL FUND				ALL FUNDS			
	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14	Actual 2011-12	Budget 2012-13	Estimate 2012-13	Proposed 2013-14
Program 206 - Stormwater Management								
Service 206-01 - Storm Drain System	60,737	74,161	70,552	122,028	60,737	74,161	70,552	122,028
Service 206-02 - FEMA Compliance	32,701	33,543	27,147	33,599	32,701	33,543	27,147	33,599
Service 206-03 - Stormwater Pollution Prevention	20,806	44,823	36,312	53,259	230,192	251,334	179,400	251,893
Service 206-04 - Creek Management	13,319	128,061	123,835	139,027	179,243	263,375	196,385	271,372
Program Total	127,564	280,588	257,845	347,913	502,874	622,413	473,484	678,893
Program 207 - Resource Conservation								
Service 207-01 - Solid Waste Management	-	-	-	-	186,288	271,067	242,682	257,518
Service 207-02 - Sustainable Environmental Practices	66,582	107,490	89,037	111,624	66,582	107,490	89,037	111,624
Program Total	66,582	107,490	89,037	111,624	252,870	378,557	331,719	369,142
Program 208 - Transportation Management								
Service 208-01 - Congestion Management	121,600	146,616	133,199	150,804	456,233	732,497	461,750	748,459
Service 208-02 - Transportation Demand Management	44,329	35,357	38,137	38,486	542,398	721,264	681,055	729,810
Service 208-04 - Street Signage & Markings	88,360	97,373	86,173	92,772	295,396	310,043	277,966	314,256
Service 208-05 - Safe Routes to School	4,666	3,007	2,499	2,694	70,766	69,232	63,077	70,521
Service 208-06 - Neighborhood Traffic Management	32,637	18,947	26,195	6,014	100,332	146,745	84,991	78,667
Program Total	291,593	301,300	286,204	290,770	1,465,126	1,979,781	1,568,839	1,941,713
Department Total	4,482,386	5,535,334	5,286,495	5,550,916	32,110,674	47,331,588	23,302,155	32,208,022
City Total	37,018,066	40,679,514	42,138,639	42,347,339	144,131,586	94,159,038	66,763,489	75,479,607

**FY 2013-14 FTE SCHEDULE
By Department and Program**

	<u>GENERAL FUND</u>		<u>ALL FUNDS</u>	
	<u>2012-13</u>	<u>2013-14</u>	<u>2012-13</u>	<u>2013-14</u>
700 - Administrative Services Department				
Program 701 - Policy Development and City Council Support	8.40	8.85	8.40	8.85
Program 702 - Service Excellence	0.98	1.35	0.98	1.35
Program 703 - Elections and Records	0.40	0.40	0.40	0.40
Program 704 - Community Engagement	0.60	0.75	0.60	0.75
Program 705 - Asset Preservation	8.28	8.28	9.26	9.26
Program 706 - Information Support	3.57	3.57	3.57	3.57
Program 708 - Employee Support	2.33	2.33	2.33	2.33
Program 709 - Legal Services	0.92	0.92	1.00	1.00
Program 710 - Business Development	1.50	1.50	1.50	1.50
Department Total	26.98	27.95	28.04	29.01
600 - Community Development Department				
Program 601 - Comprehensive Planning	0.60	0.05	1.40	2.79
Program 602 - Land and Building Development Services	16.29	16.35	16.29	16.35
Department Total	16.88	16.40	17.68	19.14
300 - Community Services Department				
Program 310 - Social Services and Childcare	31.49	32.47	32.24	32.47
Program 311 - Recreation/Physical Activities	15.08	15.87	15.08	15.87
Program 501 - Affordable Housing	1.00	0.01	1.00	0.01
Department Total	47.57	48.35	48.32	48.35
400 - Library Department				
Program 401 - Library Collections and Online Resources	9.34	9.34	9.34	9.34
Program 402 - Reading Promotion and Life Skills	2.56	2.56	4.41	4.41
Department Total	11.90	11.90	13.75	13.75
100 - Police Department				
Program 101 - Community Safety	43.72	45.54	43.72	45.54
Program 102 - Patrol Support	19.42	16.67	19.42	16.67
Program 103 - Emergency Preparedness	0.60	0.48	0.60	0.48
Program 104 - Traffic and School Safety	6.01	6.06	6.01	6.06
Department Total	69.75	68.75	69.75	68.75
200 - Public Works Department				
Program 201 - City Facilities	13.33	13.33	21.97	21.83
Program 202 - Menlo Park Municipal Water District Water Supply	0.00	0.00	5.28	5.32
Program 203 - City Vehicles and Equipment	1.84	1.84	2.15	2.15
Program 204 - Urban Forest	2.25	2.25	4.84	4.80
Program 205 - City-Owned Street and Other Right-of-Way	6.45	6.51	8.38	8.44
Program 206 - Stormwater Management	0.85	0.86	1.94	1.92
Program 207 - Resource Conservation	0.54	0.54	1.82	1.82
Program 208 - Transportation Management	1.82	1.82	5.84	5.48
Department Total	27.08	27.15	52.21	51.75
City Totals	200.16	200.50	229.75	230.75 *

* Includes 2 provisional employees in Planning authorized to 6/30/14

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CITY OF MENLO PARK
FISCAL YEAR 2013 – 14



ADMINISTRATIVE SERVICES DEPARTMENT

LEAD DEPARTMENT: Community Development

PROGRAM: 502 - COMMUNITY DEVELOPMENT AREA/AGENCY

Description: Improve the standard of living for residents in the Las Pulgas Community Development Project Area by removing blighted conditions, providing beneficial services, and improving the physical quality of the area.

	<u>Actual 2011-2012</u>	<u>Budget 2012-2013</u>	<u>Estimate 2012-2013</u>	<u>Proposed 2013-2014</u>
502-01 - Policy, Program & Project Development	\$ 130,726	\$ 12,000	\$ 11,600	\$ -
502-02 - Facility Improvement	11,642,881	-	-	-
502-03 - Service Enhancement	12,350	11,400	11,000	-
Program Total	<u>\$ 11,785,956</u>	<u>\$ 23,400</u>	<u>\$ 22,600</u>	<u>\$ -</u>

LEAD DEPARTMENT: Community Development

PROGRAM: 502 - COMMUNITY DEVELOPMENT AREA/AGENCY

Description: Improve the standard of living for residents in the Las Pulgas Community Development Project Area by removing blighted conditions, providing beneficial services, and improving the physical quality of the area.

SERVICES:	RESULTS:				STATUS:			
502-01 - Policy, Program & Project Development: Monitor, revise and update the Las Pulgas Community Development Plan to accomplish the goals of the Plan, including the removal of blighted conditions, and to meet State reporting requirements.	Program discontinued due to dissolution of the Redevelopment Agency							
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 130,726	100%	\$ 12,000	100%	\$ 11,600	100%	\$ -	100%
Personnel	22,828	17%	-	0%	-	0%	-	100%
Operating	2,979	2%	12,000	100%	11,600	100%	-	100%
Services	104,919	80%	-	0%	-	0%	-	100%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 9,959	8%	\$ 12,000	100%	\$ 11,600	100%	\$ -	100%
Community Development Agency Non-Housing	252	0%	-	0%	-	0%	-	100%
Redevelopment Obligation Retirement	103,483	79%	-	0%	-	0%	-	100%
Redevelopment Services Agreement	17,032	13%	-	0%	-	0%	-	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 502 - COMMUNITY DEVELOPMENT AREA/AGENCY

Description: Improve the standard of living for residents in the Las Pulgas Community Development Project Area by removing blighted conditions, providing beneficial services, and improving the physical quality of the area.

SERVICES:	RESULTS:				STATUS:			
502-02 - Facility Improvement: Conduct land use studies, perform redevelopment related activities and provide funding for projects required to improve and replace facilities and infrastructure in the Las Pulgas Community Development Project Area.	Program discontinued due to dissolution of the Redevelopment Agency							
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 11,642,881	100%	\$ -	100%	\$ -	100%	\$ -	100%
Operating	11,638,458	100%	-	100%	-	100%	-	100%
Services	4,423	0%	-	100%	-	100%	-	100%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
Community Development Agency Non-Housing	(252)	0%	-	100%	-	100%	-	100%
Redevelopment Services Agreement	9,050,605	78%	-	100%	-	100%	-	100%
Interest and Rent Income	(808)	0%	-	100%	-	100%	-	100%
Other Financing Sources	2,593,335	22%	-	100%	-	100%	-	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 502 - COMMUNITY DEVELOPMENT AREA/AGENCY

Description: Improve the standard of living for residents in the Las Pulgas Community Development Project Area by removing blighted conditions, providing beneficial services, and improving the physical quality of the area.

SERVICES:	RESULTS:				STATUS:			
502-03 - Service Enhancement: Provide funding for non-housing services in the Las Pulgas Community Development Project Area through direct funding for services and pass-through funding to agencies.	Program discontinued due to dissolution of the Redevelopment Agency							
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 12,350	100%	\$ 11,400	100%	\$ 11,000	100%	\$ -	100%
Operating	12,350	100%	11,400	100%	11,000	100%	-	100%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 3,800	31%	\$ 11,400	100%	\$ 11,000	100%	\$ -	100%
Redevelopment Services Agreement	8,550	69%	-	0%	-	0%	-	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 701 - POLICY DEVELOPMENT AND CITY COUNCIL SUPPORT

Description: City policies are clear, coherent and consistent with a commitment to the long-term interests of the community. Council members, both individually and as the City's policymaking body, are effectively supported in their roles as elected leaders.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
701-01 - Effective Staffing	\$ 501,274	\$ 563,808	\$ 585,963	\$ 1,010,097
701-02 - Intergovernmental Liaison	205,259	283,862	276,247	299,995
701-03 - Commissions	28,151	52,175	29,530	62,192
701-04 - Constituent Assistance	96,186	133,745	92,998	149,881
Program Total	\$ 830,870	\$ 1,033,590	\$ 984,738	\$ 1,522,164

LEAD DEPARTMENT: Administrative Services

PROGRAM: 701 - POLICY DEVELOPMENT AND CITY COUNCIL SUPPORT

Description: City policies are clear, coherent and consistent with a commitment to the long-term interests of the community. Council members, both individually and as the City's policymaking body, are effectively supported in their roles as elected leaders.

SERVICES:	RESULTS:	STATUS:
701-01 - Effective Staffing: Provide comprehensive, unbiased expertise and valued assistance to the City Council in terms of thorough staff reports, thoughtful and strategic recommendations, effective presentations, on time and within budget project delivery, and meeting and administrative support.	Annual Council survey indicates 80% of Council members rate overall satisfaction with staff support as satisfied or very satisfied.	
	Bi-Annual Community Survey shows resident perception of "value of services for taxes paid" rates higher than benchmark.	Exceeded - much above benchmark
	Bi-Annual Community Survey shows resident perception of overall image or reputation of Menlo Park rates higher than benchmark.	Exceeded - much above benchmark
	Bi-Annual Community Survey shows resident perception of "overall direction Menlo Park is taking" rates higher than benchmark.	Not met - similar to benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 501,274	100%	\$ 563,808	100%	\$ 585,963	100%	\$ 1,010,097	100%
Personnel	480,319	96%	517,364	92%	526,569	90%	960,810	95%
Operating	19,955	4%	38,944	7%	54,894	9%	41,787	4%
Services	1,000	0%	7,500	1%	4,500	1%	7,500	1%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 500,419	100%	\$ 562,158	100%	\$ 585,963	100%	\$ 1,010,097	100%
Interest and Rent Income	855	0%	700	0%	-	0%	-	0%
Charges For Services	-	0%	950	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 701 - POLICY DEVELOPMENT AND CITY COUNCIL SUPPORT

Description: City policies are clear, coherent and consistent with a commitment to the long-term interests of the community. Council members, both individually and as the City's policymaking body, are effectively supported in their roles as elected leaders.

SERVICES:	RESULTS:	STATUS:
701-02 - Intergovernmental Liaison: Effectively represent the City's interests so that they are duly considered in the decisions of other agencies that potentially impact Menlo Park.	80% of regional NOP's, EIR's, and decisions of regional bodies (PCC, SBWMA, CCAG, etc) receive a response stating the City's position.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 205,259	100%	\$ 283,862	100%	\$ 276,247	100%	\$ 299,995	100%
Personnel	56,889	28%	64,911	23%	57,171	21%	79,051	26%
Operating	148,370	72%	218,951	77%	219,076	79%	220,944	74%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 205,259	100%	\$ 283,862	100%	\$ 276,247	100%	\$ 299,995	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 701 - POLICY DEVELOPMENT AND CITY COUNCIL SUPPORT

Description: City policies are clear, coherent and consistent with a commitment to the long-term interests of the community. Council members, both individually and as the City's policymaking body, are effectively supported in their roles as elected leaders.

SERVICES:

701-03 - Commissions: Recruit and train commissioners so that they are considered to be in synch with and an integral part of the City's policy development and decision-making processes.

RESULTS:

Annual Commission survey indicates Commissioners rate their work as supportive of Council goals at an 80% satisfaction level.

At least two applications are received for each vacancy 90% of the time within the initial deadline.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 28,151	100%	\$ 52,175	100%	\$ 29,530	100%	\$ 62,192	100%
Personnel	24,909	88%	47,075	90%	24,430	83%	55,145	89%
Operating	500	2%	600	1%	600	2%	2,546	4%
Services	2,742	10%	4,500	9%	4,500	15%	4,500	7%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 28,151	100%	\$ 52,175	100%	\$ 29,530	100%	\$ 62,192	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 701 - POLICY DEVELOPMENT AND CITY COUNCIL SUPPORT

Description: City policies are clear, coherent and consistent with a commitment to the long-term interests of the community. Council members, both individually and as the City's policymaking body, are effectively supported in their roles as elected leaders.

SERVICES:	RESULTS:	STATUS:
701-04 - Constituent Assistance: Ensure that the City Council gets timely and useful input and feedback on issues, and provide helpful information and referral to residents with questions, comments and concerns.	Constituent complaints/requests sent to the City Council (Direct Connect and CCIN) are resolved on average within 5 business days. Annual Council survey indicates 80% of Council members feel staff always or almost always provide timely response to Council member and constituent issues and questions.	

	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>		
Total Expenditures	\$	96,186	100%	\$	133,745	100%	\$	149,881	100%
Personnel		93,005	97%		130,449	98%		144,605	96%
Operating		3,181	3%		3,296	2%		5,276	4%
Funding Source *									
General Fund	\$	96,186	100%	\$	133,745	100%	\$	149,881	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 702 - SERVICE EXCELLENCE

Description: To facilitate and ensure the delivery of high quality, cost effective City services that are responsive to the community's needs, meet or exceed expectations, accomplish the City Council's goals and achieve continuously improved results.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
702-01 - Priority Setting	\$ 107,882	\$ 143,784	\$ 114,560	\$ 230,680
702-02 - Performance Accountability	65,746	90,491	94,102	114,674
702-03 - Interdepartmental Initiatives	47,729	52,922	51,003	76,658
Program Total	<u>\$ 221,357</u>	<u>\$ 287,197</u>	<u>\$ 259,664</u>	<u>\$ 422,012</u>

LEAD DEPARTMENT: Administrative Services

PROGRAM: 702 - SERVICE EXCELLENCE

Description: To facilitate and ensure the delivery of high quality, cost effective City services that are responsive to the community's needs, meet or exceed expectations, accomplish the City Council's goals and achieve continuously improved results.

SERVICES:

702-01 - Priority Setting: Identify community needs and expectations through surveys, workshops and outreach, and clearly link them to the City's funding priorities and service levels.

RESULTS:

The City undertakes a process to identify Council priorities, and uses this information to develop an annual budget which is adopted on time.

Annual Council survey indicates 80% of Council members feel staff always or almost always provide Council with adequate opportunities to discuss long-term plans and issues through study sessions and goal setting processes.

STATUS:

Session held in February 2013

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 107,882	100%	\$ 143,784	100%	\$ 114,560	100%	\$ 230,680	100%
Personnel	89,601	83%	122,643	85%	113,619	99%	139,377	60%
Operating	18,281	17%	21,141	15%	941	1%	91,303	40%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 107,882	100%	\$ 143,784	100%	\$ 114,560	100%	\$ 230,680	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 702 - SERVICE EXCELLENCE

Description: To facilitate and ensure the delivery of high quality, cost effective City services that are responsive to the community's needs, meet or exceed expectations, accomplish the City Council's goals and achieve continuously improved results.

SERVICES:

702-02 - Performance
 Accountability: Create an organizational structure and the internal systems required so that all employees share the responsibility for cost effective service delivery, objectively measure and monitor performance results and employ creative approaches. Foster team work, learning, individual initiative and appropriate customer-focused risk-taking.

RESULTS:

Bi-Annual Community Survey shows resident perception of services provided by the City of Menlo Park rate above benchmark.
 Bi-Annual Community Survey shows resident perception of City of Menlo Park employees rate above benchmark.

STATUS:

Exceeded - much above benchmark
 Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Total Expenditures	\$	65,746	100%	\$	90,491	100%	\$	114,674	100%
Personnel		63,993	97%		77,193	85%		101,105	88%
Operating		1,753	3%		2,798	3%		3,069	3%
Services		-	0%		10,500	12%		10,500	9%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Funding Source *									
General Fund	\$	65,746	100%	\$	90,491	100%	\$	114,674	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 702 - SERVICE EXCELLENCE

Description: To facilitate and ensure the delivery of high quality, cost effective City services that are responsive to the community's needs, meet or exceed expectations, accomplish the City Council's goals and achieve continuously improved results.

SERVICES:	RESULTS:	STATUS:
702-03 - Interdepartmental Initiatives: Coordinate interdepartmental projects requiring team-based, cooperative, and multidisciplinary involvement.	85% of employees report that they are satisfied with the teamwork between City departments.	Not met - 79% satisfied

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 47,729	100%	\$ 52,922	100%	\$ 51,003	100%	\$ 76,658	100%
Personnel	46,914	98%	52,006	98%	50,612	99%	75,564	99%
Operating	815	2%	916	2%	391	1%	1,095	1%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 47,729	100%	\$ 52,922	100%	\$ 51,003	100%	\$ 76,658	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 703 - ELECTIONS AND RECORDS

Description: Conduct fair, open, legal and democratic elections and keep an accurate historical record of the City's affairs for posterity.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
703-01 - Coordinated Elections	\$ 11,680	\$ 74,747	\$ 50,972	\$ 40,039
703-02 - Records Management	56,149	45,761	30,672	48,544
Program Total	<u>\$ 67,829</u>	<u>\$ 120,508</u>	<u>\$ 81,644</u>	<u>\$ 88,582</u>

LEAD DEPARTMENT: Administrative Services

PROGRAM: 703 - ELECTIONS AND RECORDS

Description: Conduct fair, open, legal and democratic elections and keep an accurate historical record of the City's affairs for posterity.

SERVICES:	RESULTS:	STATUS:
703-01 - Coordinated Elections: Facilitate local elections in accordance with all requirements.	Elections are conducted in accordance with all requirements, including filing deadlines for candidates, ballot measures, and FPPC regulations.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 11,680	100%	\$ 74,747	100%	\$ 50,972	100%	\$ 40,039	100%
Personnel	10,054	86%	30,304	41%	46,075	90%	30,573	76%
Operating	1,627	14%	44,443	59%	4,897	10%	9,466	24%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 11,680	100%	\$ 74,747	100%	\$ 50,972	100%	\$ 40,039	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 703 - ELECTIONS AND RECORDS

Description: Conduct fair, open, legal and democratic elections and keep an accurate historical record of the City's affairs for posterity.

SERVICES:	RESULTS:	STATUS:
703-02 - Records Management: Create, maintain and effectively administer the City's essential records and retention schedule.	Official City records are created accurately and are available to the public; 100% of minutes, resolutions and ordinances are scanned and kept in accordance with all applicable regulations and retention schedules.	Met
	Destruction of records occurs once a year in August.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Total Expenditures	\$	56,149	100%	\$	45,761	100%	\$	48,544	100%
Personnel		45,803	82%		29,303	64%		29,573	61%
Operating		9,237	16%		14,858	32%		17,371	36%
Services		1,109	2%		1,600	3%		1,600	3%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
General Fund	\$	56,045	100%	\$	45,761	100%	\$	48,544	100%
Charges For Services		104	0%		-	0%		-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 704 - COMMUNITY ENGAGEMENT

Description: To effectively inform residents and build a strong sense of community identity in which people are actively involved in and concerned for the community as a whole.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
704-01 - Community Information	\$ 133,022	\$ 288,404	\$ 245,095	\$ 188,057
704-02 - Community Involvement	70,742	40,536	34,952	141,094
704-04 - Volunteers	3,608	14,027	3,394	14,126
Program Total	<u>\$ 207,373</u>	<u>\$ 342,967</u>	<u>\$ 283,441</u>	<u>\$ 343,278</u>

LEAD DEPARTMENT: Administrative Services

PROGRAM: 704 - COMMUNITY ENGAGEMENT

Description: To effectively inform residents and build a strong sense of community identity in which people are actively involved in and concerned for the community as a whole.

SERVICES:	RESULTS:	STATUS:
704-01 - Community Information: Provide written and electronic information that is current, timely and valued by residents.	Bi-Annual Community Survey results indicate residents rate public information services higher than benchmark. Newsletter clip-out survey indicates 75% of respondents rate newsletter as useful source of City information.	Met Not met - below benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 133,022	100%	\$ 288,404	100%	\$ 245,095	100%	\$ 188,057	100%
Personnel	76,510	58%	88,441	31%	82,332	34%	112,409	60%
Operating	14,738	11%	30,963	11%	30,763	13%	17,649	9%
Services	41,774	31%	169,000	59%	132,000	54%	58,000	31%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 133,022	100%	\$ 288,404	100%	\$ 245,095	100%	\$ 188,057	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 704 - COMMUNITY ENGAGEMENT

Description: To effectively inform residents and build a strong sense of community identity in which people are actively involved in and concerned for the community as a whole.

SERVICES:	RESULTS:	STATUS:
704-02 - Community Involvement: Survey opinions, solicit input and seek suggestions about City services and community affairs.	Bi-Annual Community Survey indicates residents rate the job Menlo Park does at welcoming community involvement higher than benchmark.	Not met - similar to benchmark
	Bi-Annual Community Survey indicates residents rate sense of community higher than benchmark.	Not met - similar to benchmark
	Bi-Annual Community Survey indicates residents rate opportunities to participate in community matters higher than benchmark.	Met
	Annual Commission survey indicates 80% of Commission members feel their commission successfully links with community input.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 70,742	100%	\$ 40,536	100%	\$ 34,952	100%	\$ 141,094	100%
Personnel	68,569	97%	36,345	90%	30,881	88%	36,845	26%
Operating	2,174	3%	4,191	10%	4,071	12%	4,249	3%
Services	-	0%	-	0%	-	0%	100,000	71%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 44,145	62%	\$ 40,536	100%	\$ 34,952	100%	\$ 141,094	100%
Redevelopment Services Agreement	26,598	38%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 704 - COMMUNITY ENGAGEMENT

Description: To effectively inform residents and build a strong sense of community identity in which people are actively involved in and concerned for the community as a whole.

SERVICES:	RESULTS:	STATUS:
704-04 - Volunteers: Provide meaningful opportunities for residents to be involved in their local government.	Volunteers rate their experience at an 85% satisfaction level. On an annual basis, volunteers donate 710 hours.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 3,608	100%	\$ 14,027	100%	\$ 3,394	100%	\$ 14,126	100%
Personnel	3,410	94%	13,283	95%	2,900	85%	13,376	95%
Operating	198	6%	744	5%	494	15%	751	5%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 3,608	100%	\$ 14,027	100%	\$ 3,394	100%	\$ 14,126	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

Description: Ensures that the City's assets are safeguarded, preserved, maximized and maintained through effective financial management in order to provide a sound financial base to deliver City services. Provides a safe environment to the community and the workforce by minimizing risk to the public and the City employees through proactive training, examination and assessment of City facilities and infrastructure.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
705-01 - Financial Planning	\$ 197,036	\$ 202,354	\$ 136,194	\$ 205,717
705-02 - Investments	37,041	34,276	41,677	34,601
705-03 - Revenue Management	911,449	1,013,569	811,953	639,228
705-04 - Accounting and Reporting	(23,871,385)	651,568	613,882	547,475
705-05 - Accounts Payable and Purchasing	137,456	148,142	142,711	146,402
705-06 - Risk Management	1,769,405	1,233,537	1,035,532	1,404,353
705-07 - General (Transfers Out)	2,377,800	2,464,328	5,164,328	2,554,600
705-08 - Debt Service	79,002,962	6,967,265	2,125,477	1,275,830
705-09 - Payroll	55,367	193,179	135,278	263,503
Program Total	<u>\$ 60,617,130</u>	<u>\$ 12,908,218</u>	<u>\$ 10,207,033</u>	<u>\$ 7,071,709</u>

LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

Description: Ensures that the City's assets are safeguarded, preserved, maximized and maintained through effective financial management in order to provide a sound financial base to deliver City services. Provides a safe environment to the community and the workforce by minimizing risk to the public and the City employees through proactive training, examination and assessment of City facilities and infrastructure.

SERVICES:	RESULTS:	STATUS:
705-01 - Financial Planning: Coordinate the budget preparation process, and provide up to date reports and financial analysis necessary to ensure short-term and long-term asset preservation.	Present a balanced budget that meets established service levels for Council adoption by June 30th.	Met
	Prepare a ten-year forecast for use by decision makers in the analysis of short-term and long-term budgetary challenges and opportunities. Revise semi-annually.	Met
	Prepare and distribute a Budget Summary for the community that is comprehensive and understandable to the general public by August 1st.	Met
	Annual Commission survey indicates the Finance and Audit Committee members are satisfied with the information and analysis provided by staff.	Data not available

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Total Expenditures	\$	197,036	100%	\$	202,354	100%	\$	205,717	100%
Personnel		192,410	98%		191,501	95%		196,150	95%
Operating		3,875	2%		5,992	3%		8,567	4%
Services		750	0%		4,861	2%		1,000	0%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
General Fund	\$	197,036	100%	\$	197,493	98%	\$	205,217	100%
Garbage Service Fund		-	0%		-	0%		500	0%
General Fund - CIP		-	0%		4,861	2%		-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

Description: Ensures that the City's assets are safeguarded, preserved, maximized and maintained through effective financial management in order to provide a sound financial base to deliver City services. Provides a safe environment to the community and the workforce by minimizing risk to the public and the City employees through proactive training, examination and assessment of City facilities and infrastructure.

SERVICES:	RESULTS:	STATUS:
705-02 - Investments: Manage cash flow to meet requirements while maximizing return on investments and maintaining safety of principal.	Achieve greater than the twelve month average of two year T-bill rate on investments.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Total Expenditures	\$	37,041	100%	\$	34,276	100%	\$	34,601	100%
Personnel		25,465	69%		23,042	67%		23,320	67%
Operating		11,576	31%		11,234	33%		11,280	33%
Funding Source *									
General Fund	\$	(349,300)	-943%	\$	(355,724)	-1038%	\$	(375,399)	-1085%
Interest and Rent Income		386,341	1043%		390,000	1138%		410,000	1185%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

Description: Ensures that the City's assets are safeguarded, preserved, maximized and maintained through effective financial management in order to provide a sound financial base to deliver City services. Provides a safe environment to the community and the workforce by minimizing risk to the public and the City employees through proactive training, examination and assessment of City facilities and infrastructure.

SERVICES:	RESULTS:	STATUS:
705-03 - Revenue Management: Establish and administer rate structures required to provide water and garbage utility services. Collect business license tax and administer collection of other revenue to maximize cash flow.	Resolve 90% of service and billing complaints within two business days. Identify and issue 100 new business licenses annually through internal audit process.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 911,449	100%	\$ 1,013,569	100%	\$ 811,953	100%	\$ 639,228	100%
Personnel	175,825	19%	180,712	18%	171,616	21%	193,211	30%
Operating Services	515,077	57%	546,944	54%	474,869	58%	420,017	66%
	220,546	24%	285,913	28%	165,468	20%	26,000	4%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ (1,639,179)	-180%	\$ (1,573,733)	-155%	\$ (1,519,854)	-187%	\$ (1,560,705)	-244%
Garbage Service Fund	(837,722)	-92%	(554,373)	-55%	(446,139)	-55%	(182,677)	-29%
Water Fund - Operation	(5,593,149)	-614%	(5,634,325)	-556%	(5,835,778)	-719%	(6,508,034)	-1018%
Licenses & Permits	1,661,397	182%	1,630,000	161%	1,572,000	194%	1,615,000	253%
Interest and Rent Income	339,988	37%	329,000	32%	329,000	41%	333,644	52%
Charges For Services	5,980,113	656%	5,517,000	544%	5,412,724	667%	6,942,000	1086%
Other Financing Sources	1,000,000	110%	1,300,000	128%	1,300,000	160%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

Description: Ensures that the City's assets are safeguarded, preserved, maximized and maintained through effective financial management in order to provide a sound financial base to deliver City services. Provides a safe environment to the community and the workforce by minimizing risk to the public and the City employees through proactive training, examination and assessment of City facilities and infrastructure.

SERVICES:	RESULTS:	STATUS:
705-04 - Accounting and Reporting: Maintain accurate record keeping in accordance with Generally Accepted Accounting Principles and report periodically the financial status of the organization reflecting the economic fluctuations in the market place to the Council, general public, Governmental agencies and internal departments.	Provide monthly financial reports to internal departments by the 10th business day of the following month.	Not met
	Provide interim financial reports on the data that already exists in the system within 24 hours of the request.	Met
	Annual Council survey indicates 80% of Council members feel staff provides financial reports and other information that instills confidence in the reliability of the City's financial management always or almost always.	
	Receive an unqualified opinion on all annual audits.	Met
	Prepare and distribute an Annual Financial Report Summary for the community that is comprehensive and understandable to the general public by December 15th.	Not met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ (23,871,385)	100%	\$ 651,568	100%	\$ 613,882	100%	\$ 547,475	100%
Personnel	431,528	-2%	523,316	80%	480,507	78%	464,930	85%
Operating Services	(24,348,642)	102%	11,865	2%	9,665	2%	10,868	2%
	45,729	0%	116,387	18%	123,710	20%	71,677	13%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 435,893	-2%	\$ 651,218	100%	\$ 602,405	98%	\$ 545,125	100%
Housing Fund	(307,802)	1%	-	0%	10,938	2%	-	0%
CDA Dissolution Fund	(24,356,332)	102%	-	0%	-	0%	-	0%
Redevelopment Services Agreement	27,796	0%	-	0%	-	0%	-	0%
Housing Authority	16,224	0%	-	0%	-	0%	-	0%
Water Fund - Operation	-	0%	-	0%	-	0%	2,000	0%
Charges For Services	528	0%	350	0%	540	0%	350	0%
Other Financing Sources	312,308	-1%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

Description: Ensures that the City's assets are safeguarded, preserved, maximized and maintained through effective financial management in order to provide a sound financial base to deliver City services. Provides a safe environment to the community and the workforce by minimizing risk to the public and the City employees through proactive training, examination and assessment of City facilities and infrastructure.

SERVICES:	RESULTS:	STATUS:
705-05 - Accounts Payable and Purchasing: Administer effective fiscal policies and practices to ensure that all purchases are made within guidelines and budget, emergency needs are taken care of and bills are paid on time and accurately to maintain credit worthiness.	Obtain the maximum discount provided by the City's CalCard Purchasing Program each month.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Total Expenditures	\$	137,456	100%	\$	148,142	100%	\$	146,402	100%
Personnel		132,888	97%		142,836	96%		142,537	97%
Operating		4,569	3%		5,306	4%		3,865	3%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
General Fund	\$	113,689	83%	\$	129,048	87%	\$	129,296	88%
Redevelopment Services Agreement		10,623	8%		-	0%		-	0%
Water Fund - Operation		6,181	4%		12,494	8%		10,506	7%
Charges For Services		6,964	5%		6,600	4%		6,600	5%
Other Financing Sources		-	0%		-	0%		-	0%
								766,856	537%

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LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

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SERVICES:	RESULTS:	STATUS:
705-06 - Risk Management: Coordinate safety training and maintain awareness to prevent the adverse effects of accidents and work injuries and minimize cost. Administer claims by investigating, processing and defending liability and work related injury claims.	Recommend for settlement or denial on 80% of claims received within 5 working days. Investigate and initiate mitigation of 100% of reported hazards within 24 hours. Maintain number of indemnity claims at 15 or below. Process 100% of employee claims requiring medical treatment within 48 hours of knowledge of occurrence. Maintain number of new medical claims at 30 or below.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 1,769,405	100%	\$ 1,233,537	100%	\$ 1,035,532	100%	\$ 1,404,353	100%
Personnel	56,471	3%	116,226	9%	81,887	8%	117,821	8%
Operating Services	1,611,928	91%	1,019,990	83%	933,645	90%	1,199,532	85%
	101,005	6%	97,321	8%	20,000	2%	87,000	6%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Liability/Fire Insurance Fund	(89,971)	-5%	(179,196)	-15%	(311,292)	-30%	(159,479)	-11%
Worker's Compensation Fund	243,273	14%	101,733	8%	40,283	4%	157,332	11%
Interest and Rent Income	18,873	1%	11,000	1%	6,541	1%	6,500	0%
Charges For Services	1,597,230	90%	1,300,000	105%	1,300,000	126%	1,400,000	100%

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LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

Description: Ensures that the City's assets are safeguarded, preserved, maximized and maintained through effective financial management in order to provide a sound financial base to deliver City services. Provides a safe environment to the community and the workforce by minimizing risk to the public and the City employees through proactive training, examination and assessment of City facilities and infrastructure.

SERVICES:	RESULTS:	STATUS:
705-07 - General (Transfers Out): Ensure timely receipt of general revenue and transfers.	Actual General Fund revenue variance with the adjusted budget are less than 5%.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 2,377,800	100%	\$ 2,464,328	100%	\$ 5,164,328	100%	\$ 2,554,600	100%
Operating	2,377,800	100%	2,464,328	100%	5,164,328	100%	2,554,600	100%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ (23,462,714)	-987%	\$ (25,497,045)	-1035%	\$ (23,894,699)	-463%	\$ (25,944,414)	-1016%
Redevelopment Obligation Retirement	(2,781,882)	-117%	-	0%	(5,570,955)	-108%	-	0%
Taxes	25,979,959	1093%	24,624,500	999%	31,411,405	608%	25,214,020	987%
Franchise Fees	1,758,705	74%	1,873,500	76%	1,750,567	34%	1,812,300	71%
Licenses & Permits	-	0%	800,000	32%	808,000	16%	800,000	31%
Inter Governmental Revenue	44,594	2%	15,000	1%	16,667	0%	15,000	1%
Charges For Services	254,181	11%	250,000	10%	249,970	5%	250,000	10%
Donations	7,223	0%	10,001	0%	5,000	0%	10,000	0%
Other Financing Sources	577,735	24%	388,373	16%	388,373	8%	397,694	16%

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LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

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SERVICES:	RESULTS:	STATUS:
705-08 - Debt Service: Ensure adequate funds are available to make timely debt service payments.	Accurate and timely debt service payments.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 79,002,962	100%	\$ 6,967,265	100%	\$ 2,125,477	100%	\$ 1,275,830	100%
Operating	79,002,962	100%	6,967,265	100%	2,125,477	100%	1,275,830	100%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Redevelopment Obligation Retirement	53,879,129	68%	-	0%	-	0%	-	0%
2002 Recreation GO Bond D.S.	1,303,655	2%	(4,932)	0%	293,677	14%	-	0%
1990 Library Bond Debt Service	(16,479)	0%	(75,800)	-1%	29,200	1%	-	0%
Debt Service Fund-CDA	9,149,621	12%	-	0%	-	0%	-	0%
Special Assessments on Tax Roll	1,753,306	2%	1,800,000	26%	1,800,000	85%	1,272,330	100%
Interest and Rent Income	41,642	0%	128,000	2%	1,000	0%	3,500	0%
Charges For Services	-	0%	-	0%	1,600	0%	-	0%
Other Financing Sources	12,892,089	16%	5,119,997	73%	-	0%	-	0%

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LEAD DEPARTMENT: Administrative Services

PROGRAM: 705 - ASSET PRESERVATION

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SERVICES:	RESULTS:	STATUS:
705-09 - Payroll: Process payroll that supports timely and accurate processing of employee salary and benefits.	Payroll is submitted in a timely manner 100% of the time. Payroll checks reflect and accuracy rate of 99.90% or better.	Met Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 55,367	0%	\$ 193,179	3%	\$ 135,278	6%	\$ 263,503	21%
Personnel	54,937	0%	82,349	1%	80,748	4%	81,956	6%
Operating	431	0%	1,830	0%	530	0%	2,547	0%
Services	-	0%	109,000	2%	54,000	3%	179,000	14%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 55,367	0%	\$ 193,179	3%	\$ 135,278	6%	\$ 263,503	21%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 706 - INFORMATION SUPPORT

Description: To maintain a modern, efficient set of information tools that provide accurate and timely information access to authorized users in order to support decision-making; deliver service and respond to community needs; provide advice on application of new technology; and provide responsive service and support to internal staff.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
706-01 - Desktop Maintenance	\$ 449,263	\$ 513,720	\$ 514,280	\$ 525,181
706-02 - Network Infrastructure Maintenance	229,338	271,335	267,487	307,210
706-03 - Design and Advice	-	-	-	1,000
706-04 - Remote Access	524	-	500	500
706-05 - Printing Support	141,586	193,511	140,943	169,805
Program Total	<u>\$ 820,711</u>	<u>\$ 978,566</u>	<u>\$ 923,210</u>	<u>\$ 1,003,696</u>

LEAD DEPARTMENT: Administrative Services

PROGRAM: 706 - INFORMATION SUPPORT

Description: To maintain a modern, efficient set of information tools that provide accurate and timely information access to authorized users in order to support decision-making; deliver service and respond to community needs; provide advice on application of new technology; and provide responsive service and support to internal staff.

SERVICES:	RESULTS:	STATUS:
706-01 - Desktop Maintenance: Maintain computer hardware and phone systems used by employees; install and upgrade software.	Resolve 85% of desktop computer problems within sixty (60) minutes of trouble report.	Exceeded - 92%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 449,263	100%	\$ 513,720	100%	\$ 514,280	100%	\$ 525,181	100%
Personnel	353,598	79%	399,871	78%	398,131	77%	412,791	79%
Operating	62,519	14%	78,449	15%	80,749	16%	72,390	14%
Services	33,146	7%	35,400	7%	35,400	7%	40,000	8%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 449,263	100%	\$ 513,720	100%	\$ 514,280	100%	\$ 525,181	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 706 - INFORMATION SUPPORT

Description: To maintain a modern, efficient set of information tools that provide accurate and timely information access to authorized users in order to support decision-making; deliver service and respond to community needs; provide advice on application of new technology; and provide responsive service and support to internal staff.

SERVICES:	RESULTS:	STATUS:
706-02 - Network Infrastructure Maintenance: Install, maintain, and upgrade computer servers and network equipment. Coordinate installation of vendor systems. Protect the network from unauthorized intrusion. Repel virus attacks. Control access. Maintain databases. Provide support for intranet and internet use. Ensure reliability of network resources.	Add 80% of new employees to authorized systems within one business day of request. Maintain network availability 99.8% of time between 7am to 7pm, M-F. 95% of users indicate satisfaction with up time Ensure virus protection is in place for all internal networks and that no more than three (3) virus outbreaks occur in a twelve month period.	Exceeded - 85% Met Met Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 229,338	100%	\$ 271,335	100%	\$ 267,487	100%	\$ 307,210	100%
Personnel	162	0%	-	0%	377	0%	2,000	1%
Operating	107,447	47%	129,835	48%	125,610	47%	155,210	51%
Services	121,728	53%	141,500	52%	141,500	53%	150,000	49%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 229,338	100%	\$ 271,335	100%	\$ 267,487	100%	\$ 307,210	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 706 - INFORMATION SUPPORT

Description: To maintain a modern, efficient set of information tools that provide accurate and timely information access to authorized users in order to support decision-making; deliver service and respond to community needs; provide advice on application of new technology; and provide responsive service and support to internal staff.

SERVICES:	RESULTS:	STATUS:
706-03 - Design and Advice: Design facility wiring, provide relocation assistance, advise on use of new technologies and acquisition of new applications.	Facilities design results in 95% accommodation of user needs.	Exceeded - 96%
	Advice on new product integration and changes to existing systems results in 95% satisfaction.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ -	0%	\$ -	0%	\$ -	0%	\$ 1,000	100%
Personnel	-	0%	-	0%	-	0%	1,000	100%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ -	0%	\$ -	0%	\$ -	0%	\$ 1,000	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 706 - INFORMATION SUPPORT

Description: To maintain a modern, efficient set of information tools that provide accurate and timely information access to authorized users in order to support decision-making; deliver service and respond to community needs; provide advice on application of new technology; and provide responsive service and support to internal staff.

SERVICES:	RESULTS:	STATUS:
706-04 - Remote Access: Provide virtual private networking (VPN) service to City system over the Internet, which allows employees working from home or remote locations to access the City's network.	90% of all users who request access to web mail or remote IP are granted access within two business days.	Exceeded - 97%

	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>					
Total Expenditures	\$	524	100%	\$	-	0%	\$	500	100%	\$	500	100%
Personnel		-	0%		-	0%		-	0%		500	100%
Operating		524	100%		-	0%		500	100%		-	0%
Funding Source *												
General Fund	\$	524	100%	\$	-	0%	\$	500	100%	\$	500	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 706 - INFORMATION SUPPORT

Description: To maintain a modern, efficient set of information tools that provide accurate and timely information access to authorized users in order to support decision-making; deliver service and respond to community needs; provide advice on application of new technology; and provide responsive service and support to internal staff.

SERVICES:	RESULTS:	STATUS:
706-05 - Printing Support: Provide local low volume printing and fax service for departments through strategic placement of workgroup equipment clusters, and efficient, accurate high volume printer services from the print shop.	95% of all printing jobs completed within time-frame specified.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 141,586	100%	\$ 193,511	100%	\$ 140,943	100%	\$ 169,805	100%
Personnel	26,385	19%	60,446	31%	31,028	22%	59,844	35%
Operating	112,380	79%	130,065	67%	106,915	76%	106,961	63%
Services	2,820	2%	3,000	2%	3,000	2%	3,000	2%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 139,640	99%	\$ 191,011	99%	\$ 140,943	100%	\$ 167,305	99%
Charges For Services	1,945	1%	2,500	1%	-	0%	2,500	1%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 707 - INTERNET AND WORLD WIDE WEB

Description: To provide convenient, cost effective access to public City information and self help services, and facilitate community input and feedback, as well as enable and promote remote public access to City information, e-commerce business transactions and authorized access to confidential/secured information.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
707-01 - Web Posting	\$ 10,498	\$ 24,966	\$ 20,050	\$ 20,000
707-02 - Interactive Web Services	13,499	62,200	46,000	60,000
Program Total	<u>\$ 23,996</u>	<u>\$ 87,166</u>	<u>\$ 66,050</u>	<u>\$ 80,000</u>

LEAD DEPARTMENT: Administrative Services

PROGRAM: 707 - INTERNET AND WORLD WIDE WEB

Description: To provide convenient, cost effective access to public City information and self help services, and facilitate community input and feedback, as well as enable and promote remote public access to City information, e-commerce business transactions and authorized access to confidential/secured information.

SERVICES:	RESULTS:	STATUS:
707-01 - Web Posting: Support departments in providing timely and accurate posting of City information. Ensure that all information on the site can be easily navigated.	Council and Commission information is posted to the website according to prescribed advance schedule 100% of the time.	Met
	Maintain 98% availability of web site.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 10,498	100%	\$ 24,966	100%	\$ 20,050	100%	\$ 20,000	100%
Operating	10,498	100%	24,966	100%	20,050	100%	20,000	100%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 10,498	100%	\$ 24,966	100%	\$ 20,050	100%	\$ 20,000	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 707 - INTERNET AND WORLD WIDE WEB

Description: To provide convenient, cost effective access to public City information and self help services, and facilitate community input and feedback, as well as enable and promote remote public access to City information, e-commerce business transactions and authorized access to confidential/secured information.

SERVICES:

707-02 - Interactive Web Services:
Develop or acquire systems to allow interactive delivery of services to the public on a 24 hour basis, and provide search tools so that information can be easily accessed.

RESULTS:

80% of users rate web site experience as good or excellent based on on-line website survey.
Bi-Annual Community Survey results indicate number of residents using City website in the last 12 months is higher than benchmark.

STATUS:

No survey data collected
Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 13,499	100%	\$ 62,200	100%	\$ 46,000	100%	\$ 60,000	100%
Operating	13,499	100%	22,200	36%	18,000	39%	20,000	33%
Services	-	0%	40,000	64%	28,000	61%	40,000	67%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 13,499	100%	\$ 62,200	100%	\$ 46,000	100%	\$ 60,000	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 708 - EMPLOYEE SUPPORT

Description: To attract and retain a stable, productive, competent and talented workforce, encourage continued growth and development through training and career planning, foster job satisfaction, provide competitive compensation and benefits, recognize and reward achievement, meet legal requirements and support a positive work experience.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
708-01 - Personnel & Benefits Administration	\$ 290,241	\$ 220,164	\$ 222,893	\$ 264,558
708-02 - Employee Development	15,254	20,686	14,236	51,777
708-03 - Employee Relations	175,514	196,807	184,942	193,111
708-04 - Recruitment and Selection	98,371	141,713	129,028	122,975
708-05 - General Employee Benefits	771,104	802,187	974,777	911,940
Program Total	\$ 1,350,484	\$ 1,381,557	\$ 1,525,875	\$ 1,544,360

LEAD DEPARTMENT: Administrative Services

PROGRAM: 708 - EMPLOYEE SUPPORT

Description: To attract and retain a stable, productive, competent and talented workforce, encourage continued growth and development through training and career planning, foster job satisfaction, provide competitive compensation and benefits, recognize and reward achievement, meet legal requirements and support a positive work experience.

SERVICES:	RESULTS:	STATUS:
708-01 - Personnel & Benefits Administration: Process payroll that supports timely and accurate processing of employee salary and benefits.	Payroll master file entries are maintained with an accuracy rate of 99.95% or better. Generate all payroll reports the day before the pay day 93% of the time.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 290,241	100%	\$ 220,164	100%	\$ 222,893	100%	\$ 264,558	100%
Personnel	233,599	80%	212,721	97%	212,136	95%	231,160	87%
Operating Services	7,563	3%	7,443	3%	10,596	5%	9,398	4%
	49,079	17%	-	0%	161	0%	24,000	9%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 288,417	99%	\$ 220,164	100%	\$ 222,893	100%	\$ 264,558	100%
Charges For Services	1,824	1%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 708 - EMPLOYEE SUPPORT

Description: To attract and retain a stable, productive, competent and talented workforce, encourage continued growth and development through training and career planning, foster job satisfaction, provide competitive compensation and benefits, recognize and reward achievement, meet legal requirements and support a positive work experience.

SERVICES:

708-02 - Employee Development: Provide opportunities for continued learning and development, publicize and coordinate training opportunities, and encourage employees to establish and pursue vocational goals.

RESULTS:

80% of employees agree the City provides opportunities for professional development.

STATUS:

Not met - 65% satisfied or somewhat satisfied

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 15,254	100%	\$ 20,686	100%	\$ 14,236	100%	\$ 51,777	100%
Personnel	5,792	38%	7,639	37%	2,312	16%	7,714	15%
Operating	2,242	15%	3,047	15%	2,924	21%	13,063	25%
Services	7,220	47%	10,000	48%	9,000	63%	31,000	60%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 15,254	100%	\$ 20,686	100%	\$ 14,236	100%	\$ 51,777	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 708 - EMPLOYEE SUPPORT

Description: To attract and retain a stable, productive, competent and talented workforce, encourage continued growth and development through training and career planning, foster job satisfaction, provide competitive compensation and benefits, recognize and reward achievement, meet legal requirements and support a positive work experience.

SERVICES:

708-03 - Employee Relations: Inform and train employees on City policies and procedures, provide timely processing of employee complaints and concerns, assist the employee in utilizing benefit programs, and negotiate labor contracts.

RESULTS:

Respond to 90% of written complaints within 10 business days.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 175,514	100%	\$ 196,807	100%	\$ 184,942	100%	\$ 193,111	100%
Personnel	16,678	10%	94,946	48%	65,026	35%	96,025	50%
Operating	2,018	1%	7,482	4%	11,237	6%	7,087	4%
Services	156,818	89%	94,379	48%	108,679	59%	90,000	47%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 175,514	100%	\$ 196,807	100%	\$ 184,942	100%	\$ 193,111	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 708 - EMPLOYEE SUPPORT

Description: To attract and retain a stable, productive, competent and talented workforce, encourage continued growth and development through training and career planning, foster job satisfaction, provide competitive compensation and benefits, recognize and reward achievement, meet legal requirements and support a positive work experience.

SERVICES:	RESULTS:	STATUS:
708-04 - Recruitment and Selection: Recruit, select and retain highly qualified personnel using a process that is timely, thorough and encourages a diverse applicant pool. Ensure that wages and benefits are competitive among similarly sized agencies.	Generate offer letter for 80% of non-safety positions within 4 weeks of position close. Satisfaction with Personnel staff's involvement with the recruitment process attains or exceeds a score of 4.0 (on a 5 point scale).	

	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>					
Total Expenditures	\$	98,371	100%	\$	141,713	100%	\$	129,028	100%	\$	122,975	100%
Personnel		53,286	54%		55,996	40%		64,108	50%		56,638	46%
Operating		19,165	19%		34,017	24%		31,920	25%		39,537	32%
Services		25,920	26%		51,700	36%		33,000	26%		26,800	22%
Funding Source *	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>					
General Fund	\$	98,371	100%	\$	141,713	100%	\$	129,028	100%	\$	122,975	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 708 - EMPLOYEE SUPPORT

Description: To attract and retain a stable, productive, competent and talented workforce, encourage continued growth and development through training and career planning, foster job satisfaction, provide competitive compensation and benefits, recognize and reward achievement, meet legal requirements and support a positive work experience.

SERVICES:	RESULTS:	STATUS:
708-05 - General Employee Benefits: Provide for employee costs and post-employment costs not related to a specific program/service.	No relevant service results.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 771,104	100%	\$ 802,187	100%	\$ 974,777	100%	\$ 911,940	100%
Personnel	675,185	88%	573,987	72%	798,696	82%	664,400	73%
Operating	83,057	11%	212,200	26%	167,000	17%	231,540	25%
Services	12,862	2%	16,000	2%	9,081	1%	16,000	2%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 215,895	28%	\$ 221,187	28%	\$ 433,288	44%	\$ 296,400	33%
Other Post Employment Benefits	371	0%	-	0%	(38,811)	-4%	-	0%
Interest and Rent Income	34	0%	1,000	0%	300	0%	1,000	0%
Charges For Services	554,804	72%	580,000	72%	580,000	60%	614,540	67%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 709 - LEGAL SERVICES

Description: Assist the City in achieving its goals while maintaining compliance with relevant statutes, minimizing risk of legal challenges and rendering sound and cost effective advice to the City Council and the City's departments. Ensure the City practices and actions are consistent with applicable laws and appropriate risk exposure, effectively represent the City's interests in legal matters, and defend the City against claims in litigation.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
709-01 - City Council and City Manager Support	\$ 89,304	\$ 78,661	\$ 78,047	\$ 69,270
709-02 - Planning Staff and Commission Support	113,043	58,690	53,188	73,721
709-03 - Personnel, Risk Management & Other Programs	287,355	186,693	279,278	187,822
709-05 - Community Development Agency	66,318	25,740	11,236	31,430
Program Total	\$ 556,020	\$ 349,784	\$ 421,749	\$ 362,244

LEAD DEPARTMENT: Administrative Services

PROGRAM: 709 - LEGAL SERVICES

Description: Assist the City in achieving its goals while maintaining compliance with relevant statutes, minimizing risk of legal challenges and rendering sound and cost effective advice to the City Council and the City's departments. Ensure the City practices and actions are consistent with applicable laws and appropriate risk exposure, effectively represent the City's interests in legal matters, and defend the City against claims in litigation.

SERVICES:

709-01 - City Council and City Manager Support: Advise and assist the City Council and City Manager on policy and administrative matters. Ensure compliance with statutes.

RESULTS:

Annual Council survey indicates 80% of Council members feel the City Attorney always or almost always provides high quality support and legal advice.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 89,304	100%	\$ 78,661	100%	\$ 78,047	100%	\$ 69,270	100%
Personnel	79,297	89%	48,460	62%	48,446	62%	48,938	71%
Operating	557	1%	601	1%	601	1%	332	0%
Services	9,451	11%	29,600	38%	29,000	37%	20,000	29%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 66,387	74%	\$ 78,661	100%	\$ 78,047	100%	\$ 69,270	100%
Redevelopment Services Agreement	22,918	26%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 709 - LEGAL SERVICES

Description: Assist the City in achieving its goals while maintaining compliance with relevant statutes, minimizing risk of legal challenges and rendering sound and cost effective advice to the City Council and the City's departments. Ensure the City practices and actions are consistent with applicable laws and appropriate risk exposure, effectively represent the City's interests in legal matters, and defend the City against claims in litigation.

SERVICES:	RESULTS:	STATUS:
709-02 - Planning Staff and Commission Support: Advise and assist the staff and Commission, prepare and interpret ordinances and statutes.	No legal challenges as a result of planning decisions.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 113,043	100%	\$ 58,690	100%	\$ 53,188	100%	\$ 73,721	100%
Personnel	15,859	14%	8,581	15%	8,079	15%	8,661	12%
Operating	111	0%	109	0%	109	0%	61	0%
Services	97,073	86%	50,000	85%	45,000	85%	65,000	88%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 113,043	100%	\$ 58,690	100%	\$ 53,188	100%	\$ 73,721	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 709 - LEGAL SERVICES

Description: Assist the City in achieving its goals while maintaining compliance with relevant statutes, minimizing risk of legal challenges and rendering sound and cost effective advice to the City Council and the City's departments. Ensure the City practices and actions are consistent with applicable laws and appropriate risk exposure, effectively represent the City's interests in legal matters, and defend the City against claims in litigation.

SERVICES:

709-03 - Personnel, Risk Management & Other Programs: Advise staff and oversee outside counsel and related professional services consultants/contractors.

RESULTS:

The City's claims history and litigation rates are kept below comparable cities.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 287,355	100%	\$ 186,693	100%	\$ 279,278	100%	\$ 187,822	100%
Personnel	55,481	19%	93,310	50%	93,265	33%	94,246	50%
Operating	278	0%	383	0%	383	0%	576	0%
Services	231,595	81%	93,000	50%	185,630	66%	93,000	50%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 80,928	28%	\$ 173,605	93%	\$ 160,583	57%	\$ 174,748	93%
Liability/Fire Insurance Fund	197,628	69%	9,796	5%	114,810	41%	9,782	5%
Worker's Compensation Fund	8,799	3%	3,292	2%	3,885	1%	3,292	2%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 709 - LEGAL SERVICES

Description: Assist the City in achieving its goals while maintaining compliance with relevant statutes, minimizing risk of legal challenges and rendering sound and cost effective advice to the City Council and the City's departments. Ensure the City practices and actions are consistent with applicable laws and appropriate risk exposure, effectively represent the City's interests in legal matters, and defend the City against claims in litigation.

SERVICES:	RESULTS:	STATUS:
709-05 - Community Development Agency: Ensure compliance with statutes and coordinate property acquisition and negotiations.	Annual Council survey indicates 80% of Council members feel the City Attorney always or almost always have confidence that legal issues are resolved in a timely manner with minimum exposure to loss.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 66,318	100%	\$ 25,740	100%	\$ 11,236	100%	\$ 31,430	100%
Personnel	7,930	12%	11,240	44%	11,236	100%	11,353	36%
Operating Services	56	0%	-	0%	-	0%	78	0%
	58,333	88%	14,500	56%	-	0%	20,000	64%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 40,291	61%	\$ 25,740	100%	\$ 11,236	100%	\$ 31,430	100%
Redevelopment Services Agreement	26,028	39%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 710 - BUSINESS DEVELOPMENT

Description: To continually improve the City's fiscal health by increasing revenues from the business sector of the community.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
710-01 - Strategic Partnerships	\$ 73,446	\$ 142,393	\$ 32,005	\$ 138,789
710-02 - Market Information and Research	73,940	81,169	26,564	77,637
710-03 - Diversifying Tax Base	32,810	66,640	8,316	65,522
Program Total	<u>\$ 180,197</u>	<u>\$ 290,202</u>	<u>\$ 66,885</u>	<u>\$ 281,948</u>

LEAD DEPARTMENT: Administrative Services

PROGRAM: 710 - BUSINESS DEVELOPMENT

Description: To continually improve the City's fiscal health by increasing revenues from the business sector of the community.

SERVICES:	RESULTS:	STATUS:
710-01 - Strategic Partnerships: Leverage the City's efforts by forming strategic partnerships with business associations, regional trade organizations and local companies.	Bi-Annual Community Survey results indicate residents rate job growth in Menlo Park higher than benchmark. Bi-Annual Community Survey results indicate residents rate economic development in Menlo Park higher than benchmark.	Met Not met - similar benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 73,446	100%	\$ 142,393	100%	\$ 32,005	100%	\$ 138,789	100%
Personnel	59,364	81%	117,933	83%	10,405	33%	111,136	80%
Operating	13,967	19%	23,060	16%	21,600	67%	26,253	19%
Services	115	0%	1,400	1%	-	0%	1,400	1%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 51,980	71%	\$ 142,393	100%	\$ 32,005	100%	\$ 138,789	100%
Redevelopment Services Agreement	21,466	29%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 710 - BUSINESS DEVELOPMENT

Description: To continually improve the City's fiscal health by increasing revenues from the business sector of the community.

SERVICES:

710-02 - Market Information and Research: Provide timely, accurate information, research, analysis, and policy development needed to make informed business decisions.

RESULTS:

Bi-Annual community survey results indicate residents rate employment opportunities in Menlo Park higher than benchmark.
Annual survey of business licensees indicates 85% of business agree with the statement "Menlo Park is a good place to do business".

STATUS:

Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 73,940	100%	\$ 81,169	100%	\$ 26,564	100%	\$ 77,637	100%
Personnel	70,661	96%	62,932	78%	15,807	60%	70,269	91%
Operating	1,052	1%	3,237	4%	3,257	12%	3,483	4%
Services	2,228	3%	15,000	18%	7,500	28%	3,885	5%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 73,940	100%	\$ 81,169	100%	\$ 26,564	100%	\$ 77,637	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Administrative Services

PROGRAM: 710 - BUSINESS DEVELOPMENT

Description: To continually improve the City's fiscal health by increasing revenues from the business sector of the community.

SERVICES:	RESULTS:	STATUS:
710-03 - Diversifying Tax Base: Work with business, real estate, and internal resources to broaden the tax base and increase the diversity of goods and services available to meet the community's needs and help reduce the negative fiscal impact of economic cycles.	Achieve an increase in overall revenue generated from business-related sources, while decreasing the City's dependence on the percentage of revenue generated by the top 25 sales tax producers. Bi-Annual community survey results indicate residents rate retail growth in Menlo Park higher than benchmark. Bi-Annual community survey results indicate residents rate the overall quality of business and service establishments in Menlo Park higher than benchmark.	 Not met - similar to benchmark Not met - similar to benchmark

	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>	
Total Expenditures	\$ 32,810	100%	\$ 66,640	100%	\$ 8,316	100%	\$ 65,522	100%
Personnel	30,901	94%	56,994	86%	5,170	62%	53,631	82%
Operating	794	2%	2,146	3%	2,146	26%	4,391	7%
Services	1,115	3%	7,500	11%	1,000	12%	7,500	11%
Funding Source *	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>	
General Fund	\$ 32,810	100%	\$ 66,640	100%	\$ 8,316	100%	\$ 65,522	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

CITY OF MENLO PARK
FISCAL YEAR 2013 - 14



COMMUNITY DEVELOPMENT DEPARTMENT

LEAD DEPARTMENT: Community Development

PROGRAM: 601 - COMPREHENSIVE PLANNING

Description: To develop, monitor, update and integrate relevant land use and transportation planning documents, studies, policies and implementation strategies to enable the achievement of citywide goals and improve the physical environment of the entire community, while enhancing the unique character of individual neighborhoods and protecting them from the adverse impacts of the larger urban area.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
601-01 - General Plan	\$ 754,567	\$ 1,428,715	\$ 1,176,618	\$ 2,288,517
601-02 - Zoning Ord.& Related Documents	10,913	80,863	206,566	3,979
Program Total	<u>\$ 765,480</u>	<u>\$ 1,509,578</u>	<u>\$ 1,383,185</u>	<u>\$ 2,292,496</u>

LEAD DEPARTMENT: Community Development

PROGRAM: 601 - COMPREHENSIVE PLANNING

Description: To develop, monitor, update and integrate relevant land use and transportation planning documents, studies, policies and implementation strategies to enable the achievement of citywide goals and improve the physical environment of the entire community, while enhancing the unique character of individual neighborhoods and protecting them from the adverse impacts of the larger urban area.

SERVICES:	RESULTS:	STATUS:
601-01 - General Plan: Monitor and update the General Plan to maintain its relevancy as a critical public policy document helping to guide City decisions leading to enhanced quality of life.	Annual survey of Council members indicates 80% of Council are always or are almost always satisfied with the quality of information and analysis provided by staff. The quality of information and analysis meets the expectations of 85% of the Commission members.	Data not available Data not available
	Bi-Annual Community Survey results indicate residents rate overall quality of life in Menlo Park higher than benchmark.	Exceeded - much above benchmark
	Bi-Annual Community Survey results indicate residents' rating of Menlo Park as a good place to live is higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 754,567	100%	\$ 1,428,715	100%	\$ 1,176,618	100%	\$ 2,288,517	100%
Personnel	230,613	31%	57,943	4%	48,734	4%	16,799	1%
Operating	10,715	1%	30,456	2%	36,689	3%	3,432	0%
Services	329,999	44%	1,750	0%	1,750	0%	-	0%
Capital Improvement Projects	183,240	24%	1,338,566	94%	1,089,445	93%	2,268,286	99%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 571,327	76%	\$ 90,149	6%	\$ 87,173	7%	\$ 20,231	1%
General Fund Comprehensive Planning Fund	183,240	24%	1,338,566	94%	1,089,445	93%	-	0%
General Fund - CIP	-	0%	-	0%	-	0%	2,268,286	99%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 601 - COMPREHENSIVE PLANNING

Description: To develop, monitor, update and integrate relevant land use and transportation planning documents, studies, policies and implementation strategies to enable the achievement of citywide goals and improve the physical environment of the entire community, while enhancing the unique character of individual neighborhoods and protecting them from the adverse impacts of the larger urban area.

SERVICES:	RESULTS:	STATUS:
601-02 - Zoning Ord.& Related Documents: Update the Zoning Ordinance and other planning documents, and prepare new planning standards and regulations, to maintain consistency with and provide for implementation of the General Plan.	Annual survey of Council members indicates 80% of Council are always or almost always satisfied with the quality of information and analysis provided by staff. Annual Commission survey indicates the quality of information and analysis meets expectations of 85% of Planning Commission members.	Data not available Data not available
	Bi-Annual Community Survey results indicate residents rate their neighborhood as a place to live higher than benchmark	Exceeded - much above benchmark
	Bi-Annual Community Survey results indicate residents rate quality of new development higher than benchmark.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 10,913	100%	\$ 80,863	100%	\$ 206,566	100%	\$ 3,979	100%
Personnel	9,815	90%	55,378	68%	26,081	13%	3,000	75%
Operating	1,098	10%	8,245	10%	8,245	4%	979	25%
Services	-	0%	17,240	21%	17,240	8%	-	0%
Capital Improvement Projects	-	0%	-	0%	155,000	75%	-	0%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 10,864	100%	\$ 80,613	100%	\$ 51,266	25%	\$ 3,679	92%
General Fund Comprehensive Planning Fund	(115,500)	-1058%	(250,000)	-309%	155,000	75%	-	0%
Charges For Services	49	0%	250	0%	300	0%	300	8%
Other Financing Sources	115,500	1058%	250,000	309%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 602 - DEVELOPMENT SERVICE

Description: Provides a centralized, comprehensive and seamless set of services for people to easily obtain information and assistance with required approvals for land use and building construction projects in an efficient manner and in compliance with established regulations.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
602-01 - Development Information Services	\$ 260,347	\$ 271,507	\$ 315,231	\$ 282,396
602-02 - Planning Level Reviews	2,257,248	1,167,665	1,000,713	1,187,698
602-03 - Plan Check and Permitting	876,009	1,131,827	1,082,192	1,094,850
602-04 - Inspecting and Monitoring	514,953	561,563	543,568	780,615
Program Total	\$ 3,908,557	\$ 3,132,562	\$ 2,941,704	\$ 3,345,558

LEAD DEPARTMENT: Community Development

PROGRAM: 602 - DEVELOPMENT SERVICE

Description: Provides a centralized, comprehensive and seamless set of services for people to easily obtain information and assistance with required approvals for land use and building construction projects in an efficient manner and in compliance with established regulations.

SERVICES:

602-01 - Development Information Services: Provide potential applicants and interested parties with timely and accurate information regarding applicable City policies, ordinances, regulations, guidelines and other requirements related to land use development.

RESULTS:

85% customer satisfaction rating per Development Services Survey.

STATUS:

No surveys returned

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 260,347	100%	\$ 271,507	100%	\$ 315,231	100%	\$ 282,396	100%
Personnel	254,948	98%	265,873	98%	309,597	98%	276,810	98%
Operating	5,399	2%	5,634	2%	5,634	2%	5,585	2%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 257,680	99%	\$ 269,007	99%	\$ 313,731	100%	\$ 279,896	99%
Charges For Services	2,668	1%	2,500	1%	1,500	0%	2,500	1%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 602 - DEVELOPMENT SERVICE

Description: Provides a centralized, comprehensive and seamless set of services for people to easily obtain information and assistance with required approvals for land use and building construction projects in an efficient manner and in compliance with established regulations.

SERVICES:	RESULTS:	STATUS:
602-02 - Planning Level Reviews: Provide timely, thorough and structured review, including public input, of proposed development projects and land use permits that evaluates the merits of a project leading to a decision.	95% of projects reviewed for completeness within 30 days of application submittal. 85% customer satisfaction rating per Planning Review Survey.	Not met - 88% Exceeded - 94%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 2,257,248	100%	\$ 1,167,665	100%	\$ 1,000,713	100%	\$ 1,187,698	100%
Personnel	758,539	34%	816,828	70%	800,066	80%	721,989	61%
Operating	33,862	2%	57,419	5%	41,719	4%	45,710	4%
Services	1,464,848	65%	293,418	25%	158,928	16%	420,000	35%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ (356,990)	-16%	\$ 271,339	23%	\$ 204,185	20%	\$ 87,698	7%
Eir Fees	323,016	14%	106,326	9%	(100,017)	-10%	-	0%
Charges For Services	2,291,223	102%	790,000	68%	896,545	90%	1,100,000	93%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 602 - DEVELOPMENT SERVICE

Description: Provides a centralized, comprehensive and seamless set of services for people to easily obtain information and assistance with required approvals for land use and building construction projects in an efficient manner and in compliance with established regulations.

SERVICES:	RESULTS:	STATUS:
602-03 - Plan Check and Permitting: Provide efficient review of construction drawings with clear interpretation of codes to protect health, safety and welfare of the public and to issue permits in a timely manner.	90% of audited projects received all appropriate plan review checks and are in substantial compliance with all relevant codes.	Exceeded - 100%
	85% customer satisfaction rating per Plan Check Survey.	No surveys returned
	85% of projects requiring a full plan review receive first comments/approval within 6 weeks of the first submittal.	Not met - 83%
	85% of projects requiring a full plan review receive comments/approval within 2 weeks of the second submittal.	Exceeded - 100%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 876,009	100%	\$ 1,131,827	100%	\$ 1,082,192	100%	\$ 1,094,850	100%
Personnel	584,757	67%	596,900	53%	552,076	51%	518,460	47%
Operating	31,814	4%	33,566	3%	32,116	3%	56,390	5%
Services	259,438	30%	501,361	44%	498,000	46%	520,000	47%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ (262,711)	-30%	\$ 26,527	2%	\$ (62,833)	-6%	\$ (128,750)	-12%
Licenses & Permits	938,949	107%	874,000	77%	872,000	81%	948,000	87%
Charges For Services	199,771	23%	231,300	20%	273,025	25%	275,600	25%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 602 - DEVELOPMENT SERVICE

Description: Provides a centralized, comprehensive and seamless set of services for people to easily obtain information and assistance with required approvals for land use and building construction projects in an efficient manner and in compliance with established regulations.

SERVICES:	RESULTS:	STATUS:
602-04 - Inspecting and Monitoring: Provide timely and thorough inspection of construction projects in compliance with all approvals from the time of permit issuance through final approval.	95% of inspections scheduled on a given day are completed.	Exceeded - 100%
	85% of inspections can be scheduled within one day between December 1 and June 30.	Exceeded - 96%
	85% of inspections can be scheduled within three days between July 1 and November 30.	Exceeded - 100%
	85% customer satisfaction rating per Inspection Survey.	Exceeded - 96%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 514,953	100%	\$ 561,563	100%	\$ 543,568	100%	\$ 780,615	100%
Personnel	491,457	95%	522,487	93%	511,853	94%	595,697	76%
Operating	17,376	3%	25,333	5%	24,215	4%	27,418	4%
Services	6,120	1%	13,743	2%	7,500	1%	157,500	20%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ (531,525)	-103%	\$ (439,637)	-78%	\$ (480,412)	-88%	\$ (369,585)	-47%
Licenses & Permits	938,949	182%	874,000	156%	872,000	160%	948,000	121%
Charges For Services	107,529	21%	127,200	23%	151,980	28%	202,200	26%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

CITY OF MENLO PARK
FISCAL YEAR 2013 – 14



COMMUNITY SERVICES DEPARTMENT

LEAD DEPARTMENT: Community Services

PROGRAM: 310 - SOCIAL SERVICES & CHILDCARE

Description: Services focused on improving the quality of life for children, teens, seniors and their families.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
310-01 - Seniors	\$ 424,723	\$ 458,509	\$ 451,998	\$ 492,981
310-02 - Pre-School Childcare	1,854,409	2,051,320	1,886,729	1,927,563
310-03 - Peninsula Partnership	111,416	147,830	143,871	127,412
310-04 - School-Age Childcare	725,910	731,420	739,876	758,024
310-06 - Neighborhood Services	476,535	526,657	515,361	584,689
Program Total	\$ 3,593,003	\$ 3,915,736	\$ 3,737,835	\$ 3,890,669

LEAD DEPARTMENT: Community Services

PROGRAM: 310 - SOCIAL SERVICES & CHILDCARE

Description: Services focused on improving the quality of life for children, teens, seniors and their families.

SERVICES:	RESULTS:	STATUS:
310-01 - Seniors: Provide health, recreational and social services for adults ages 55 and older.	90% of participants indicate that participating in health screenings and exercise classes improved their health.	Exceeded - 100% agree
	90% of participants indicate they are eating healthier because of the Center's meal program.	Exceeded - 100% agree
	90% of participants indicate resources available at the Center are helpful in their daily lives.	Exceeded - 100% agree
	Bi-Annual Community Survey results indicate residents rate services to seniors higher than the benchmark.	Exceeded - much above benchmark
	90% of participants indicate they are satisfied or highly satisfied with the overall services at the Senior Center.	Exceeded - 100% agree

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 424,723	100%	\$ 458,509	100%	\$ 451,998	100%	\$ 492,982	100%
Personnel	302,339	71%	323,280	71%	317,626	70%	354,863	72%
Operating	73,134	17%	82,710	18%	81,853	18%	85,599	17%
Services	49,251	12%	52,519	11%	52,519	12%	52,519	11%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 333,479	79%	\$ 357,878	78%	\$ 365,296	81%	\$ 408,492	83%
Inter Governmental Revenue	58,859	14%	83,419	18%	69,490	15%	67,490	14%
Charges For Services	16,618	4%	5,212	1%	5,212	1%	5,000	1%
Donations	15,768	4%	12,000	3%	12,000	3%	12,000	2%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 310 - SOCIAL SERVICES & CHILDCARE

Description: Services focused on improving the quality of life for children, teens, seniors and their families.

SERVICES:	RESULTS:	STATUS:
310-02 - Pre-School Childcare: Provide child care for preschool children ages 3 to 5 in an educational child development environment.	On average, 95% of children enrolled at BHCDC exhibit creativity; emerging social, physical and Behavior skills; and language development appropriate for their age. On average, 95% of children enrolled at MCC exhibit social skills appropriate for their age.	Exceeded - 96% meet state benchmarks Exceeded - 100% meet state benchmarks
	Bi-Annual Community Survey results indicate residents rate Menlo Park as a place to raise children higher than the benchmark.	Exceeded - much above benchmark
	Bi-Annual Community Survey results indicate availability of affordable, quality childcare higher than the benchmark.	Not met - below benchmark
	Bi-Annual Community Survey results indicate residents rate services to youth higher than the benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 1,854,409	100%	\$ 2,051,320	100%	\$ 1,886,729	100%	\$ 1,927,563	100%
Personnel	1,682,447	91%	1,825,461	89%	1,658,118	88%	1,705,927	89%
Operating	160,919	9%	205,529	10%	203,486	11%	214,136	11%
Services	11,043	1%	20,330	1%	25,125	1%	7,500	0%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 204,430	11%	\$ 519,099	25%	\$ 354,617	19%	\$ 361,693	19%
Inter Governmental Revenue	711,267	38%	577,421	28%	577,412	31%	577,414	30%
Charges For Services	938,711	51%	954,800	47%	954,700	51%	988,456	51%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 310 - SOCIAL SERVICES & CHILDCARE

Description: Services focused on improving the quality of life for children, teens, seniors and their families.

SERVICES:	RESULTS:	STATUS:
310-03 - Peninsula Partnership: Improve the quality of educational performance and parenting skills for children and their families in the Belle Haven neighborhood.	70% of Belle Haven Elementary School parents report satisfaction with involvement at school. Bi-annual Community Survey results indicate residents rate services to low income residents higher than benchmark.	Not measured this year Not met - below benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 111,416	100%	\$ 147,830	100%	\$ 143,871	100%	\$ 127,412	100%
Personnel	96,052	86%	136,864	93%	128,798	90%	126,392	99%
Operating	8,773	8%	966	1%	5,073	4%	1,020	1%
Services	6,590	6%	10,000	7%	10,000	7%	-	0%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 40,103	36%	\$ 39,209	27%	\$ 40,448	28%	\$ 125,510	99%
Peninsula Partnership Grant	5,247	5%	621	0%	45,823	32%	1,902	1%
Inter Governmental Revenue	65,400	59%	103,500	70%	50,000	35%	-	0%
Charges For Services	-	0%	1,000	1%	-	0%	-	0%
Donations	665	1%	3,500	2%	7,600	5%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 310 - SOCIAL SERVICES & CHILDCARE

Description: Services focused on improving the quality of life for children, teens, seniors and their families.

SERVICES:	RESULTS:	STATUS:
310-04 - School-Age Childcare: Offer safe and secure after school and summer activities for school age children in kindergarten through 5th grade.	90% of parents with children enrolled in the BHSA program indicate children model responsible behavior, safety is practiced and rules are enforced.	Not met - 85% agree
	90% of parents with children enrolled in the BHSA program indicate improved use of time, positive peer interaction, increased self esteem, creative expression, and improved grades.	Exceeded - 97% agree
	90% of parents with children enrolled in MCC SA program indicate that their child care needs are being met during the school year.	Not met - 85% agree
	90% of parents enrolled in MCC SA program indicate an increase of social skills	Met
	Bi-Annual Community Survey results indicate residents rate Menlo Park as a place to raise children higher than the benchmark.	Exceeded - much above benchmark

	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>	
Total Expenditures	\$ 725,910	100%	\$ 731,420	100%	\$ 739,876	100%	\$ 758,024	100%
Personnel	622,537	86%	609,731	83%	622,583	84%	630,129	83%
Operating	98,364	14%	114,689	16%	110,293	15%	120,896	16%
Services	5,010	1%	7,000	1%	7,000	1%	7,000	1%

Funding Source *	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>	
General Fund	\$ 208,618	29%	\$ 225,380	31%	\$ 247,156	33%	\$ 249,124	33%
Inter Governmental Revenue	16,884	2%	18,490	3%	5,000	1%	6,000	1%
Charges For Services	500,408	69%	487,550	67%	487,720	66%	502,900	66%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 310 - SOCIAL SERVICES & CHILDCARE

Description: Services focused on improving the quality of life for children, teens, seniors and their families.

SERVICES:	RESULTS:	STATUS:
310-06 - Neighborhood Services: Provide year round recreational and social services at the Onetta Harris Community Center.	80% of participants feel they have improved their fitness level or the program supports a healthy lifestyle.	Exceeded - 93% agree
	80% of participants feel they have improved upon or developed a new skill.	Exceeded - 95% agree
	80% of participants feel the program contributes to their individual growth & personal development.	Exceeded - 94% agree
	80% of participants feel closer to the community as a direct result of the program.	Exceeded - 88% agree

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 476,535	100%	\$ 526,657	100%	\$ 515,361	100%	\$ 584,689	100%
Personnel	364,226	76%	418,082	79%	406,861	79%	464,398	79%
Operating Services	79,944	17%	82,575	16%	75,500	15%	84,291	14%
	32,365	7%	26,000	5%	33,000	6%	36,000	6%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 402,106	84%	\$ 455,857	87%	\$ 429,805	83%	\$ 494,589	85%
Charges For Services	74,429	16%	70,800	13%	85,556	17%	90,100	15%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
311-01 - Youth Sports	\$ 383,616	\$ 478,735	\$ 471,995	\$ 489,729
311-02 - Adult Sports	290,736	285,515	305,304	308,139
311-03 - Gymnastics	613,210	904,571	941,282	1,066,485
311-04 - Aquatics	232,409	287,628	272,966	269,072
311-05 - Contract Classes	766,908	852,120	861,555	794,516
311-06 - Events & Concerts	199,624	213,710	200,179	236,544
311-07 - Community Facilities Service	170,895	215,069	196,654	249,788
Program Total	\$ 2,657,398	\$ 3,237,348	\$ 3,249,936	\$ 3,414,271

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

SERVICES:	RESULTS:	STATUS:
311-01 - Youth Sports: Sports classes, camps, activities and leagues for youth.	95% of participants feel the program supports a healthy lifestyle.	Not met - 94% agree
	95% of participants feel they have improved upon or developed a new skill.	Not met - 89% agree
	95% of participants feel the program contributes to their individual growth & personal development	Not met - 88% agree
	85% of participants feel closer to the community as a direct result of the program. Bi-Annual Community Survey results indicate residents rate recreation programs or classes higher than benchmark.	Not met - 73% agree Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 383,616	100%	\$ 478,735	100%	\$ 471,995	100%	\$ 489,729	100%
Personnel	164,345	43%	168,275	35%	161,535	34%	160,795	33%
Operating	57,968	15%	60,210	13%	60,210	13%	68,634	14%
Services	161,303	42%	250,250	52%	250,250	53%	260,300	53%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 4,725	1%	\$ (62,465)	-13%	\$ (69,205)	-15%	\$ (88,771)	-18%
Charges For Services	378,890	99%	541,200	113%	541,200	115%	578,500	118%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

SERVICES:	RESULTS:	STATUS:
311-02 - Adult Sports: Sports classes, camps, activities and leagues for adults.	95% of participants feel the program supports a healthy lifestyle.	Not met - 87% agree
	90% of participants feel they have improved upon or developed a new skill.	Not met - 67% agree
	95% of participants feel the program contributes to their individual growth & personal development.	Not met - 83% agree
	85% of participants feel closer to the community as a direct result of the program.	Not met - 80% agree
	Bi-Annual Community Survey results indicate residents rate recreation programs or classes higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 290,736	100%	\$ 285,515	100%	\$ 305,304	100%	\$ 308,139	100%
Personnel	184,073	63%	171,164	60%	190,908	63%	183,027	59%
Operating	56,942	20%	52,163	18%	52,163	17%	59,862	19%
Services	49,721	17%	62,188	22%	62,233	20%	65,250	21%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 88,735	31%	\$ 90,365	32%	\$ 109,654	36%	\$ 108,639	35%
Charges For Services	202,000	69%	195,150	68%	195,650	64%	199,500	65%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

SERVICES:	RESULTS:	STATUS:
311-03 - Gymnastics: A comprehensive educational, recreational and developmental program designed for gymnasts of all ages.	90% of participants feel they have improved their fitness level or the program supports a healthy lifestyle.	Exceeded - 96% agree
	90% of participants feel they have improved upon or developed a new skill.	Exceeded - 94% agree
	90% of participants feel the program contributes to their individual growth & personal development.	Exceeded - 98% agree
	85% of participants feel closer to the community as a direct result of the program.	Exceeded - 93% agree
	Bi-Annual Community Survey results indicate residents rate recreation programs or classes higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 613,210	100%	\$ 904,571	100%	\$ 941,282	100%	\$ 1,066,485	100%
Personnel	545,366	89%	748,037	83%	783,748	83%	884,532	83%
Operating	67,844	11%	154,034	17%	155,034	16%	174,453	16%
Services	-	0%	2,500	0%	2,500	0%	7,500	1%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ (48,894)	-8%	\$ (248,063)	-27%	\$ (211,352)	-22%	\$ (238,481)	-22%
Charges For Services	662,104	108%	1,152,634	127%	1,152,634	122%	1,304,966	122%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

SERVICES:	RESULTS:	STATUS:
311-04 - Aquatics: Aquatics recreational programs, developmental classes and fitness oriented activities for all ages.	90% of participants have improved their fitness level or the program supports a healthy lifestyle.	Exceeded - 96% agree
	90% of participants have improved upon or developed a new skill.	Met
	90% of participants feel the program contributes to their individual growth & personal development.	Met
	85% of participants feel closer to the community as a direct result of the program.	Not met - 80% agree
	Bi-Annual Community Survey results indicate residents rate recreation opportunities higher than benchmark.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 232,409	100%	\$ 287,628	100%	\$ 272,966	100%	\$ 269,072	100%
Personnel	61,082	26%	63,623	22%	48,811	18%	74,975	28%
Operating	167,946	72%	219,005	76%	219,155	80%	187,597	70%
Services	3,381	1%	5,000	2%	5,000	2%	6,500	2%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 63,920	28%	\$ 105,128	37%	\$ 90,466	33%	\$ 94,072	35%
Charges For Services	168,490	72%	182,500	63%	182,500	67%	175,000	65%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

SERVICES:	RESULTS:	STATUS:
311-05 - Contract Classes: Offer a variety of enrichment classes such as dance, computer, language, martial arts and science for all ages.	95% of participants feel they have improved their fitness level or the program supports a healthy lifestyle.	Not met - 94% agree
	95% of participants feel they have improved upon or developed a new skill.	Exceeded - 97% agree
	95% of participants feel the program contributes to their individual growth & personal development.	Exceeded - 97% agree
	90% of participants feel closer to the community as a direct result of the program.	Exceeded - 91% agree
	Bi-Annual Community Survey results indicate residents rate recreation programs or classes higher than benchmark.	Exceeded - much above benchmark
	Bi-Annual Community Survey indicates residents rate quality of recreation centers or facilities higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 766,908	100%	\$ 852,120	100%	\$ 861,555	100%	\$ 794,516	100%
Personnel	391,564	51%	458,751	54%	436,880	51%	378,382	48%
Operating	96,610	13%	123,369	14%	124,675	14%	136,134	17%
Services	278,733	36%	270,000	32%	300,000	35%	280,000	35%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 78,263	10%	\$ 120	0%	\$ 9,555	1%	\$ (60,484)	-8%
Charges For Services	688,645	90%	852,000	100%	852,000	99%	855,000	108%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

SERVICES:	RESULTS:	STATUS:
311-06 - Events & Concerts: Provide special community events such as 4th of July, Halloween, Egg Hunt and summer concerts.	80% of participants feel they have a greater appreciation for living in Menlo Park. 90% of participants feel closer to the community as a direct result of the program.	Not met - 79% agree Not met - 87% agree

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 199,624	100%	\$ 213,710	100%	\$ 200,179	100%	\$ 236,544	100%
Personnel	111,985	56%	109,183	51%	96,227	48%	117,590	50%
Operating	30,268	15%	49,137	23%	48,562	24%	58,453	25%
Services	57,371	29%	55,390	26%	55,390	28%	60,500	26%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 164,594	82%	\$ 181,310	85%	\$ 168,119	84%	\$ 196,844	83%
E. Kennedy/ Arts Trust	563	0%	700	0%	-	0%	700	0%
Charges For Services	28,880	14%	25,000	12%	24,610	12%	32,300	14%
Donations	4,750	2%	6,000	3%	6,750	3%	6,000	3%
Other Financing Sources	700	0%	700	0%	700	0%	700	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Services

PROGRAM: 311 - RECREATION/PHYSICAL ACTIVITIES

Description: Services promoting healthy lifestyles and personal growth through organized sports and recreation.

SERVICES:	RESULTS:	STATUS:
311-07 - Community Facilities Service: Provides access and support to residents and visitors to parks, fields, playgrounds, programs, and community resources in Menlo Park.	90% of participants have a greater appreciation for living in Menlo Park. Bi-Annual Community Survey indicates number of residents visiting a neighborhood park or City parks in the previous 12 months is higher than benchmark.	Exceeded - 91% agree Met

	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014					
Total Expenditures	\$	170,895	100%	\$	215,069	100%	\$	196,654	100%	\$	249,788	100%
Personnel		113,556	66%		132,978	62%		118,063	60%		175,276	70%
Operating		41,788	24%		55,761	26%		52,261	27%		54,512	22%
Services		15,552	9%		26,330	12%		26,330	13%		20,000	8%
Funding Source *		<u>Actual</u> 2011-2012			<u>Budget</u> 2012-2013			<u>Estimate</u> 2012-2013			<u>Proposed</u> 2013-2014	
General Fund	\$	(64,196)	-38%	\$	(64,931)	-30%	\$	(83,346)	-42%	\$	(41,213)	-16%
Charges For Services		235,091	138%		280,000	130%		280,000	142%		291,000	116%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 501 - AFFORDABLE HOUSING

Description: To promote the expansion of local housing opportunities for low and moderate income residents and workers in the City of Menlo Park by assisting in opportunities to increase the supply and improve the condition of the existing stock of affordable housing

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
501-01 - Increase Supply of Affordable Housing	\$ 7,272,375	\$ 72,048	\$ 523,803	\$ 50,000
501-02 - Maintain Existing Affordable Housing Stock	183,000	76,973	67,628	91,500
501-05 - Policy Development	179,503	8,936	41,611	2,098
Program Total	<u>\$ 7,634,878</u>	<u>\$ 157,957</u>	<u>\$ 633,042</u>	<u>\$ 143,598</u>

LEAD DEPARTMENT: Community Development

PROGRAM: 501 - AFFORDABLE HOUSING

Description: To promote the expansion of local housing opportunities for low and moderate income residents and workers in the City of Menlo Park by assisting in opportunities to increase the supply and improve the condition of the existing stock of affordable housing

SERVICES:

501-01 - Increase Supply of Affordable Housing: Increase the number of and access to affordable housing units in Menlo Park available to residents and employees who work in the City by providing general assistance and referral services, administrative support for Below Market Rate (BMR) Agreement review process and, where applicable, financial support, including first-time home buyer loans.

RESULTS:

Budget allocation in this program area provides for contract services. No applicable performance measures.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 7,272,375	100%	\$ 72,048	100%	\$ 523,803	100%	\$ 50,000	100%
Personnel	106,730	1%	8,673	12%	13,389	3%	-	0%
Operating	7,094,742	98%	63,375	88%	501,842	96%	42,500	85%
Services	70,902	1%	-	0%	8,572	2%	7,500	15%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 24,014	0%	\$ 14,233	20%	\$ 18,949	4%	\$ 5,000	10%
BMR Housing-Resident/Commerl Housing Fund	147,183	2%	57,815	80%	94,520	18%	(360,000)	-720%
Housing Authority	4,957	0%	-	0%	-	0%	-	0%
Interest and Rent Income	5,793,753	80%	-	0%	-	0%	-	0%
Charges For Services	121,850	2%	-	0%	45,000	9%	40,000	80%
Other Financing Sources	515,720	7%	-	0%	365,334	70%	365,000	730%
	664,898	9%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 501 - AFFORDABLE HOUSING

Description: To promote the expansion of local housing opportunities for low and moderate income residents and workers in the City of Menlo Park by assisting in opportunities to increase the supply and improve the condition of the existing stock of affordable housing

SERVICES:

501-02 - Maintain Existing Affordable Housing Stock: Maintain the existing affordable housing stock by providing loan services (including funding, application processing, construction management and collections) for housing rehabilitation loans; managing resale of Below Market Rate (BMR) units, funding and monitoring non-profits including fair housing services, disabled access to housing, shared housing and minor home repair.

RESULTS:

Budget allocation in this program area provides for contract services. No applicable performance measures.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 183,000	100%	\$ 76,973	100%	\$ 67,628	100%	\$ 91,500	100%
Personnel	117,244	64%	8,673	11%	3,128	5%	-	0%
Operating	43,777	24%	2,800	4%	-	0%	-	0%
Services	21,979	12%	65,500	85%	64,500	95%	91,500	100%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 38,822	21%	\$ 11,173	15%	\$ 3,128	5%	\$ -	0%
BMR Housing-Resident/Commerl	-	0%	63,000	82%	64,500	95%	91,500	100%
Commun Devel Block Grant	(521)	0%	-	0%	(242,993)	-359%	-	0%
Rev Share-Emergency Loan	(7,018)	-4%	800	1%	(11,288)	-17%	(500)	-1%
CDA Dissolution Fund	16	0%	-	0%	-	0%	-	0%
Housing Fund	(9,629)	-5%	-	0%	(6,326)	-9%	-	0%
Housing Authority	135,143	74%	-	0%	-	0%	-	0%
Inter Governmental Revenue	(118,724)	-65%	(93,500)	-121%	-	0%	-	0%
Interest and Rent Income	24,891	14%	19,500	25%	54,688	81%	500	1%
Charges For Services	120,019	66%	76,000	99%	205,919	304%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Community Development

PROGRAM: 501 - AFFORDABLE HOUSING

Description: To promote the expansion of local housing opportunities for low and moderate income residents and workers in the City of Menlo Park by assisting in opportunities to increase the supply and improve the condition of the existing stock of affordable housing

SERVICES:	RESULTS:	STATUS:
501-05 - Policy Development: To develop, monitor and update policies related to affordable housing production, maintenance and availability for Housing Commission and City Council/Agency Board consideration.	Budget allocation in this program area provides for contract services. No applicable performance measures.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 179,503	100%	\$ 8,936	100%	\$ 41,611	100%	\$ 2,098	100%
Personnel	178,286	99%	8,936	100%	41,611	100%	2,098	100%
Operating	1,009	1%	-	0%	-	0%	-	0%
Services	208	0%	-	0%	-	0%	-	0%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 69,705	39%	\$ 8,936	100%	\$ 41,611	100%	\$ 2,098	100%
Housing Authority	109,798	61%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

CITY OF MENLO PARK
FISCAL YEAR 2013 - 14



LIBRARY DEPARTMENT

LEAD DEPARTMENT: Library

PROGRAM: 401 - LIBRARY COLLECTIONS AND ONLINE RESOURCES

Description: To make the world virtually available to the Menlo Park community through print, visual, audio, computer and online applications and resources. A closely related aim is to acquire such materials at a cost attractive to Menlo Park taxpayers.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
401-01 - Library Materials	\$ 546,092	\$ 675,248	\$ 646,513	\$ 686,460
401-02 - Lend & Retrieve Library Materials	518,579	629,155	589,464	641,644
401-03 - User Assistance	452,172	494,685	464,874	504,884
Program Total	<u>\$ 1,516,843</u>	<u>\$ 1,799,088</u>	<u>\$ 1,700,851</u>	<u>\$ 1,832,987</u>

LEAD DEPARTMENT: Library

PROGRAM: 401 - LIBRARY COLLECTIONS AND ONLINE RESOURCES

Description: To make the world virtually available to the Menlo Park community through print, visual, audio, computer and online applications and resources. A closely related aim is to acquire such materials at a cost attractive to Menlo Park taxpayers.

SERVICES:	RESULTS:	STATUS:
401-01 - Library Materials: Select, organize, and maintain materials and information resources for maximum benefit to users.	85% satisfaction with Library materials.	Exceeded - 90%
	85% of all new adult materials are available to the public within 2 weeks of receipt.	Data not available
	9% of all the collection is updated each year to reflect a changing community.	Exceeded - 18%
	Bi-Annual Community Survey results indicate residents rate library services higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 546,092	100%	\$ 675,248	100%	\$ 646,513	100%	\$ 686,460	100%
Personnel	329,757	60%	334,629	50%	369,282	57%	343,335	50%
Operating	216,336	40%	340,619	50%	277,231	43%	343,125	50%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 488,360	89%	\$ 524,748	78%	\$ 554,003	86%	\$ 549,410	80%
Library Donations	(33,399)	-6%	39,000	6%	19,288	3%	32,000	5%
1990 Library Bond Fund	93	0%	56,450	8%	13,000	2%	55,000	8%
Inter Governmental Revenue	8,135	1%	-	0%	-	0%	-	0%
Charges For Services	37,996	7%	53,000	8%	53,000	8%	48,000	7%
Donations	44,907	8%	2,050	0%	7,222	1%	2,050	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Library

PROGRAM: 401 - LIBRARY COLLECTIONS AND ONLINE RESOURCES

Description: To make the world virtually available to the Menlo Park community through print, visual, audio, computer and online applications and resources. A closely related aim is to acquire such materials at a cost attractive to Menlo Park taxpayers.

SERVICES:	RESULTS:	STATUS:
401-02 - Lend & Retrieve Library Materials: Lend and retrieve library materials (including shared collections with other agencies) in an efficient, caring, responsive manner including self-service and remote options.	85% of returned materials are accurately shelved within 48 hours.	Not met - 80%
	50% of circulation users know of new automated services including self-check, remote renewals/holds.	Exceeded - 52%
	Bi-Annual Community Survey results indicate residents use of library or library services in the past 12 months is higher than the benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 518,579	100%	\$ 629,155	100%	\$ 589,464	100%	\$ 641,644	100%
Personnel	432,018	83%	540,199	86%	500,808	85%	547,678	85%
Operating	86,561	17%	88,956	14%	88,656	15%	93,966	15%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 471,981	91%	\$ 576,155	92%	\$ 536,464	91%	\$ 593,644	93%
Inter Governmental Revenue	8,135	2%	-	0%	-	0%	-	0%
Charges For Services	38,463	7%	53,000	8%	53,000	9%	48,000	7%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Library

PROGRAM: 401 - LIBRARY COLLECTIONS AND ONLINE RESOURCES

Description: To make the world virtually available to the Menlo Park community through print, visual, audio, computer and online applications and resources. A closely related aim is to acquire such materials at a cost attractive to Menlo Park taxpayers.

SERVICES:	RESULTS:	STATUS:
401-03 - User Assistance: Empower users by educating them in library research and technology aids by providing information or assisting users in finding the information needed, and supplying readers with title/author recommendations.	85% of customers who use the library get answers to their questions and desired reading choices and indicate that they received what they needed.	Exceeded - 88%
	50% of customers indicate that, in a library visit, they learned about additional library resources or service i.e. eBooks, online databases.	Exceeded - 60%
	85% of patrons are satisfied with: efficiency; convenience; manner; and, timeliness of user assistance services.	Exceeded - 93%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 452,172	100%	\$ 494,685	100%	\$ 464,874	100%	\$ 504,884	100%
Personnel	362,386	80%	367,184	74%	364,662	78%	390,701	77%
Operating	88,562	20%	104,724	21%	100,212	22%	114,183	23%
Capital Improvement Projects	1,223	0%	22,777	5%	-	0%	-	0%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 396,904	88%	\$ 393,323	80%	\$ 400,489	86%	\$ 430,527	85%
Public Library Fund	2,237	0%	43,862	9%	7,385	2%	21,857	4%
1990 Library Bond Fund	1,125	0%	-	0%	-	0%	-	0%
Inter Governmental Revenue	8,135	2%	-	0%	-	0%	-	0%
Charges For Services	43,770	10%	57,500	12%	57,000	12%	52,500	10%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Library

PROGRAM: 402 - READING PROMOTION AND LIFE SKILLS

Description: Promote reading skills and lifelong learning by providing a welcoming, stimulating and safe environment, and by offering programs, instruction, and community involvement opportunities.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
402-01 - Programs and Events	\$ 126,756	\$ 158,051	\$ 146,789	\$ 159,796
402-02 - Foster Community	41,811	47,715	38,504	48,080
402-03 - Teaching	184,921	182,845	159,028	174,504
402-04 - Satellite Provision	251,349	256,794	248,073	257,685
Program Total	\$ 604,836	\$ 645,405	\$ 592,393	\$ 640,065

LEAD DEPARTMENT: Library

PROGRAM: 402 - READING PROMOTION AND LIFE SKILLS

Description: Promote reading skills and lifelong learning by providing a welcoming, stimulating and safe environment, and by offering programs, instruction, and community involvement opportunities.

SERVICES:	RESULTS:	STATUS:
402-01 - Programs and Events: Provide a variety of story-times, community visits, lectures and readers' groups that attract users to the Library and stimulate interest in the Library and its offerings.	80% of attendees indicate they engage in other library activities as a result of attending a library event.	Exceeded - 82%
	85% of attendees rate library events as interesting to them.	Exceeded - 94%
	80% of attendees say that events are the reason they came to the library.	Exceeded - 83%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 126,756	100%	\$ 158,051	100%	\$ 146,789	100%	\$ 159,796	100%
Personnel	112,242	89%	119,099	75%	123,137	84%	120,740	76%
Operating	14,514	11%	36,952	23%	23,652	16%	37,056	23%
Services	-	0%	2,000	1%	-	0%	2,000	1%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 68,435	54%	\$ 80,181	51%	\$ 85,158	58%	\$ 81,873	51%
Frances Mack Trust	48,380	38%	77,870	49%	61,131	42%	77,923	49%
Inter Governmental Revenue	8,135	6%	-	0%	-	0%	-	0%
Interest and Rent Income	1,805	1%	-	0%	500	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Library

PROGRAM: 402 - READING PROMOTION AND LIFE SKILLS

Description: Promote reading skills and lifelong learning by providing a welcoming, stimulating and safe environment, and by offering programs, instruction, and community involvement opportunities.

SERVICES:	RESULTS:	STATUS:
402-02 - Foster Community: Provide opportunities for community interaction, involvement, and volunteering.	90% of volunteers working in areas of fundraising, outreach, literacy and library service assistance rate their experience as satisfying.	Met - 90%
	65% of all library attendees report satisfaction with library facility equipment.	Exceeded - 87%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Total Expenditures	\$	41,811	100%	\$	47,715	100%	\$	48,080	100%
Personnel		26,902	64%		33,112	69%		33,458	70%
Operating		14,609	35%		14,603	31%		14,622	30%
Services		300	1%		-	0%		-	0%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
General Fund	\$	26,827	64%	\$	39,715	83%	\$	40,080	83%
Inter Governmental Revenue		8,135	19%		-	0%		-	0%
Charges For Services		6,848	16%		8,000	17%		8,000	17%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Library

PROGRAM: 402 - READING PROMOTION AND LIFE SKILLS

Description: Promote reading skills and lifelong learning by providing a welcoming, stimulating and safe environment, and by offering programs, instruction, and community involvement opportunities.

SERVICES:	RESULTS:	STATUS:
402-03 - Teaching: Provide classes and individual instruction in reading, writing, English as a Second Language, computer basics and other life skills.	140 individual literacy students receive skill building instruction this year.	Exceeded - 200 students
	More than 40 new literacy volunteer tutors are trained per year with a goal of increasing volunteers by 5% next year.	Met - 40 tutors
	80% of all literacy students advance to higher skill level or meet a literacy personal goal.	Exceeded - 83%
	80% of active tutors report satisfaction with training and other staff support.	Exceeded - 85%
	50% of all English as a Second Language students enrolled in the Belle Haven literacy program advance to the language level required for Project Read inclusion.	Exceeded - 55%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 184,921	100%	\$ 182,845	100%	\$ 159,028	100%	\$ 174,504	100%
Personnel	179,329	97%	175,078	96%	155,336	98%	167,376	96%
Operating	5,591	3%	7,767	4%	3,692	2%	7,128	4%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Literacy Grants	18,426	10%	11,345	6%	28,757	18%	(13,496)	-8%
Inter Governmental Revenue	-	0%	-	0%	-	0%	31,000	18%
Donations	111,474	60%	116,500	64%	75,271	47%	102,000	58%
Other Financing Sources	55,000	30%	55,000	30%	55,000	35%	55,000	32%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Library

PROGRAM: 402 - READING PROMOTION AND LIFE SKILLS

Description: Promote reading skills and lifelong learning by providing a welcoming, stimulating and safe environment, and by offering programs, instruction, and community involvement opportunities.

SERVICES:	RESULTS:	STATUS:
402-04 - Satellite Provision: Provide unique services and materials tailored to the Belle Haven community.	30% of attendees are new to this library branch and 50% of the new attendees get library cards 50% of school visit attendees replace or get library cards for the first time and 80% return following the visits 65% of reference and circulation transactions are conducted fully or partially in Spanish 75% of families use the library as a result of the book lending and book giveaway programs. 60% of repeat visitors spend time in the library sound collections, databases, reading and socializing in addition to checking materials in and out.	Exceeded - 50% new attendees; Not met - 45% of new attendees got library cards Met - 50% Met - 65% Data not available Exceeded - 70%

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014					
Total Expenditures	\$	251,349	100%	\$	256,794	100%	\$	248,073	100%	\$	257,685	100%
Personnel		240,452	96%		244,661	95%		236,740	95%		245,497	95%
Operating		9,918	4%		10,633	4%		10,583	4%		10,688	4%
Services		979	0%		1,500	1%		750	0%		1,500	1%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014					
General Fund	\$	250,618	100%	\$	256,044	100%	\$	247,323	100%	\$	256,935	100%
Charges For Services		731	0%		750	0%		750	0%		750	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

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CITY OF MENLO PARK
FISCAL YEAR 2013 - 14



POLICE DEPARTMENT

LEAD DEPARTMENT: Police Department

PROGRAM: 101 - COMMUNITY SAFETY

Description: Enhance and ensure public safety by protecting lives and property, preventing crime, maintaining public order, thoroughly investigating crimes, and providing code enforcement.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
101-01 - Patrol Service	\$ 6,907,117	\$ 7,195,038	\$ 7,310,958	\$ 7,125,955
101-02 - Investigations	1,455,851	1,085,353	1,000,495	1,147,149
101-04 - Community Outreach	664,760	732,033	738,726	752,131
101-05 - Narcotic Abatement	901,000	855,266	913,972	1,272,415
101-06 - Code Enforcement	388,408	257,817	239,477	322,514
Program Total	<u>\$ 10,317,136</u>	<u>\$ 10,125,507</u>	<u>\$ 10,203,628</u>	<u>\$ 10,620,164</u>

LEAD DEPARTMENT: Police Department

PROGRAM: 101 - COMMUNITY SAFETY

Description: Enhance and ensure public safety by protecting lives and property, preventing crime, maintaining public order, thoroughly investigating crimes, and providing code enforcement.

SERVICES:	RESULTS:	STATUS:
101-01 - Patrol Service: Provide professional and swift response to calls for service, provide a uniformed presence in the community, and prevent crime through communication, accountability, and problem solving.	Bi-Annual Community Survey results indicate residents rate safety in their neighborhood and in downtown, both during the day and at night, higher than the benchmark. Bi-Annual Community Survey results indicate residents rate safety from violent crime and property crime higher than the benchmark.	Exceeded - much above benchmark Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 6,907,117	100%	\$ 7,195,038	100%	\$ 7,310,958	100%	\$ 7,125,955	100%
Personnel	5,598,670	81%	5,998,123	83%	6,151,582	84%	5,969,869	84%
Operating Services	1,040,096	15%	886,215	12%	857,894	12%	877,386	12%
	268,352	4%	310,700	4%	301,482	4%	278,700	4%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 6,340,094	92%	\$ 6,671,255	93%	\$ 6,747,547	92%	\$ 6,343,375	89%
Suppl Law Enforc Svc Fd (Cops)	(25,370)	0%	29,783	0%	33,738	0%	(200)	0%
Inter Governmental Revenue	100,000	1%	100,000	1%	100,000	1%	100,000	1%
Fines	479,036	7%	381,400	5%	406,400	6%	669,980	9%
Interest and Rent Income	448	0%	-	0%	60	0%	200	0%
Charges For Services	12,910	0%	12,600	0%	23,213	0%	12,600	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 101 - COMMUNITY SAFETY

Description: Enhance and ensure public safety by protecting lives and property, preventing crime, maintaining public order, thoroughly investigating crimes, and providing code enforcement.

SERVICES:	RESULTS:	STATUS:
101-02 - Investigations: Collaborate with other units and regional agencies to identify offenders, conduct sound investigations, and support relentless prosecution of criminal offenders.	Bi-Annual Community Survey results indicate residents report themselves as a crime victim in the last 12 months below the benchmark.	Exceeded - much above benchmark
	Bi-Annual Community Survey results indicate residents rate safety in their neighborhood and in downtown, both during the day and at night, higher than the benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 1,455,851	100%	\$ 1,085,353	100%	\$ 1,000,495	100%	\$ 1,147,149	100%
Personnel	1,280,512	88%	891,803	82%	815,107	81%	947,943	83%
Operating	83,323	6%	99,135	9%	95,973	10%	104,791	9%
Services	92,017	6%	94,415	9%	89,415	9%	94,415	8%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 1,454,105	100%	\$ 1,083,553	100%	\$ 998,695	100%	\$ 1,145,349	100%
Charges For Services	1,746	0%	1,800	0%	1,800	0%	1,800	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 101 - COMMUNITY SAFETY

Description: Enhance and ensure public safety by protecting lives and property, preventing crime, maintaining public order, thoroughly investigating crimes, and providing code enforcement.

SERVICES:	RESULTS:	STATUS:
101-04 - Community Outreach: Employ effective communication strategies and maintain key community partnerships to cooperatively identify and solve problems, enhance trust, and prevent crime.	Bi-Annual Community Survey results indicate residents rate crime prevention and overall police services higher than the benchmark.	Exceeded - much above benchmark
	Bi-Annual Community Survey results indicate residents rate overall impression of most recent contact with Menlo Park Police above the benchmark.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 664,760	100%	\$ 732,033	100%	\$ 738,726	100%	\$ 752,131	100%
Personnel	627,615	94%	684,101	93%	692,554	94%	700,975	93%
Operating	31,803	5%	40,590	6%	38,830	5%	43,814	6%
Services	5,342	1%	7,342	1%	7,342	1%	7,342	1%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 664,755	100%	\$ 731,933	100%	\$ 738,626	100%	\$ 752,031	100%
Charges For Services	5	0%	100	0%	100	0%	100	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 101 - COMMUNITY SAFETY

Description: Enhance and ensure public safety by protecting lives and property, preventing crime, maintaining public order, thoroughly investigating crimes, and providing code enforcement.

SERVICES:	RESULTS:	STATUS:
101-05 - Narcotic Abatement: Reduce violence and fear associated with illegal narcotics and gangs through proactive enforcement and regional cooperative efforts.	Bi-Annual Community Survey results indicate residents rate safety from violent crime and property crime higher than the benchmark. Belle Haven residents rate safety from violent crime and property crimes the same as residents throughout the rest of Menlo Park. Participate on a task force with regional and Federal agencies that eradicates gang and narcotics activity.	Exceeded - much above benchmark Data not collected in survey Met

	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
Total Expenditures	\$ 901,000	100%	\$ 855,266	100%	\$ 913,972	100%	\$ 1,272,415	100%
Personnel	854,878	95%	777,752	91%	838,208	92%	1,172,301	92%
Operating	46,122	5%	77,514	9%	75,764	8%	100,115	8%
Funding Source *	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
General Fund	\$ 381,684	42%	\$ 795,266	93%	\$ 853,972	93%	\$ 1,212,415	95%
Narcotic Seizure Fund	(5,166)	-1%	(4,000)	0%	(4,000)	0%	10,000	1%
Redevelopment Services Agreement	393,579	44%	-	0%	-	0%	-	0%
Charges For Services	130,902	15%	64,000	7%	64,000	7%	50,000	4%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 101 - COMMUNITY SAFETY

Description: Enhance and ensure public safety by protecting lives and property, preventing crime, maintaining public order, thoroughly investigating crimes, and providing code enforcement.

SERVICES:

101-06 - Code Enforcement:
Address quality of life and community safety through the timely and effective enforcement of municipal codes.

RESULTS:

Bi-Annual Community Survey results indicate residents rate code enforcement above the benchmark.

STATUS:

Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 388,408	100%	\$ 257,817	100%	\$ 239,477	100%	\$ 322,514	100%
Personnel	371,471	96%	236,646	92%	220,916	92%	300,985	93%
Operating	16,938	4%	21,171	8%	18,561	8%	21,530	7%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 169,198	44%	\$ 232,052	90%	\$ 213,712	89%	\$ 296,749	92%
Redevelopment Services Agreement	197,576	51%	-	0%	-	0%	-	0%
Licenses & Permits	4,990	1%	4,765	2%	4,765	2%	4,765	1%
Charges For Services	16,644	4%	21,000	8%	21,000	9%	21,000	7%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 102 - PATROL SUPPORT

Description: Enhance the community safety program by providing essential and effective support and specialized services.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
102-01 - Dispatch	\$ 1,648,078	\$ 1,430,222	\$ 1,466,782	\$ 1,447,424
102-02 - Records Management	601,779	531,196	518,359	512,979
102-04 - Police Training	362,438	464,536	454,219	430,089
102-05 - Parking Management	400,757	583,324	345,048	478,138
Program Total	\$ 3,013,052	\$ 3,009,278	\$ 2,784,408	\$ 2,868,630

LEAD DEPARTMENT: Police Department

PROGRAM: 102 - PATROL SUPPORT

Description: Enhance the community safety program by providing essential and effective support and specialized services.

SERVICES:	RESULTS:	STATUS:
102-01 - Dispatch: Receive calls for Police and City services and coordinate emergency and non-emergency response in a professional and timely manner.	Bi-Annual Community Survey results indicate residents rate safety in their neighborhood and in downtown, both during the day and at night, higher than the benchmark. Bi-Annual Community Survey results indicate residents rate overall impression of most recent contact with Menlo Park Police above the benchmark.	Exceeded - much above benchmark Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 1,648,078	100%	\$ 1,430,222	100%	\$ 1,466,782	100%	\$ 1,447,424	100%
Personnel	1,443,888	88%	1,209,409	85%	1,249,807	85%	1,224,835	85%
Operating	182,365	11%	198,113	14%	194,275	13%	199,889	14%
Services	21,825	1%	22,700	2%	22,700	2%	22,700	2%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 1,291,385	78%	\$ 1,327,322	93%	\$ 1,363,882	93%	\$ 1,329,524	92%
Inter Governmental Revenue	235,886	14%	-	0%	-	0%	-	0%
Charges For Services	120,808	7%	102,900	7%	102,900	7%	117,900	8%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 102 - PATROL SUPPORT

Description: Enhance the community safety program by providing essential and effective support and specialized services.

SERVICES:	RESULTS:	STATUS:
102-02 - Records Management: Prepare, store, retrieve and report police information in a timely, accurate and courteous manner.	100% of legal and procedural guidelines are met. Bi-Annual Community Survey results indicate residents rate overall impression of most recent contact with Menlo Park Police above the benchmark.	Met - 100% Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014					
Total Expenditures	\$	601,779	100%	\$	531,196	100%	\$	518,359	100%	\$	512,979	100%
Personnel		563,579	94%		476,455	90%		463,818	89%		457,363	89%
Operating		36,994	6%		53,741	10%		53,541	10%		54,616	11%
Services		1,206	0%		1,000	0%		1,000	0%		1,000	0%
Funding Source *												
General Fund	\$	500,201	83%	\$	451,396	85%	\$	437,307	84%	\$	423,179	82%
Fines		87	0%		-	0%		455	0%		-	0%
Charges For Services		101,490	17%		79,800	15%		80,597	16%		89,800	18%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 102 - PATROL SUPPORT

Description: Enhance the community safety program by providing essential and effective support and specialized services.

SERVICES:	RESULTS:	STATUS:
102-04 - Police Training: Enhance the professional development of police employees by planning and implementing training that meets or exceeds legal mandates, and enhances the employee's ability to meet the needs of the community.	Meet legal mandates 100% of the time. Bi-Annual Community Survey results indicate residents rate safety in their neighborhood and in downtown, both during the day and at night, higher than the benchmark.	Met - 100% Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 362,438	100%	\$ 464,536	100%	\$ 454,219	100%	\$ 430,089	100%
Personnel	188,337	52%	197,032	42%	187,715	41%	186,204	43%
Operating	156,953	43%	242,904	52%	241,904	53%	219,285	51%
Services	17,148	5%	24,600	5%	24,600	5%	24,600	6%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 343,673	95%	\$ 422,836	91%	\$ 412,091	91%	\$ 413,389	96%
Inter Governmental Revenue	18,709	5%	41,500	9%	41,500	9%	16,500	4%
Charges For Services	56	0%	200	0%	628	0%	200	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 102 - PATROL SUPPORT

Description: Enhance the community safety program by providing essential and effective support and specialized services.

SERVICES:	RESULTS:				STATUS:			
102-05 - Parking Management: Provide parking enforcement based on the municipal code statutes, and continuously analyze the parking management systems to ensure effective and efficient service. These programs include Downtown, Residential, and Overnight parking.	Achieve an above benchmark rating in the perception of the amount of public parking per bi-annual City survey.				Met			
	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
Total Expenditures	\$ 400,757	100%	\$ 583,324	100%	\$ 345,048	100%	\$ 478,138	100%
Personnel	359,456	90%	509,558	87%	287,144	83%	408,840	86%
Operating	41,301	10%	73,766	13%	57,904	17%	69,298	14%
	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
Funding Source *								
General Fund	\$ (327,960)	-82%	\$ (186,461)	-32%	\$ (408,445)	-118%	\$ (328,962)	-69%
Downtown Parking Permits	(12,363)	-3%	24,085	4%	(9,611)	-3%	21,400	4%
Licenses & Permits	152,875	38%	135,700	23%	153,104	44%	135,700	28%
Fines	588,205	147%	610,000	105%	610,000	177%	650,000	136%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 103 - EMERGENCY PREPAREDNESS

Description: Ensure and enhance the community's readiness for self-sufficiency for 72-hours following a major disaster. Increase City staff's effectiveness and confidence in providing essential services following major disasters.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
103-01 - Information Outreach	\$ 42,531	\$ 40,955	\$ 33,736	\$ 36,429
103-02 - Disaster Management Coordination	157,009	168,359	160,600	188,165
103-03 - Emergency Preparedness Training	29,228	36,223	30,805	28,734
Program Total	<u>\$ 228,768</u>	<u>\$ 245,537</u>	<u>\$ 225,141</u>	<u>\$ 253,328</u>

LEAD DEPARTMENT: Police Department

PROGRAM: 103 - EMERGENCY PREPAREDNESS

Description: Ensure and enhance the community's readiness for self-sufficiency for 72-hours following a major disaster. Increase City staff's effectiveness and confidence in providing essential services following major disasters.

SERVICES:	RESULTS:	STATUS:
103-01 - Information Outreach: Provide and disseminate contemporary information related to emergency preparedness and disaster management.	Community emergency preparedness information is up-to-date with contemporary tips and procedures.	Met
	Bi-Annual Community survey results indicate residents rate emergency preparedness above the benchmark.	Not met - similar to benchmark
	Blackboard Notification System is functioning successfully per annual test.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 42,531	100%	\$ 40,955	100%	\$ 33,736	100%	\$ 36,429	100%
Personnel	40,313	95%	38,274	93%	31,255	93%	33,575	92%
Operating	2,218	5%	2,681	7%	2,481	7%	2,854	8%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 42,531	100%	\$ 40,955	100%	\$ 33,736	100%	\$ 36,429	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 103 - EMERGENCY PREPAREDNESS

Description: Ensure and enhance the community's readiness for self-sufficiency for 72-hours following a major disaster. Increase City staff's effectiveness and confidence in providing essential services following major disasters.

SERVICES:	RESULTS:	STATUS:
103-02 - Disaster Management Coordination: Build and maintain cooperative relationship with other service providers likely to assist in a large- scale emergency so that coordinated rescue and response efforts will be effective.	Bi-Annual Community survey results indicate residents rate emergency preparedness above the benchmark.	Not met - similar to benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 157,009	100%	\$ 168,359	100%	\$ 160,600	100%	\$ 188,165	100%
Personnel	64,621	41%	70,456	42%	60,497	38%	41,082	22%
Operating	4,102	3%	8,103	5%	10,303	6%	7,283	4%
Services	88,286	56%	89,800	53%	89,800	56%	139,800	74%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 157,009	100%	\$ 168,359	100%	\$ 160,600	100%	\$ 188,165	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 103 - EMERGENCY PREPAREDNESS

Description: Ensure and enhance the community's readiness for self-sufficiency for 72-hours following a major disaster. Increase City staff's effectiveness and confidence in providing essential services following major disasters.

SERVICES:	RESULTS:	STATUS:
103-03 - Emergency Preparedness Training: Provide specialized and on-going training to City staff, the Community, and Council.	City Staff and Council are trained on the Emergency Preparedness Manual.	Met
	Community Emergency Response Team program (CERT) is operational.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 29,228	100%	\$ 36,223	100%	\$ 30,805	100%	\$ 28,734	100%
Personnel	28,000	96%	33,940	94%	28,522	93%	26,469	92%
Operating	1,228	4%	2,283	6%	2,283	7%	2,265	8%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 29,228	100%	\$ 36,223	100%	\$ 30,805	100%	\$ 28,734	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 104 - TRAFFIC AND SCHOOL SAFETY

Description: Provide for safe movement of traffic throughout Menlo Park by means of enforcement and safety education for motorists, bicyclists and pedestrians.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
104-01 - Public Traffic Safety Education	\$ 153,022	\$ 89,371	\$ 150,605	\$ 91,788
104-02 - Enforcement of Traffic Laws	966,014	1,156,928	1,015,718	1,158,037
Program Total	<u>\$ 1,119,037</u>	<u>\$ 1,246,299</u>	<u>\$ 1,166,323</u>	<u>\$ 1,249,824</u>

LEAD DEPARTMENT: Police Department

PROGRAM: 104 - TRAFFIC AND SCHOOL SAFETY

Description: Provide for safe movement of traffic throughout Menlo Park by means of enforcement and safety education for motorists, bicyclists and pedestrians.

SERVICES:	RESULTS:	STATUS:
104-01 - Public Traffic Safety Education: Provide information and education directed toward public awareness of traffic safety.	Traffic safety brochures are disseminated to the community with emphasis on: Bicycle, drunk driving, and child seat installation.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014		
Total Expenditures	\$	153,022	100%	\$	89,371	100%	\$	91,788	100%
Personnel		148,509	97%		86,489	97%		87,422	95%
Operating		4,513	3%		2,882	3%		4,366	5%
Funding Source *									
		Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$	148,650	97%	\$	85,071	95%	\$	87,488	95%
Inter Governmental Revenue		4,372	3%		4,300	5%		4,300	5%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Police Department

PROGRAM: 104 - TRAFFIC AND SCHOOL SAFETY

Description: Provide for safe movement of traffic throughout Menlo Park by means of enforcement and safety education for motorists, bicyclists and pedestrians.

SERVICES:	RESULTS:	STATUS:
104-02 - Enforcement of Traffic Laws: Deploy traffic and patrol officers on City streets to enforce posted speed limits and other regulatory traffic laws.	Bi-Annual Community survey results indicate residents rate traffic enforcement above the benchmark	Not met - similar to benchmark
	Achieve a reduction in reportable collisions at high risk intersections from previous fiscal year.	Met

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 966,014	100%	\$ 1,156,928	100%	\$ 1,015,718	100%	\$ 1,158,037	100%
Personnel	915,715	95%	1,073,542	93%	963,632	95%	1,097,132	95%
Operating	50,300	5%	83,386	7%	52,086	5%	60,904	5%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 966,014	100%	\$ 1,126,928	97%	\$ 1,015,718	100%	\$ 1,158,037	100%
Inter Governmental Revenue	-	0%	30,000	3%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

CITY OF MENLO PARK
FISCAL YEAR 2013 - 14



PUBLIC WORKS DEPARTMENT

LEAD DEPARTMENT: Public Works Department

PROGRAM: 201 - CITY FACILITIES

Description: Provide safe, functional, and attractive City buildings, parks and grounds, using environmentally sensitive and cost-effective practices, for the enjoyment of the public and to house the provision of City services.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
201-01 - Facility/Field Capital Projects	\$ 18,734,401	\$ 30,236,220	\$ 8,185,974	\$ 15,967,172
201-02 - Facility Maintenance	1,109,841	1,354,246	1,247,118	1,368,610
201-03 - Field/Grounds Maintenance	1,343,558	2,345,310	1,627,708	1,670,332
Program Total	<u>\$ 21,187,800</u>	<u>\$ 33,935,776</u>	<u>\$ 11,060,800</u>	<u>\$ 19,006,114</u>

LEAD DEPARTMENT: Public Works Department

PROGRAM: 201 - CITY FACILITIES

Description: Provide safe, functional, and attractive City buildings, parks and grounds, using environmentally sensitive and cost-effective practices, for the enjoyment of the public and to house the provision of City services.

SERVICES:	RESULTS:	STATUS:
201-01 - Facility/Field Capital Projects: Plan, program, and manage capital improvement projects for City infrastructure and facilities that meet the needs of the community and are cost-effective to maintain.	Design 90% of projects on schedule.	
	Construct 90% of projects on schedule.	
	Design 90% of projects within budget.	
	Construct 90% of projects within budget.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 18,734,401	100%	\$ 30,236,220	100%	\$ 8,185,974	100%	\$ 15,967,172	100%
Personnel	16,606	0%	14,193	0%	4,779	0%	37,720	0%
Operating	8,899,775	48%	283,744	1%	257,141	3%	16,101	0%
Services	117,804	1%	858,759	3%	90,199	1%	36,212	0%
Capital Improvement Projects	9,700,215	52%	29,079,524	96%	7,833,855	96%	15,877,139	99%

LEAD DEPARTMENT: Public Works Department

PROGRAM: 201 - CITY FACILITIES

Description: Provide safe, functional, and attractive City buildings, parks and grounds, using environmentally sensitive and cost-effective practices, for the enjoyment of the public and to house the provision of City services.

Funding Source *	Actual		Budget		Estimate		Proposed	
	2011-2012		2012-2013		2012-2013		2013-2014	
General Fund	\$ 20,111	0%	\$ 24,679	0%	\$ 18,395	0%	\$ -	0%
Rec-In-Lieu Fund	3,119,153	17%	76,139	0%	18,700	0%	(251,500)	-2%
Downtown Parking Permits	739,663	4%	1,052,099	3%	7,478	0%	-	0%
Measure A	59,690	0%	1,198,970	4%	168,560	2%	343,795	2%
Traffic Impact Fees	164,759	1%	1,181,499	4%	161,766	2%	(661,459)	-4%
Storm Drainage	-	0%	100,000	0%	68,844	1%	-	0%
Highway Users Tax Fund	194,571	1%	1,785,979	6%	1,806,138	22%	2,000,000	13%
Sidewalk Assesment	217,992	1%	411,221	1%	393,494	5%	280,000	2%
Storm Water Mgmt Fund (NPDES)	108,800	1%	21,237	0%	-	0%	-	0%
Traffic Congestion Relief-2928	-	0%	452,000	1%	450,000	5%	-	0%
Bayfront Park Landfill	-	0%	-	0%	-	0%	148,818	1%
1990 Library Bond Fund	70,777	0%	20,842	0%	12,383	0%	59,500	0%
1992 RDA Tax Increment Bond	43,137	0%	-	0%	-	0%	-	0%
Construction Impact Fee Fund	(492,257)	-3%	912,426	3%	536,141	7%	(5,000)	0%
General Fund - CIP	(1,162,867)	-6%	3,123,405	10%	(2,201,895)	-27%	4,971,579	31%
Redevelopment Obligation Retirement	-	0%	1,678,021	6%	-	0%	-	0%
Public Improvements Grant Fund	7,833,014	42%	-	0%	-	0%	-	0%
Measure T Bond	2,828,079	15%	145,165	0%	-	0%	(2,000)	0%
Water Fund - Operation	999	0%	8,400	0%	-	0%	-	0%
Water Fund - Capital	1,125,488	6%	10,920,381	36%	481,006	6%	4,244,439	27%
Special Assessments on Tax Roll	14,912	0%	-	0%	7,716	0%	-	0%
Franchise Fees	81,646	0%	78,300	0%	78,300	1%	-	0%
Inter Governmental Revenue	689,148	4%	1,332,729	4%	572,219	7%	1,140,000	7%
Interest and Rent Income	21,172	0%	-	0%	5,000	0%	9,000	0%
Charges For Services	892,152	5%	3,463,000	11%	3,352,000	41%	1,350,000	8%
Other Financing Sources	2,164,260	12%	2,249,728	7%	2,249,728	27%	2,340,000	15%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 201 - CITY FACILITIES

Description: Provide safe, functional, and attractive City buildings, parks and grounds, using environmentally sensitive and cost-effective practices, for the enjoyment of the public and to house the provision of City services.

SERVICES:	RESULTS:	STATUS:
201-02 - Facility Maintenance: Maintain, repair and renovate City buildings.	Achieve an 85% customer and employee survey satisfaction rating.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 1,109,841	100%	\$ 1,354,246	100%	\$ 1,247,118	100%	\$ 1,368,610	100%
Personnel	554,382	50%	647,703	48%	551,877	44%	646,272	47%
Operating	309,929	28%	343,166	25%	342,666	27%	349,339	26%
Services	245,530	22%	363,377	27%	352,575	28%	373,000	27%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 1,107,012	100%	\$ 1,354,246	100%	\$ 1,247,118	100%	\$ 1,368,610	100%
Charges For Services	2,830	0%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 201 - CITY FACILITIES

Description: Provide safe, functional, and attractive City buildings, parks and grounds, using environmentally sensitive and cost-effective practices, for the enjoyment of the public and to house the provision of City services.

SERVICES:	RESULTS:	STATUS:
201-03 - Field/Grounds Maintenance: Maintain, repair and renovate City parks and grounds, including sports fields and playgrounds, and schedule fields in a manner that facilitates appropriate maintenance.	Abate 90% of reported hazards within 24 hours of report. Achieve an 85% customer satisfaction rate for park user groups through an annual survey. Bi-Annual Community survey results indicates residents rate quality of City parks higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 1,343,558	100%	\$ 2,345,310	100%	\$ 1,627,708	100%	\$ 1,670,332	100%
Personnel	798,603	59%	890,709	38%	839,738	52%	895,810	54%
Operating Services	382,399	28%	536,165	23%	536,292	33%	516,022	31%
Capital Improvement Projects	162,413	12%	338,579	14%	251,498	15%	258,500	15%
	143	0%	579,857	25%	180	0%	-	0%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 1,037,737	77%	\$ 1,229,360	52%	\$ 1,178,929	72%	\$ 1,218,083	73%
Bayfront Pk.Mt. Operation	86,372	6%	112,079	5%	107,035	7%	107,962	6%
Sharon Hills Park	11,012	1%	13,000	1%	12,796	1%	12,600	1%
Bayfront Park Landfill	(576,902)	-43%	195,871	8%	(402,755)	-25%	(402,713)	-24%
Interest and Rent Income	58,755	4%	45,000	2%	31,704	2%	9,400	1%
Charges For Services	726,584	54%	750,000	32%	700,000	43%	725,000	43%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 202 - MENLO PARK MUNICIPAL WATER DISTRICT WATER SUPPLY

Description: Provide a safe, sufficient, and reliable supply of water to the customers of the Menlo Park Municipal Water District for drinking, landscaping, business use, and fire protection.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
202-01 - Water Delivery System	\$ 4,141,590	\$ 6,157,280	\$ 5,949,037	\$ 6,124,800
202-02 - Water Supply	1,429,462	402,454	273,666	430,973
Program Total	<u>\$ 5,571,052</u>	<u>\$ 6,559,734</u>	<u>\$ 6,222,703</u>	<u>\$ 6,555,772</u>

LEAD DEPARTMENT: Public Works Department

PROGRAM: 202 - MENLO PARK MUNICIPAL WATER DISTRICT WATER SUPPLY

Description: Provide a safe, sufficient, and reliable supply of water to the customers of the Menlo Park Municipal Water District for drinking, landscaping, business use, and fire protection.

SERVICES:	RESULTS:	STATUS:
202-01 - Water Delivery System: Maintain the Menlo Park Municipal Water District water delivery system and coordinate with other water systems serving Menlo Park residents and businesses in order to ensure adequate water pressure and meet regulatory requirements.	Repair 95% of all reported water leaks within 8 hours of notification. Water quality test results are in compliance with regulations 98% of the time. Minimize the number of hours customers are without service to at or below the previous three-year average. Bi-Annual Community Survey indicates residents rate quality of City drinking water higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 4,141,590	100%	\$ 6,157,280	100%	\$ 5,949,037	100%	\$ 6,124,800	100%
Personnel	520,879	13%	536,612	9%	450,392	8%	555,907	9%
Operating	3,441,999	83%	5,361,945	87%	5,302,645	89%	5,359,893	88%
Services	172,836	4%	258,723	4%	196,000	3%	209,000	3%
Capital Improvement Projects	5,875	0%	-	0%	-	0%	-	0%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund - CIP	5,875	0%	-	0%	-	0%	-	0%
Water Fund - Operation	4,122,025	100%	6,142,280	100%	5,929,089	100%	6,109,800	100%
Charges For Services	13,690	0%	15,000	0%	19,948	0%	15,000	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 202 - MENLO PARK MUNICIPAL WATER DISTRICT WATER SUPPLY

Description: Provide a safe, sufficient, and reliable supply of water to the customers of the Menlo Park Municipal Water District for drinking, landscaping, business use, and fire protection.

SERVICES:

202-02 - Water Supply: Plan for an adequate water supply to meet current and future needs of Menlo Park Municipal Water District customers through storage, conservation, monitoring water availability and procurement/advocacy efforts and coordinate with other water systems serving Menlo Park residents and businesses.

RESULTS:

Annually increase the number of participants in the water conservation program.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 1,429,462	100%	\$ 402,454	100%	\$ 273,666	100%	\$ 430,973	100%
Personnel	180,247	13%	210,145	52%	124,658	46%	222,347	52%
Operating	1,194,921	84%	44,383	11%	37,008	14%	45,125	10%
Services	54,294	4%	147,926	37%	112,000	41%	163,500	38%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
Water Fund - Operation	407,732	29%	372,564	93%	257,301	94%	400,577	93%
Water Fund - Capital	265,289	19%	(820,110)	-204%	(869,613)	-318%	(829,604)	-192%
Interest and Rent Income	103,510	7%	-	0%	35,977	13%	60,000	14%
Charges For Services	658,884	46%	850,000	211%	850,000	311%	800,000	186%
Other Financing Sources	(5,953)	0%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 203 - CITY VEHICLES AND EQUIPMENT

Description: Provide safe, dependable, and cost-effective transportation and motorized equipment to support City operations.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
203-01 - Vehicle Replacement	\$ 180,103	\$ 331,894	\$ 325,158	\$ 320,974
203-02 - Vehicle Repair and Maintenance	368,794	394,716	379,982	405,486
Program Total	<u>\$ 548,896</u>	<u>\$ 726,610</u>	<u>\$ 705,140</u>	<u>\$ 726,460</u>

LEAD DEPARTMENT: Public Works Department

PROGRAM: 203 - CITY VEHICLES AND EQUIPMENT

Description: Provide safe, dependable, and cost-effective transportation and motorized equipment to support City operations.

SERVICES:	RESULTS:	STATUS:
203-01 - Vehicle Replacement: Manage the process of vehicle/motorized equipment purchase, replacement, and disposal.	Adhere to vehicle replacement schedule for all City vehicles and motorized equipment 95% of the time.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 180,103	100%	\$ 331,894	100%	\$ 325,158	100%	\$ 320,974	100%
Personnel	7,021	4%	14,211	4%	7,475	2%	14,395	4%
Operating	173,082	96%	317,683	96%	317,683	98%	306,579	96%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 7,468	4%	\$ 15,794	5%	\$ 9,058	3%	\$ 15,974	5%
Vehicle Replacement Fund	(32,920)	-18%	213,414	64%	68,018	21%	38,250	12%
Interest and Rent Income	1,073	1%	-	0%	678	0%	1,000	0%
Charges For Services	199,992	111%	102,686	31%	247,404	76%	250,750	78%
Other Financing Sources	4,490	2%	-	0%	-	0%	15,000	5%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 203 - CITY VEHICLES AND EQUIPMENT

Description: Provide safe, dependable, and cost-effective transportation and motorized equipment to support City operations.

SERVICES:	RESULTS:	STATUS:
203-02 - Vehicle Repair and Maintenance: Repair and maintain vehicles/motorized equipment to keep them in good working condition and meet regulatory requirements.	90% of the vehicles/equipment are repaired within 48 hours of issuing a work order.	

	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
Total Expenditures	\$ 368,794	100%	\$ 394,716	100%	\$ 379,982	100%	\$ 405,486	100%
Personnel	290,621	79%	305,705	77%	305,560	80%	308,261	76%
Operating	59,344	16%	78,447	20%	67,305	18%	71,225	18%
Services	18,828	5%	10,564	3%	7,000	2%	26,000	6%
Capital Improvement Projects	-	0%	-	0%	117	0%	-	0%

Funding Source *	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
General Fund	\$ 304,246	82%	\$ 335,158	85%	\$ 313,767	83%	\$ 322,192	79%
Garbage Service Fund	-	0%	5,000	1%	1,000	0%	5,000	1%
Landscaping/Tree Assesmnt	25,924	7%	19,312	5%	17,558	5%	18,331	5%
Water Fund - Operation	18,274	5%	19,646	5%	32,058	8%	19,362	5%
Charges For Services	20,350	6%	15,600	4%	15,600	4%	40,600	10%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 204 - URBAN FOREST

Description: Provide and safely maintain public trees on City property and regulate the removal and pruning of public and private Heritage Trees to promote a pleasing natural environment and related health, aesthetic and environmental benefits.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
204-02 - City Tree Maintenance	\$ 769,543	\$ 908,283	\$ 824,651	\$ 852,653
204-03 - Heritage Trees	73,194	91,165	89,943	120,161
Program Total	<u>\$ 842,738</u>	<u>\$ 999,448</u>	<u>\$ 914,594</u>	<u>\$ 972,814</u>

LEAD DEPARTMENT: Public Works Department

PROGRAM: 204 - URBAN FOREST

Description: Provide and safely maintain public trees on City property and regulate the removal and pruning of public and private Heritage Trees to promote a pleasing natural environment and related health, aesthetic and environmental benefits.

SERVICES:	RESULTS:	STATUS:
204-02 - City Tree Maintenance: Maintain a healthy and safe urban forest through regular trimming and tree care practices, response to calls for service, and tree replacement for City public trees.	Investigate and trim as necessary 20% of the inventory of City street trees annually. Respond to customer service calls for City trees within one week 85% of the time. Replant at least one new tree for each City street tree removed throughout the year.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 769,543	100%	\$ 908,283	100%	\$ 824,651	100%	\$ 852,653	100%
Personnel	450,388	59%	459,689	51%	454,137	55%	466,063	55%
Operating	160,039	21%	175,000	19%	170,914	21%	166,590	20%
Services	159,117	21%	273,594	30%	199,600	24%	220,000	26%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 207,913	27%	\$ 212,405	23%	\$ 220,394	27%	\$ 229,971	27%
Sidewalk Assesment	17,860	2%	-	0%	-	0%	-	0%
Landscaping/Tree Assesmnt	(184,979)	-24%	(30,777)	-3%	(121,398)	-15%	(85,420)	-10%
Special Assessments on Tax Roll	567,193	74%	566,055	62%	566,055	69%	547,502	64%
Charges For Services	1,957	0%	1,000	0%	-	0%	1,000	0%
Other Financing Sources	159,600	21%	159,600	18%	159,600	19%	159,600	19%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 204 - URBAN FOREST

Description: Provide and safely maintain public trees on City property and regulate the removal and pruning of public and private Heritage Trees to promote a pleasing natural environment and related health, aesthetic and environmental benefits.

SERVICES:

204-03 - Heritage Trees: Preserve private and public Heritage Trees through promotion and enforcement of the Heritage Tree Ordinance.

RESULTS:

Process 100% of Heritage Tree permit applications within an average time of 30 days.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 73,194	100%	\$ 91,165	100%	\$ 89,943	100%	\$ 120,161	100%
Personnel	69,585	95%	72,623	80%	71,401	79%	74,444	62%
Operating	3,609	5%	5,542	6%	5,542	6%	5,717	5%
Services	-	0%	13,000	14%	13,000	14%	40,000	33%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 30,849	42%	\$ 14,165	16%	\$ 4,943	5%	\$ 7,661	6%
Charges For Services	42,345	58%	77,000	84%	85,000	95%	112,500	94%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 205 - CITY-OWNED STREET AND OTHER RIGHT-OF-WAY

Description: Provide clean, clear and attractive streets, sidewalks, pathways, bicycle bridges, and parking lots to promote a pleasant and safe traveling experience for pedestrians, bicyclists, and motorists.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
205-01 - Right-of-Way Maintenance/Repair	\$ 433,633	\$ 565,666	\$ 562,149	\$ 548,470
205-02 - Street Fixture Maintenance	211,963	231,923	231,985	222,898
205-03 - Median/Roadway Landscaping	490,716	503,626	516,137	522,491
205-04 - Street Cleaning	233,389	277,542	235,124	217,818
205-05 - Right-of-Way Encroachments	369,618	550,512	479,481	445,437
Program Total	\$ 1,739,319	\$ 2,129,269	\$ 2,024,876	\$ 1,957,114

LEAD DEPARTMENT: Public Works Department

PROGRAM: 205 - CITY-OWNED STREET AND OTHER RIGHT-OF-WAY

Description: Provide clean, clear and attractive streets, sidewalks, pathways, bicycle bridges, and parking lots to promote a pleasant and safe traveling experience for pedestrians, bicyclists, and motorists.

SERVICES:	RESULTS:				STATUS:			
205-01 - Right-of-Way Maintenance/Repair: Plan and manage the repair of City streets, sidewalks, pathways, and parking lots.	Maintain a citywide pavement condition index at or above the Bay Area average of 66. Each year, inspect 20% of the City's sidewalks, curbs and gutters for root damage caused by City trees and conduct repairs. Abate 100% of identified hazards within 1 day of notification. Bi-Annual Community Survey results indicate residents rate the quality of street repair and maintenance higher than the benchmark. Bi-Annual Community Survey results indicate residents rate the quality of sidewalk maintenance higher than the benchmark. Bi-Annual Community Survey results indicate residents ease of walking and bicycle travel in Menlo Park higher than benchmark.				Exceeded - much above benchmark Not met - similar to benchmark Not met - similar to benchmark			
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 433,633	100%	\$ 565,666	100%	\$ 562,149	100%	\$ 548,470	100%
Personnel	300,117	69%	333,852	59%	331,235	59%	326,285	59%
Operating	130,180	30%	217,816	39%	217,716	39%	211,685	39%
Services	3,336	1%	13,998	2%	13,198	2%	10,500	2%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *	\$ 352,153	81%	\$ 427,454	76%	\$ 424,571	76%	\$ 409,079	75%
General Fund	10,904	3%	56,118	10%	56,284	10%	57,034	10%
Construction Impact Fee Fund	(382,152)	-88%	(354,709)	-63%	(362,009)	-64%	(356,102)	-65%
Downtown Parking Permits	(943,256)	-218%	(892,643)	-158%	(883,643)	-157%	(917,000)	-167%
Highway Users Tax Fund	(186,403)	-43%	(170,222)	-30%	(171,022)	-30%	(176,877)	-32%
Sidewalk Assessment	(3,213)	-1%	-	0%	-	0%	(500)	0%
Traffic Congestion Relief-2928	11,937	3%	-	0%	-	0%	-	0%
Redevelopment Services Agreement	923,796	213%	882,643	156%	882,643	157%	913,000	166%
Taxes	186,403	43%	190,025	34%	190,025	34%	196,336	36%
Special Assessments on Tax Roll	387,651	89%	380,000	67%	380,000	68%	375,000	68%
Licenses & Permits	40,944	9%	10,000	2%	8,300	1%	11,500	2%
Interest and Rent Income	34,869	8%	37,000	7%	37,000	7%	37,000	7%
Charges For Services								

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 205 - CITY-OWNED STREET AND OTHER RIGHT-OF-WAY

Description: Provide clean, clear and attractive streets, sidewalks, pathways, bicycle bridges, and parking lots to promote a pleasant and safe traveling experience for pedestrians, bicyclists, and motorists.

SERVICES:	RESULTS:	STATUS:
205-02 - Street Fixture Maintenance: Provide and maintain street lighting and other street fixtures.	Repair routine street and Civic Center light outages within three days of notification 95% of the time. Achieve an 85% customer satisfaction rating annually.	

	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>					
Total Expenditures	\$	211,963	100%	\$	231,923	100%	\$	231,985	100%	\$	222,898	100%
Personnel		30,105	14%		19,174	8%		20,536	9%		18,757	8%
Operating		181,859	86%		212,749	92%		211,449	91%		204,141	92%
Funding Source *	<u>Actual 2011-2012</u>		<u>Budget 2012-2013</u>		<u>Estimate 2012-2013</u>		<u>Proposed 2013-2014</u>					
General Fund	\$	211,963	100%	\$	231,923	100%	\$	231,985	100%	\$	222,898	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 205 - CITY-OWNED STREET AND OTHER RIGHT-OF-WAY

Description: Provide clean, clear and attractive streets, sidewalks, pathways, bicycle bridges, and parking lots to promote a pleasant and safe traveling experience for pedestrians, bicyclists, and motorists.

SERVICES:	RESULTS:	STATUS:
205-03 - Median/Roadway Landscaping: Remove debris and maintain landscaping in medians and sidewalk areas.	Achieve an 85% customer satisfaction rating annually.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 490,716	100%	\$ 503,626	100%	\$ 516,137	100%	\$ 522,491	100%
Personnel	335,759	68%	327,689	65%	345,100	67%	327,295	63%
Operating	141,491	29%	157,937	31%	153,037	30%	179,196	34%
Services	13,466	3%	18,000	4%	18,000	3%	16,000	3%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 340,892	69%	\$ 345,021	69%	\$ 356,264	69%	\$ 366,047	70%
Vintage Oaks Landscape Mtce	13,902	3%	21,840	4%	21,640	4%	19,540	4%
Downtown Parking Permits	81,269	17%	82,765	16%	84,033	16%	82,604	16%
Garbage Service Fund	54,000	11%	54,000	11%	54,000	10%	54,000	10%
Interest and Rent Income	653	0%	-	0%	200	0%	300	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 205 - CITY-OWNED STREET AND OTHER RIGHT-OF-WAY

Description: Provide clean, clear and attractive streets, sidewalks, pathways, bicycle bridges, and parking lots to promote a pleasant and safe traveling experience for pedestrians, bicyclists, and motorists.

SERVICES:	RESULTS:	STATUS:
205-04 - Street Cleaning: Remove leaves and other debris from the roadway.	Achieve an 85% customer satisfaction rating annually. Bi-Annual Community Survey results indicate residents rate quality of street cleaning higher than the benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 233,389	100%	\$ 277,542	100%	\$ 235,124	100%	\$ 217,818	100%
Personnel	64,273	28%	74,464	27%	68,437	29%	71,228	33%
Operating	22,251	10%	2,187	1%	1,687	1%	1,590	1%
Services	146,865	63%	200,891	72%	165,000	70%	145,000	67%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Storm Water Mgmt Fund (NPDES)	36,702	16%	(19,940)	-7%	(29,563)	-13%	(29,300)	-13%
Landscaping/Tree Assesmnt	117,591	50%	177,182	64%	143,150	61%	139,818	64%
Special Assessments on Tax Roll	-	0%	50,000	18%	50,000	21%	50,000	23%
Inter Governmental Revenue	76,796	33%	68,000	25%	69,237	29%	55,000	25%
Charges For Services	2,300	1%	2,300	1%	2,300	1%	2,300	1%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 205 - CITY-OWNED STREET AND OTHER RIGHT-OF-WAY

Description: Provide clean, clear and attractive streets, sidewalks, pathways, bicycle bridges, and parking lots to promote a pleasant and safe traveling experience for pedestrians, bicyclists, and motorists.

SERVICES:

205-05 - Right-of-Way
Encroachments: Regulate utility encroachments in the right-of-way and ensure that streets and sidewalks are repaired in accordance with City standards.
(Note: Encroachments for development projects are to be accounted for in the permit processing program.)

RESULTS:

Issue 90% of routine encroachment permits within one business day of the application filing.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 369,618	100%	\$ 550,512	100%	\$ 479,481	100%	\$ 445,437	100%
Personnel	327,963	89%	232,802	42%	236,262	49%	288,407	65%
Operating	29,435	8%	41,532	8%	26,219	5%	37,031	8%
Services	12,220	3%	276,178	50%	217,000	45%	120,000	27%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 62,177	17%	\$ 93,633	17%	\$ 16,884	4%	\$ 77,425	17%
Redevelopment Services Agreement	6,753	2%	-	0%	-	0%	-	0%
Water Fund - Operation	84,155	23%	79,361	14%	24,096	5%	50,444	11%
Water Fund - Capital	(1,622)	0%	-	0%	-	0%	-	0%
Interest and Rent Income	41,750	11%	35,018	6%	35,018	7%	36,068	8%
Charges For Services	176,405	48%	339,500	62%	403,484	84%	278,500	63%
Donations	-	0%	3,000	1%	-	0%	3,000	1%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 206 - STORMWATER MANAGEMENT

Description: Provide services to manage flooding, reduce pollution, and protect and enhance creek and baylands habitats in compliance with regulatory requirements.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
206-01 - Storm Drain System	\$ 60,737	\$ 74,161	\$ 70,552	\$ 122,028
206-02 - FEMA Compliance	32,701	33,543	27,147	33,599
206-03 - Stormwater Pollution Prevention	230,192	251,334	179,400	251,893
206-04 - Creek Management	179,243	263,375	196,385	271,372
Program Total	\$ 502,874	\$ 622,413	\$ 473,484	\$ 678,893

LEAD DEPARTMENT: Public Works Department

PROGRAM: 206 - STORMWATER MANAGEMENT

Description: Provide services to manage flooding, reduce pollution, and protect and enhance creek and baylands habitats in compliance with regulatory requirements.

SERVICES:	RESULTS:	STATUS:
206-01 - Storm Drain System: Provide and maintain a storm drain system.	Bi-Annual Community Survey results indicate residents rate quality of storm drainage higher than benchmark.	Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 60,737	100%	\$ 74,161	100%	\$ 70,552	100%	\$ 122,029	100%
Personnel	54,840	90%	64,595	87%	62,123	88%	63,501	52%
Operating	5,898	10%	7,766	10%	6,629	9%	6,727	6%
Services	-	0%	1,800	2%	1,800	3%	51,800	42%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 60,737	100%	\$ 74,161	100%	\$ 70,552	100%	\$ 122,029	100%
Storm Drainage	(3,564)	-6%	(5,000)	-7%	(5,300)	-8%	(5,500)	-5%
Interest and Rent Income	970	2%	-	0%	300	0%	500	0%
Charges For Services	2,594	4%	5,000	7%	5,000	7%	5,000	4%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 206 - STORMWATER MANAGEMENT

Description: Provide services to manage flooding, reduce pollution, and protect and enhance creek and baylands habitats in compliance with regulatory requirements.

SERVICES:

206-02 - FEMA Compliance: Meet requirements for maintaining good standing in the FEMA Community Rating System so that residents can qualify for lower insurance rates.

RESULTS:

Determine substantial improvement status of applications within 2 weeks of submittal 90% of the time.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 32,701	100%	\$ 33,543	100%	\$ 27,147	100%	\$ 33,599	100%
Personnel	30,382	93%	27,452	82%	21,056	78%	27,529	82%
Operating	2,320	7%	3,591	11%	3,591	13%	3,570	11%
Services	-	0%	2,500	7%	2,500	9%	2,500	7%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 24,651	75%	\$ 23,343	70%	\$ 16,947	62%	\$ 23,399	70%
Charges For Services	8,050	25%	10,200	30%	10,200	38%	10,200	30%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 206 - STORMWATER MANAGEMENT

Description: Provide services to manage flooding, reduce pollution, and protect and enhance creek and baylands habitats in compliance with regulatory requirements.

SERVICES:

206-03 - Stormwater Pollution Prevention: Provide stormwater pollution prevention services as required by the National Pollution Discharge Elimination System permit.

RESULTS:

Submit semi-annual reports on time and respond to comments from the California Regional Water Quality Control Board within 30 days of receipt of the audit.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 230,192	100%	\$ 251,334	100%	\$ 179,400	100%	\$ 251,893	100%
Personnel	138,706	60%	151,358	60%	120,560	67%	148,606	59%
Operating	29,070	13%	53,861	21%	29,340	16%	51,288	20%
Services	62,416	27%	46,115	18%	29,500	16%	52,000	21%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 20,806	9%	\$ 44,823	18%	\$ 36,312	20%	\$ 53,259	21%
Storm Water Mgmt Fund (NPDES)	(6,451)	-3%	61,011	24%	(2,411)	-1%	54,134	21%
Redevelopment Services Agreement	38,000	17%	-	0%	-	0%	-	0%
Special Assessments on Tax Roll	176,936	77%	139,500	56%	139,500	78%	139,500	55%
Charges For Services	900	0%	6,000	2%	6,000	3%	5,000	2%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 206 - STORMWATER MANAGEMENT

Description: Provide services to manage flooding, reduce pollution, and protect and enhance creek and baylands habitats in compliance with regulatory requirements.

SERVICES:	RESULTS:				STATUS:			
206-04 - Creek Management: Coordinate with regional entities in managing the creeks through bank stabilization, removal of creek vegetation, maintenance, flood planning, and public education.	Complete maintenance items on San Francisquito Creek on schedule each year.							
	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
Total Expenditures	\$ 179,243	100%	\$ 263,375	100%	\$ 196,385	100%	\$ 271,372	100%
Personnel	33,554	19%	47,119	18%	44,320	23%	43,525	16%
Operating	118,405	66%	160,056	61%	145,849	74%	171,647	63%
Services	27,284	15%	56,200	21%	6,216	3%	56,200	21%
	<u>Actual</u> 2011-2012		<u>Budget</u> 2012-2013		<u>Estimate</u> 2012-2013		<u>Proposed</u> 2013-2014	
Funding Source *								
General Fund	\$ 13,319	7%	\$ 128,061	49%	\$ 123,835	63%	\$ 139,027	51%
Storm Water Mgmt Fund (NPDES)	2,598	1%	(4,186)	-2%	(66,950)	-34%	(7,155)	-3%
Special Assessments on Tax Roll	163,326	91%	139,500	53%	139,500	71%	139,500	51%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 207 - RESOURCE CONSERVATION

Description: Protect environmental quality and conserve natural resources through developing progressive City practices and administering collaborative programs with regional entities. Assist and inform the public to increase sustainable environmental practices and minimize or eliminate practices that result in resource degradation or depletion.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
207-01 - Solid Waste Management	\$ 186,288	\$ 271,067	\$ 242,682	\$ 257,518
207-02 - Sustainable Environmental Practices	66,582	107,490	89,037	111,624
Program Total	<u>\$ 252,870</u>	<u>\$ 378,557</u>	<u>\$ 331,719</u>	<u>\$ 369,142</u>

LEAD DEPARTMENT: Public Works Department

PROGRAM: 207 - RESOURCE CONSERVATION

Description: Protect environmental quality and conserve natural resources through developing progressive City practices and administering collaborative programs with regional entities. Assist and inform the public to increase sustainable environmental practices and minimize or eliminate practices that result in resource degradation or depletion.

SERVICES:	RESULTS:	STATUS:
207-01 - Solid Waste Management: Provide contract administration for collection and processing services for garbage and recyclables, planning and collaboration with regional entities for service and facility improvements and information and assistance to residents, businesses, institutions and city departments.	Annually increase the number of customers that reduce garbage volume service.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 186,288	100%	\$ 271,067	100%	\$ 242,682	100%	\$ 257,518	100%
Personnel	169,943	91%	187,173	69%	160,438	66%	193,580	75%
Operating	14,788	8%	78,894	29%	77,244	32%	48,938	19%
Services	1,558	1%	5,000	2%	5,000	2%	15,000	6%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
Garbage Service Fund	97,541	52%	222,761	82%	194,376	80%	248,765	97%
Inter Governmental Revenue	8,971	5%	48,306	18%	8,753	4%	8,753	3%
Charges For Services	9,378	5%	-	0%	39,553	16%	-	0%
Donations	70,398	38%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 207 - RESOURCE CONSERVATION

Description: Protect environmental quality and conserve natural resources through developing progressive City practices and administering collaborative programs with regional entities. Assist and inform the public to increase sustainable environmental practices and minimize or eliminate practices that result in resource degradation or depletion.

SERVICES:

207-02 - Sustainable Environmental Practices: Develop policies, coordinate with regional programs and inform and assist the public and City departments to increase sustainable environmental practices, such as energy and water conservation, air and water pollution prevention, green building design and integrated pest management.

RESULTS:

Bi-Annual Community Survey results indicate percent of residents regularly recycling from their home is higher than benchmark.

STATUS:

Exceeded - much above benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 66,582	100%	\$ 107,490	100%	\$ 89,037	100%	\$ 111,625	100%
Personnel	56,472	85%	61,833	58%	54,758	62%	64,376	58%
Operating	4,051	6%	8,779	8%	8,779	10%	10,371	9%
Services	6,059	9%	36,878	34%	25,500	29%	36,878	33%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 66,582	100%	\$ 107,490	100%	\$ 89,037	100%	\$ 111,625	100%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 208 - TRANSPORTATION MANAGEMENT

Description: Provide efficient movement of people and goods throughout Menlo Park by maintaining and enhancing a functional and efficient roadway network. Provide parking facilities in the Downtown area and promote the use of public transit, ride sharing, bicycles and walking as commute alternatives to the single occupant automobile.

	Actual 2011-2012	Budget 2012-2013	Estimate 2012-2013	Proposed 2013-2014
208-01 - Congestion Management	\$ 456,233	\$ 732,497	\$ 461,750	\$ 748,459
208-02 - Transportation Demand Management	542,398	721,264	681,055	729,810
208-04 - Street Signage & Markings	295,396	310,043	277,966	314,256
208-05 - Safe Routes to School	70,766	69,232	63,077	70,521
208-06 - Neighborhood Traffic Management	100,332	146,745	84,991	78,667
Program Total	\$ 1,465,126	\$ 1,979,781	\$ 1,568,839	\$ 1,941,713

LEAD DEPARTMENT: Public Works Department

PROGRAM: 208 - TRANSPORTATION MANAGEMENT

Description: Provide efficient movement of people and goods throughout Menlo Park by maintaining and enhancing a functional and efficient roadway network. Provide parking facilities in the Downtown area and promote the use of public transit, ride sharing, bicycles and walking as commute alternatives to the single occupant automobile.

SERVICES:	RESULTS:	STATUS:
208-01 - Congestion Management: Establish appropriate level of service standards intended to measure roadway congestion and maintain efficient roadway and traffic signal systems.	Maintain at least 20 miles per hour average travel speed along 80% of sampled arterial corridors during the peak hours. Maintain at least 20 miles per hour average travel speed along 80% of sampled collector roadways during the peak hours. Maintain the General Plan designated levels of service at 80% of the signalized intersections.	
	Bi-Annual Community Survey results indicate residents rate ease of car travel in Menlo Park higher than the benchmark.	Not met - below benchmark
	Bi-Annual Community Survey results indicate residents rate traffic flow on major streets higher than the benchmark.	Not met - much below benchmark

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 456,233	100%	\$ 732,497	100%	\$ 461,750	100%	\$ 748,459	100%
Personnel	189,136	41%	252,799	35%	186,263	40%	311,451	42%
Operating	123,692	27%	238,747	33%	87,979	19%	222,565	30%
Services	143,405	31%	240,951	33%	187,508	41%	214,443	29%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 81,128	18%	\$ 124,616	17%	\$ 111,962	24%	\$ 141,804	19%
Downtown Parking Permits	-	0%	-	0%	-	0%	8,000	1%
Measure A	312,951	69%	526,928	72%	298,640	65%	540,443	72%
Traffic Impact Fees	(1,293,450)	-284%	(98,247)	-13%	(133,090)	-29%	(1,465,789)	-196%
Licenses & Permits	9,166	2%	8,000	1%	6,000	1%	8,000	1%
Inter Governmental Revenue	26,762	6%	13,000	2%	14,237	3%	-	0%
Interest and Rent Income	24,875	5%	-	0%	5,000	1%	7,000	1%
Charges For Services	1,294,801	284%	158,200	22%	159,000	34%	1,509,000	202%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 208 - TRANSPORTATION MANAGEMENT

Description: Provide efficient movement of people and goods throughout Menlo Park by maintaining and enhancing a functional and efficient roadway network. Provide parking facilities in the Downtown area and promote the use of public transit, ride sharing, bicycles and walking as commute alternatives to the single occupant automobile.

SERVICES:	RESULTS:				STATUS:			
208-02 - Transportation Demand Management: Provide and promote alternative modes of transportation including commuter shuttles between the industrial/commercial work centers and the Downtown Transportation Center, a commuter incentive program for the employees, completion of a system of bikeways and implementation of safe and attractive pedestrian facilities within Menlo Park.	Maintain shuttle ridership levels of 50,000 riders per year.							
	85% of riders are satisfied with the shuttle schedules, route maps, and shuttle reliability.							
	Implement at least one component of the Comprehensive Bicycle Plan Annually.							
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 542,398	100%	\$ 721,264	100%	\$ 681,055	100%	\$ 729,810	100%
Personnel	226,550	42%	224,502	31%	221,290	32%	227,522	31%
Operating	289,431	53%	434,277	60%	416,500	61%	463,389	63%
Services	26,417	5%	62,485	9%	43,265	6%	38,900	5%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 44,329	8%	\$ 35,357	5%	\$ 38,137	6%	\$ 38,486	5%
990 & 1000 Marsh Rd Developmnt	17,082	3%	-	0%	-	0%	-	0%
BAAQMD AB 434	6	0%	-	0%	-	0%	-	0%
Measure A	(604,795)	-112%	(582,823)	-81%	(482,912)	-71%	(625,718)	-86%
Traffic Impact Fees	47,969	9%	53,743	7%	46,291	7%	42,043	6%
Redevelopment Services Agreement	50,995	9%	-	0%	-	0%	-	0%
Taxes	746,187	138%	730,000	101%	650,000	95%	812,000	111%
Inter Governmental Revenue	177,918	33%	447,987	62%	388,500	57%	424,000	58%
Interest and Rent Income	7,155	1%	-	0%	2,000	0%	2,000	0%
Charges For Services	38,553	7%	37,000	5%	39,039	6%	37,000	5%
Other Financing Sources	17,000	3%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 208 - TRANSPORTATION MANAGEMENT

Description: Provide efficient movement of people and goods throughout Menlo Park by maintaining and enhancing a functional and efficient roadway network. Provide parking facilities in the Downtown area and promote the use of public transit, ride sharing, bicycles and walking as commute alternatives to the single occupant automobile.

SERVICES:	RESULTS:	STATUS:
208-04 - Street Signage & Markings: Improve traffic safety in the City through effective traffic control devices that meet State and ADA standards by installing and maintaining proper traffic signs, striping and markings.	Replace 1/5 of striping and markings per year or as budget permits. Replace 1/5 of the traffic signs that do not meet standards for reflectivity and/or signs that are not visually legible.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 295,396	100%	\$ 310,043	100%	\$ 277,966	100%	\$ 314,256	100%
Personnel	169,397	57%	176,112	57%	147,725	53%	186,532	59%
Operating	32,086	11%	42,514	14%	40,241	14%	37,723	12%
Services	93,913	32%	91,417	29%	90,000	32%	90,000	29%

Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 87,580	30%	\$ 97,373	31%	\$ 86,173	31%	\$ 92,772	30%
Measure A	156,740	53%	124,575	40%	129,972	47%	137,649	44%
Traffic Impact Fees	906	0%	-	0%	-	0%	500	0%
Inter Governmental Revenue	48,991	17%	88,095	28%	61,821	22%	83,334	27%
Charges For Services	1,180	0%	-	0%	-	0%	-	0%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 208 - TRANSPORTATION MANAGEMENT

Description: Provide efficient movement of people and goods throughout Menlo Park by maintaining and enhancing a functional and efficient roadway network. Provide parking facilities in the Downtown area and promote the use of public transit, ride sharing, bicycles and walking as commute alternatives to the single occupant automobile.

SERVICES:

208-05 - Safe Routes to School:
Provide outreach to schools and planning of safe routes for school children to walk or ride their bikes to school.

RESULTS:

Implement "Safe Routes to Schools" plans for at least one school annually.

STATUS:

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 70,766	100%	\$ 69,232	100%	\$ 63,077	100%	\$ 70,521	100%
Personnel	67,412	95%	66,441	96%	60,286	96%	68,635	97%
Operating	3,354	5%	2,791	4%	2,791	4%	1,886	3%
Funding Source *	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
General Fund	\$ 4,666	7%	\$ 3,007	4%	\$ 2,499	4%	\$ 2,694	4%
Measure A	54,013	76%	62,083	90%	50,584	80%	65,543	93%
Traffic Impact Fees	12,087	17%	4,142	6%	9,993	16%	2,285	3%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

LEAD DEPARTMENT: Public Works Department

PROGRAM: 208 - TRANSPORTATION MANAGEMENT

Description: Provide efficient movement of people and goods throughout Menlo Park by maintaining and enhancing a functional and efficient roadway network. Provide parking facilities in the Downtown area and promote the use of public transit, ride sharing, bicycles and walking as commute alternatives to the single occupant automobile.

SERVICES:	RESULTS:	STATUS:
208-06 - Neighborhood Traffic Management: Work with residents on traffic issues to enhance the safety and livability in their neighborhoods.	Surveys distributed for traffic management projects are returned by at least 70% of the respondents.	

	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Total Expenditures	\$ 100,332	100%	\$ 146,745	100%	\$ 84,991	100%	\$ 78,667	100%
Personnel	93,831	94%	78,524	54%	80,003	94%	11,919	15%
Operating	5,381	5%	51,721	35%	4,988	6%	58,498	74%
Services	1,121	1%	16,500	11%	-	0%	8,250	10%
	Actual 2011-2012		Budget 2012-2013		Estimate 2012-2013		Proposed 2013-2014	
Funding Source *								
General Fund	\$ 32,637	33%	\$ 18,947	13%	\$ 26,195	31%	\$ 6,014	8%
Measure A	65,464	65%	82,579	56%	53,875	63%	32,003	41%
Traffic Impact Fees	2,231	2%	45,219	31%	4,920	6%	40,650	52%

* Negative Funding Source indicates revenue in excess of expenditure for this service.

CITY OF MENLO PARK
FISCAL YEAR 2013 – 14



FUND BALANCE SUMMARY

Estimated Fund Balances

Fund	Fiscal Year	Fund Balance Beginning of Year	Revenues & Transfers In	Expenditures & Transfers Out	Estimated Year End Fund Balance
100 - General Fund	2011-2012	\$ 19,605,935	\$ 39,093,802	\$ 37,201,740	\$ 21,497,998
	2012-2013	\$ 21,497,995	\$ 42,834,795	\$ 43,383,084	\$ 20,949,708
	2013-2014	\$ 20,949,708	\$ 42,549,847	\$ 42,347,339	\$ 21,152,216
101 - Workers' Compensation Fund	2011-2012	\$ 1,138,745	\$ 522,838	\$ 774,910	\$ 886,673
	2012-2013	\$ 886,673	\$ 505,500	\$ 549,668	\$ 842,505
	2013-2014	\$ 842,505	\$ 505,000	\$ 665,623	\$ 681,881
102 - Liability/Fire Insurance Fund	2011-2012	\$ 109,057	\$ 1,093,264	\$ 1,200,921	\$ 1,400
	2012-2013	\$ 1,399	\$ 801,041	\$ 604,559	\$ 197,882
	2013-2014	\$ 197,882	\$ 901,500	\$ 751,803	\$ 347,579
103 - Other Post Employment Benefits	2011-2012	\$ (27,900)	\$ 554,838	\$ 555,209	\$ (28,271)
	2012-2013	\$ (28,271)	\$ 580,300	\$ 541,489	\$ 10,540
	2013-2014	\$ 10,540	\$ 615,540	\$ 615,540	\$ 10,540
420 - Peninsula Partnership Grant	2011-2012	\$ (20,139)	\$ 66,065	\$ 71,312	\$ (25,386)
	2012-2013	\$ (25,387)	\$ 57,600	\$ 103,423	\$ (71,210)
	2013-2014	\$ (71,210)	\$ -	\$ 1,902	\$ (73,111)
434 - BAAQMD AB 434	2011-2012	\$ 2,619	\$ (6)	\$ -	\$ 2,614
	2012-2013	\$ 2,614	\$ -	\$ -	\$ 2,613
	2013-2014	\$ 2,613	\$ -	\$ -	\$ 2,613
452 - Public Library Fund	2011-2012	\$ 104,560	\$ -	\$ 2,237	\$ 102,323
	2012-2013	\$ 102,322	\$ -	\$ 7,385	\$ 94,937
	2013-2014	\$ 94,937	\$ -	\$ 21,856	\$ 73,081

Fund	Fiscal Year	Fund Balance Beginning of Year	Revenues & Transfers In	Expenditures & Transfers Out	Estimated Year End Fund Balance
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Literacy Grants

2011-2012	\$ 33,729	\$ 166,474	\$ 184,900	\$ 15,303
2012-2013	\$ 15,302	\$ 130,271	\$ 159,028	\$ (13,455)
2013-2014	\$ (13,455)	\$ 188,000	\$ 174,504	\$ 42

505 - Vintage Oaks Landscape Mtce

2011-2012	\$ 116,077	\$ 653	\$ 14,555	\$ 102,175
2012-2013	\$ 102,174	\$ 200	\$ 21,840	\$ 80,534
2013-2014	\$ 80,534	\$ 300	\$ 19,840	\$ 60,994

506 - Sharon Hills Park

2011-2012	\$ 102,245	\$ 633	\$ 11,645	\$ 91,233
2012-2013	\$ 91,234	\$ 204	\$ 13,000	\$ 78,437
2013-2014	\$ 78,437	\$ 400	\$ 13,000	\$ 65,837

507 - Vehicle Replacement Fund

2011-2012	\$ 638,211	\$ 205,555	\$ 172,635	\$ 671,131
2012-2013	\$ 671,131	\$ 248,082	\$ 316,100	\$ 603,113
2013-2014	\$ 603,113	\$ 266,750	\$ 305,000	\$ 564,863

710 - Traffic Impact Fees

2011-2012	\$ 1,852,968	\$ 1,315,131	\$ 249,633	\$ 2,918,467
2012-2013	\$ 2,918,467	\$ 275,000	\$ 364,881	\$ 2,828,586
2013-2014	\$ 2,828,586	\$ 2,407,000	\$ 365,230	\$ 4,870,356

713 - Storm Drainage

2011-2012	\$ 184,451	\$ 3,564	\$ -	\$ 188,015
2012-2013	\$ 188,014	\$ 5,300	\$ 68,844	\$ 124,470
2013-2014	\$ 124,470	\$ 5,500	\$ -	\$ 129,970

753 - Garbage Service Fund

2011-2012	\$ (77,202)	\$ 998,155	\$ 311,975	\$ 608,978
2012-2013	\$ 608,980	\$ 539,528	\$ 342,764	\$ 805,743
2013-2014	\$ 805,743	\$ 250,753	\$ 376,340	\$ 680,155

Fund	Fiscal Year	Fund Balance Beginning of Year	Revenues & Transfers In	Expenditures & Transfers Out	Estimated Year End Fund Balance
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754 - Bedwell Park Landfill

2011-2012	\$ 2,492,160	\$ 779,904	\$ 203,002	\$ 3,069,062
2012-2013	\$ 3,067,600	\$ 730,200	\$ 327,445	\$ 3,470,355
2013-2014	\$ 3,470,355	\$ 732,000	\$ 478,105	\$ 3,724,250

758 - Downtown Parking Permits

2011-2012	\$ 3,077,571	\$ 426,692	\$ 853,110	\$ 2,651,153
2012-2013	\$ 2,651,155	\$ 404,704	\$ 124,594	\$ 2,931,264
2013-2014	\$ 2,931,264	\$ 382,000	\$ 137,902	\$ 3,175,362

801 - Rec-In-Lieu Fund

2011-2012	\$ 3,589,245	\$ 205,974	\$ 3,325,127	\$ 470,092
2012-2013	\$ 470,092	\$ 181,300	\$ 200,000	\$ 451,392
2013-2014	\$ 451,392	\$ 251,500	\$ -	\$ 702,892

809 - Bedwell Park Maintenance

2011-2012	\$ 846,244	\$ 4,802	\$ 91,175	\$ 759,872
2012-2013	\$ 759,871	\$ 1,300	\$ 108,335	\$ 652,836
2013-2014	\$ 652,836	\$ 2,000	\$ 109,962	\$ 544,874

813 - Frances Mack Trust

2011-2012	\$ 329,514	\$ 1,805	\$ 50,185	\$ 281,134
2012-2013	\$ 281,134	\$ 500	\$ 61,631	\$ 220,003
2013-2014	\$ 220,003	\$ -	\$ 77,923	\$ 142,080

832 - BMR Housing-Resident/Commerl

2011-2012	\$ 10,446,150	\$ 569,119	\$ 716,301	\$ 10,298,967
2012-2013	\$ 10,947,253	\$ 410,334	\$ 569,354	\$ 10,788,233
2013-2014	\$ 10,788,233	\$ 405,000	\$ 136,500	\$ 11,056,733

833 - Redevelopment Svcs Agreement

2011-2012	\$ 9,910,456	\$ 17,086	\$ 9,927,542	\$ 0
2012-2013	\$ -	\$ -	\$ -	\$ -
2013-2014	\$ -	\$ -	\$ -	\$ -

834 - Measure A

2011-2012	\$ 1,034,986	\$ 1,097,928	\$ 1,143,250	\$ 989,664
2012-2013	\$ 992,243	\$ 1,216,579	\$ 1,435,299	\$ 773,523
2013-2014	\$ 773,523	\$ 1,606,334	\$ 2,100,049	\$ 279,808

Fund	Fiscal Year	Fund Balance Beginning of Year	Revenues & Transfers In	Expenditures & Transfers Out	Estimated Year End Fund Balance
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835 - Highway Users Tax Fund

2011-2012	\$ 2,074,557	\$ 943,256	\$ 194,571	\$ 2,823,242
2012-2013	\$ 2,823,241	\$ 883,643	\$ 1,806,138	\$ 1,900,747
2013-2014	\$ 1,900,747	\$ 917,000	\$ 2,000,000	\$ 817,747

836 - Rev Share-Emergency Loan

2011-2012	\$ 25,359	\$ 13,218	\$ 6,200	\$ 32,377
2012-2013	\$ 32,377	\$ 11,288	\$ -	\$ 43,665
2013-2014	\$ 43,665	\$ 500	\$ -	\$ 44,165

837 - Commun Devel Block Grant

2011-2012	\$ 698,970	\$ 630	\$ 109	\$ 699,491
2012-2013	\$ 699,492	\$ 242,993	\$ -	\$ 942,484
2013-2014	\$ 942,484	\$ -	\$ -	\$ 942,484

838 - Landscaping/Tree Assessment

2011-2012	\$ 167,550	\$ 755,513	\$ 714,049	\$ 209,014
2012-2013	\$ 209,014	\$ 742,192	\$ 781,502	\$ 169,704
2013-2014	\$ 169,704	\$ 710,402	\$ 783,132	\$ 96,974

839 - Sidewalk Assessment

2011-2012	\$ 534,110	\$ 201,315	\$ 250,764	\$ 484,661
2012-2013	\$ 484,659	\$ 197,741	\$ 420,213	\$ 262,188
2013-2014	\$ 262,188	\$ 196,336	\$ 299,459	\$ 159,065

841 - Storm Water Mgmt Fund (NPDES)

2011-2012	\$ 312,738	\$ 393,496	\$ 535,145	\$ 171,088
2012-2013	\$ 171,088	\$ 335,000	\$ 236,075	\$ 270,013
2013-2014	\$ 270,013	\$ 334,000	\$ 351,680	\$ 252,333

842 - Traffic Congestion Relief-2928

2011-2012	\$ 487,985	\$ 3,213	\$ -	\$ 491,198
2012-2013	\$ 491,198	\$ -	\$ 450,000	\$ 41,198
2013-2014	\$ 41,198	\$ 500	\$ -	\$ 41,698

Fund	Fiscal Year	Fund Balance Beginning of Year	Revenues & Transfers In	Expenditures & Transfers Out	Estimated Year End Fund Balance
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843 - Construction Impact Fee

2011-2012	\$ 2,138,215	\$ 698,873	\$ 217,521	\$ 2,619,568
2012-2013	\$ 2,619,568	\$ 483,500	\$ 1,075,925	\$ 2,027,142
2013-2014	\$ 2,027,142	\$ 1,005,000	\$ 1,057,034	\$ 1,975,108

845 - Measure T Bond

2011-2012	\$ 3,127,835	\$ 7,080	\$ 2,833,899	\$ 301,016
2012-2013	\$ 299,900	\$ -	\$ -	\$ 299,900
2013-2014	\$ 299,900	\$ 2,000	\$ -	\$ 301,900

851 - General Fund - CIP

2011-2012	\$ 7,835,127	\$ 2,872,356	\$ 1,715,365	\$ 8,992,119
2012-2013	\$ 8,992,118	\$ 5,405,028	\$ 3,203,133	\$ 11,194,013
2013-2014	\$ 11,194,013	\$ 2,440,000	\$ 9,679,865	\$ 3,954,147

Community Development Agency

2011-2012	\$ 43,137	\$ 3,258,113	\$ 3,301,250	\$ (0)
2012-2013	\$ -	\$ -	\$ -	\$ -
2013-2014	\$ -	\$ -	\$ -	\$ -

853 - 1990 Library Bond Fund

2011-2012	\$ 212,390	\$ 1,190	\$ 73,185	\$ 140,395
2012-2013	\$ 140,394	\$ 200	\$ 25,583	\$ 115,012
2013-2014	\$ 115,012	\$ 500	\$ 115,000	\$ 512

855 - Water Fund - Capital

2011-2012	\$ 16,771,000	\$ 764,015	\$ 2,153,171	\$ 15,381,845
2012-2013	\$ 15,381,844	\$ 885,977	\$ 497,370	\$ 15,770,452
2013-2014	\$ 15,770,452	\$ 860,000	\$ 4,274,835	\$ 12,355,617

856 - 1992 RDA Tax Increment Bond

2011-2012	\$ 43,137	\$ (181)	\$ 42,956	\$ 0
2012-2013	\$ -	\$ -	\$ -	\$ -
2013-2014	\$ -	\$ -	\$ -	\$ -

Fund	Fiscal Year	Fund Balance Beginning of Year	Revenues & Transfers In	Expenditures & Transfers Out	Estimated Year End Fund Balance
859 - RDA Public Impr Grant Fund	2011-2012	\$ 7,833,014	\$ 4,248	\$ 7,837,262	\$ (0)
	2012-2013	\$ -	\$ -	\$ -	\$ -
	2013-2014	\$ -	\$ -	\$ -	\$ -
861 - Water Fund - Operation	2011-2012	\$ 8,138,905	\$ 6,084,170	\$ 5,130,388	\$ 9,092,688
	2012-2013	\$ 9,092,687	\$ 6,242,274	\$ 6,651,586	\$ 8,683,375
	2013-2014	\$ 8,683,375	\$ 6,715,000	\$ 6,799,655	\$ 8,598,721
863 - Housing Authority	2011-2012	\$ 6,054,918	\$ 71,100	\$ 6,126,018	\$ 0
	2012-2013	\$ -	\$ -	\$ -	\$ -
	2013-2014	\$ -	\$ -	\$ -	\$ -
872 - Debt Service Fund-CDA	2011-2012	\$ 9,149,618	\$ 3,095,932	\$ 12,245,553	\$ (3)
	2012-2013	\$ 2	\$ -	\$ -	\$ -
	2013-2014	\$ -	\$ -	\$ -	\$ -
874 - 1990 Library Bond Debt Service	2011-2012	\$ 928,390	\$ 444,179	\$ 427,700	\$ 944,869
	2012-2013	\$ 944,869	\$ 401,000	\$ 430,200	\$ 915,669
	2013-2014	\$ 915,669	\$ 431,700	\$ 431,700	\$ 915,669
875 - 2002 Recreation GO Bond D.S.	2011-2012	\$ 2,584,659	\$ 11,146,925	\$ 12,450,580	\$ 1,281,004
	2012-2013	\$ 1,281,004	\$ 1,401,600	\$ 1,695,277	\$ 987,327
	2013-2014	\$ 987,327	\$ 844,130	\$ 844,130	\$ 987,327

CITY OF MENLO PARK FISCAL YEAR 2013 – 14



CAPITAL IMPROVEMENTS

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 10-001 - Radio Replacement

Project Description:

The Dispatch Center utilizes an extensive network of radio equipment which has a useful lifespan of 10 to 15 years. If equipment is not replaced it can malfunction, leading to a loss of communication with police officers in the field. This would lead to an enhanced level of risk to officers and a decrease in service to the community. A multi-year Replacement Schedule was created in 2010 by the County which stipulates equipment to be replaced based on lifespan. All costs to install include labor.



Funding Source	Previously Expended	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ 130,000	\$ 395,000	\$ 26,000	\$ 100,000	\$ -	\$ -	\$ 651,000
Total	\$ -	\$ 130,000	\$ 395,000	\$ 26,000	\$ 100,000	\$ -	\$ -	\$ 651,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 13-019 - City Website Upgrade

Project Description:

This project will upgrade the City Website to a more user friendly and solution based interface. Revise departmental pages and website structure so that residents, non-residents, businesses and contractors can easily find answers to their questions. Website design and implementation would be performed by a consultant with experience in municipal website development.




Funding Source	Previously Expended	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
Total	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **13-020 - Information Technology Master Plan & Implementation**

Project Description:

This project would provide an assessment of the existing technology tools in use within the organization currently, evaluate the need for replacement, and development recommendation as to the best type of replacement in priority order. This work would be done in together with a consultant, and a representative City Committee to enable a knowledgeable evaluation that would assist the City to avoid disruption caused by failures to the aging systems in use throughout the City. This project would be followed by requests to purchase or upgrade existing systems.



The City of Menlo Park
**INFORMATION TECHNOLOGY
MASTER PLAN**

Funding Source	Previously Expended	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ -	\$ 3,111,000	\$ -	\$ -	\$ -	\$ -	\$ 3,111,000
Total	\$ -	\$ -	\$ 3,111,000	\$ -	\$ -	\$ -	\$ -	\$ 3,111,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **20-010 - Street Resurfacing Project**

Project Description:

This ongoing project will include the detailed design and selection of streets to be resurfaced throughout the City during Fiscal Year 2013-14. This project will utilize the City's Pavement Management System (PMS) to assess the condition of existing streets and assist in the selection process.



Funding Source	Previously Expended*	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ 5,588,103	\$ 1,837,128	\$ 2,000,000	\$ -	\$ 2,000,000	\$ -	\$ 2,000,000	\$ 13,425,231
Measure A	882,340	269,560	270,000	-	270,000	-	270,000	1,961,900
Highway Users Tax Fund	4,466,653	1,530,365	2,000,000	230,000	2,000,000	250,000	2,000,000	12,477,018
Traffic Congestion Relief-2928	520,836	452,000	-	-	-	-	-	972,836
Construction Impact Fee	1,898,184	1,335,257	1,000,000	-	1,000,000	-	1,000,000	6,233,441
Previous Years' Funding	2,431,630	-	-	-	-	-	-	2,431,630
Total	\$ 15,787,746	\$ 5,424,310	\$ 5,270,000	\$ 230,000	\$ 5,270,000	\$ 250,000	\$ 5,270,000	\$ 37,502,056

* For ongoing infrastructure maintenance projects, "Previously Expended" represents the amount expended for the past 10 years.

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **20-011 Sidewalk Repair Program**

Project Description:

This ongoing project consists of removing hazardous sidewalk offsets and replacing sidewalk sections that have been damaged by City tree roots in order to eliminate trip hazards.



Funding Source	Previously Expended*	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ 903,663	\$ 252,952	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 1,756,615
Highway Users Tax	323,490	5,614	-	-	-	-	-	329,104
Sidewalk Assessment	1,654,757	411,221	180,000	180,000	180,000	180,000	180,000	2,965,978
2000 RDA Tax Increment Bond	70,162	-	-	-	-	-	-	70,162
Previous Years' Funding	1,762,333	-	-	-	-	-	-	1,762,333
Total	\$ 4,714,405	\$ 669,787	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 6,884,192

* For ongoing infrastructure maintenance projects, "Previously Expended" represents the amount expended for the past 10 years.

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 20-038 - Storm Drain Improvements

Project Description:

This ongoing project will implement improvements that were identified in the Storm Drain Master Plan as high priority and will provide annual cleaning to the existing storm drains.




Funding Source	Previously Expended*	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ 823,613	\$ 321,755	\$ 110,000	\$ 110,000	\$ 115,000	\$ 115,000	\$ 120,000	\$ 1,715,368
Storm Drainage	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000
Total	\$ 823,613	\$ 421,755	\$ 110,000	\$ 110,000	\$ 115,000	\$ 115,000	\$ 120,000	\$ 1,815,368

* For ongoing infrastructure maintenance projects, "Previously Expended" represents the amount expended for the past 10 years.

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **20-058 Sidewalk Master Plan Implementation**

Project Description:
 This project will involve constructing new sidewalks in areas with priority needs as identified in the Sidewalk Master Plan. Resident surveys will be conducted at high priority locations to assess the level of support prior to selecting specific sites.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
Measure A	\$ 43,347	\$ 166,729	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 666,729
Total	\$ 43,347	\$ 166,729	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 666,729

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **20-059 - Downtown Parking Utility Underground**

Project Description:

A project study was initiated in FY 2008/09 to investigate the use of Rule 20A funding for undergrounding utilities in the downtown parking plazas, and through recent communication with PG&E, it has been confirmed that this can be done. As a result, the City will begin the process of creating an underground utility district in the downtown area, then design and construction can begin.



Funding Source	Expended To Date	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ -	\$ 100,000	\$ 100,000	\$ 2,750,000	\$ -	\$ -	\$ -	\$ 2,950,000
Downtown Parking Permits	\$ -	\$ -	\$ -	\$ 1,800,000	\$ -	\$ -	\$ -	\$ 1,800,000
Total	\$ -	\$ 100,000	\$ 100,000	\$ 4,550,000	\$ -	\$ -	\$ -	\$ 4,750,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **210T10 - High Speed Rail Coordination**

Project Description:

The California High Speed Rail Bay Area to Central Valley route is being planned along the existing Caltrain tracks through the City of Menlo Park. This project involves City staff coordination with the Peninsula Cities Coalition, neighboring jurisdictions, the High Speed Rail Authority and elected officials to protect the City's interests during the planning and implementation stages of the California High Speed Rail Project. Funding will be used for technical expertise and consulting support.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP Measure A	\$ 178,590	\$ 176,103	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 604,693
	-	-	-	-	-	-	-	-
Total	\$ 178,590	\$ 176,103	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 604,693

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 25-028 - Park Improvements (Minor)

Project Description:

This project addresses minor improvements to parks, such as repairing fences, irrigation systems, play equipment, resodding portions of fields and adding sand and fibar to play equipment.



Funding Source	Previously Expended*	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ 568,131	\$ 343,608	\$ 120,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 1,551,739
Total	\$ 568,131	\$ 343,608	\$ 120,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 1,551,739


* For ongoing infrastructure maintenance projects, "Previously Expended" represents the amount expended for the past 10 years.

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **25-038 - Bedwell Bayfront Park Leachate Collection System Replacement**

Project Description:

This project will involve repairs and upgrades to the existing leachate collection system that the City is required to maintain at the former landfill site at Bedwell Bayfront Park.




Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
Bedwell Bayfront Park Landfill	\$ -	\$ -	\$ 100,000	\$ 900,000	\$ -	\$ -	\$ -	\$ 1,000,000
Total	\$ -	\$ -	\$ 100,000	\$ 900,000	\$ -	\$ -	\$ -	\$ 1,000,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **27-033 - City Buildings (Minor)**

Project Description:

This ongoing project was established in Fiscal Year 2004-05. Projects programmed on an annual basis include minor improvements that extend the useful life of systems and equipment in City Buildings. FY 2012-13 funding provides for replacing the corporation yard floor in the men's bathroom, and locker room, replacing the bathroom partition, and painting the lockers. The project will also begin the design for the replacement of the Corporation Yard roof, and other miscellaneous building improvements throughout the City.



Funding Source	Previously Expended*	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ 1,551,634	\$ 488,078	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 325,000	\$ 3,564,712
Total	\$ 1,551,634	\$ 488,078	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 325,000	\$ 3,564,712


* For ongoing infrastructure maintenance projects, "Previously Expended" represents the amount expended for the past 10 years.

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **27-046 - Facility Energy Retrofit Project**

Project Description:

Staff has been working with Ecology Action, a PG&E consultant who has been evaluating energy usage in City Facilities. Based on the evaluation, numerous pieces of equipment should be replaced such as the administration chiller and energy management program. This will result in significant energy savings with a rate of return on the capital cost of 5-10 years. In addition, the City will receive a PG&E rebate of approximately \$100,000.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ -	\$ 325,000	\$ -	\$ -	\$ -	\$ -	\$ 325,000
Total	\$ -	\$ -	\$ 325,000	\$ -	\$ -	\$ -	\$ -	\$ 325,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 27-047 - Retractable Lights Installation at Gymnasium and Gymnastics Center

Project Description:

The replacement process for the numerous lights at the Arrillaga Family Gym and Arrillaga Family Gymnastics Center poses a concern for the long-term maintenance of the facility due to the high replacement costs and the repairs potential impact to programs. Installing retractable lights in both facilities will allow staff to maintain the facility in the most efficient manner, keep repair costs low, and minimize or eliminate time needed to close the facility.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 300,000	\$ 500,000
Total	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 300,000	\$ 500,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 40-008 - Library RFID Conversion Project

Project Description:

This project will convert all library materials from the current barcode system to the more reliable RFID format. Install new patron self checkout stations, concurrent with previously approved circulation area remodel.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ 128,000	\$ 29,000	\$ 29,000	\$ -	\$ -	\$ -	\$ -	\$ 58,000
Public Library Fund	\$ 2,446	\$ 22,777	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,777
Total	\$ 130,446	\$ 51,777	\$ 29,000	\$ -	\$ -	\$ -	\$ -	\$ 80,777

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **40-010 - Library Landscaping**

Project Description:

The project consists of replacing the landscaping and irrigation system around the library. The existing landscaping and irrigation system is in need of major upgrades and a portion of the system is over thirty years old.



Funding Source	Expended To Date	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ -	\$ -	\$ 50,000	\$ 300,000	\$ -	\$ -	\$ -	\$ 350,000
Total	\$ -	\$ -	\$ 50,000	\$ 300,000	\$ -	\$ -	\$ -	\$ 350,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 40-011 - Automated Library Return Renovation

Project Description:

This project will remove an interior wall and adjacent staff office to expand the sorting capacity of the automated materials handling system installed in FY 2012-13. In FY 2012-13, the library installed an automated materials return (self-check-in) and an automated materials handling system to improve the check-in process and get materials back on shelves more quickly. Restricted space in the staff work area dictated that only 6 sorting bins could be installed on a system that could accommodate more sorting bins. Removing the wall will allow the system to expand by adding three more bins maximizing the return on investment in the entire project.



Funding Source	Expended To Date	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
1990 Library Bond Fund	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
Total	\$ -	\$ -	\$ 120,000	\$ -	\$ -	\$ -	\$ -	\$ 120,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 40-012 - Improved Infrastructure for the Delivery of Electronic Library Services Study

Project Description:

Improving electronic service access in Menlo Park is the Library Commission's second Work Plan priority. Extending access to library services beyond those who visit the library, extending access to business information that increases Menlo Park's ability to serve small businesses and start-ups, extending access to Menlo Park's Spanish-speaking population, extending teen services, and reducing library costs are some of the potential benefits of this project.

This project will involve the use of a consultant to identify appropriate technologies needed to support new services and improve existing ones, design new services based on these technologies (including, but not limited to, Web site design), and implement the designs.



Funding Source	Expended To Date	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ -	\$ -	\$ 37,000	\$ -	\$ -	\$ -	\$ -	\$ 37,000
Total	\$ -	\$ -	\$ 37,000	\$ -	\$ -	\$ -	\$ -	\$ 37,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **60-004 - General Plan Update**

Project Description:

This project involves a comprehensive update of the General Plan. The project would focus on the Land Use and Circulation Elements, which were adopted in 1994 and include land use and traffic projections to the year of 2010. The plan would include a geographic focus of the M-s zoning area, plus other areas of the City aside from the El Camino Real and Downtown area. Topics that would be a focus of discussion would include items such as Complete Streets and a Greenhouse Gas Reduction Strategy. The project would involve multiple phases including work program definition, consultant selection, data collection and analysis, visioning, plan preparation, environmental and fiscal review, and extensive public participation. Upon adoption of the updated General Plan, the work effort would focus on high priority implementation programs identified in the Plan. By the end of December 2013, the goal would be to have conducted a request for proposals and retained a consultant team for work on the project.



Funding Source	Expended To Date	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
General Fund - CIP	\$ -	\$ -	\$ 2,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 6,000,000
Total	\$ -	\$ -	\$ 2,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 6,000,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 60-005 - Energy Efficiency/Renewable Energy Program for Residential and Commerical Sector Master Plan

Project Description:

Part of the Climate Action Plan's five year strategy. This project would provide a comprehensive five year plan and strategy for the City to implement projects and programs to reduce energy consumption of fossil fuels in residential and commercial energy use.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
Total	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 70-082 - El Camino Real/Ravenswood NB Right Turn Lane

Project Description:

This project will design conversion of the existing North Bound Right Turn Lane to the third North Bound through Lane and adding a NB Right Turn Lane.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
Transportation Impact Fees	\$ -	\$ -	\$ 200,000	\$ 1,150,000	\$ -	\$ -	\$ -	\$ 1,350,000
Total	\$ -	\$ -	\$ 200,000	\$ 1,150,000	\$ -	\$ -	\$ -	\$ 1,350,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: 70-083 - El Camino Real Lane Reconfiguration Alternatives Study

Project Description:

This project will consist of a traffic study to determine the level of service at the intersections on El Camino Real when a bicycle lane or a third through lane is added for both the northbound and southbound directions between Encinal Avenue and Live Oak. The study will also evaluate impacts of removing the on-street parking on El Camino Real, business (parking) effects, safety and aesthetics.



Funding Source	Expended To Date	2012-13 Budget	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total Cost
Measure A	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Total	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **70-084 - Pope/Chaucer Bridge Replacement**

Project Description:

The Santa Clara Valley Water District (SCVWD), a member agency of the SFCJPA, will replace the existing Pope/Chaucer Street Bridge crossing at San Francisquito Creek. The new bridge will be designed and constructed to accommodate a 1% (100-year) flow event under the bridge and prevent future flooding of the areas surrounding the creek. The project is part of the overall SFCJPA goal to provide 100-year flood capacity in the creek. Funding for this project is for staff assistance during the design phase.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
Total	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000

**CAPITAL IMPROVEMENT PROGRAM
2013-2018**

Project: **70-085 - Sand Hill Road Pathway Repair**

Project Description:

This project will involve the design and installation of repairs and improvements to the asphalt concrete path along Sand Hill Road.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
General Fund - CIP	\$ -	\$ -	\$ 50,000	\$ 250,000	\$ -	\$ -	\$ -	\$ 300,000
Total	\$ -	\$ -	\$ 50,000	\$ 250,000	\$ -	\$ -	\$ -	\$ 300,000

**CAPITAL IMPROVEMENT PROGRAM
2012-2017**

Project: 77-008 - Sharon Heights Pump Station Replacment

Project Description:

The project consists of installing a new pump station prior for the Sharon Heights Neighborhood. A temporary pump station consists of three similar pumps, stationary electrical generator and communications connections. The temporary pump station will be located on an adjacent parcel and will remain in operation while the permanent pump station is built. During the duration of the project the contractor will be required to operate the temporary pump station 24/7 until the permanent pump station is operational and respond to emergencies within one hour.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
Water Fund - Capital	\$ 52,566	\$ 2,163,584	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ 3,463,584
Total	\$ 52,566	\$ 2,163,584	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ 3,463,584

**CAPITAL IMPROVEMENT PROGRAM
2012-2017**

Project: 77-017 - Emergency Water Supply

Project Description:

This project will involve the first phase of construction of up to three emergency standby wells to provide a secondary water supply to the Menlo Park Municipal Water District's eastern service area. An emergency water supply would be needed in the event of an outage of the SFPUC Hetch Hetchy system. Final project costs will vary depending on land acquisitions costs and the final depth and size of the wells. This project was partially funded in FY 2011-12.



Funding Source	Expended To Date	2012-13 Budgeted	2013-14 Proposed	2014-15 Projected	2015-16 Projected	2016-17 Projected	2017-18 Projected	Total
Water Fund - Capital	\$ 210,372	\$ 4,884,463	\$ 2,800,000	\$ -	\$ -	\$ -	\$ -	\$ 7,684,463
Total	\$ 210,372	\$ 4,884,463	\$ 2,800,000	\$ -	\$ -	\$ -	\$ -	\$ 7,684,463

City of Menlo Park
 General Fund 10-Year Projection ⁽¹⁾

Revenue Categories	Adjusted Budget 2013	Proposed Budget 2014	Forecast 2015	Forecast 2016	Forecast 2017	Forecast 2018	Forecast 2019	Forecast 2020	Forecast 2021	Forecast 2022	Forecast 2023	Forecast 2024
Property Taxes	\$13,853,000	(2) \$13,955,000	(2) \$14,732,075	\$15,321,358	\$15,934,212	\$16,571,581	\$17,234,444	\$17,923,822	\$18,640,775	\$19,386,406	\$20,161,862	\$20,968,336
Sales Tax	6,280,000	(3) 6,331,400	(3) 6,527,060	(3) 6,382,288	(3) 6,564,121	6,845,063	7,121,141	7,408,376	7,707,219	8,018,142	8,341,634	8,678,203
Transient Occupancy Tax	3,326,000	(4) 3,743,000	3,892,720	4,048,429	4,210,366	4,378,781	4,553,932	4,736,089	4,925,533	5,122,554	5,327,456	5,540,554
Utility Users' Tax	1,165,499	(5) 1,184,620	1,231,045	1,279,327	1,329,540	1,381,761	1,436,072	1,492,555	1,551,297	1,612,389	1,675,924	1,742,001
Franchise Fees	1,873,500	1,812,300	1,884,792	1,960,184	2,038,591	2,120,135	2,204,940	2,293,138	2,384,863	2,480,258	2,579,468	2,682,647
Licenses and Permit (6)	4,326,465	4,459,463	4,497,847	4,645,751	4,799,559	5,059,171	5,225,452	5,398,374	5,578,201	5,765,211	6,059,250	6,261,625
Intergovernmental Revenue	838,130	741,704	771,372	802,227	834,316	867,689	902,396	938,492	976,032	1,015,073	1,055,676	1,097,903
Fines & Forfeitures	991,400	1,319,980	1,372,779	1,427,690	1,484,798	1,544,190	1,605,957	1,670,196	1,737,004	1,806,484	1,878,743	1,953,893
Interest & Rent Income	752,018	(7) 777,712	(7) 859,920	(7) 952,842	992,556	1,033,858	1,076,813	1,121,485	1,167,944	1,216,262	1,266,513	1,318,773
Charges for Services	7,080,246	7,795,222	(8) 8,028,029	8,336,082	8,656,393	8,989,450	9,335,763	9,695,863	10,070,300	10,459,648	10,864,502	11,299,082
Donations	31,050	31,050	32,292	33,584	34,927	36,324	37,777	39,288	40,860	42,494	44,194	45,962
Other Financing Sources	389,074	398,396	414,330	430,903	448,139	466,065	484,707	504,096	524,259	545,230	567,039	589,720
Total Revenues	\$40,906,382	\$42,549,847	\$44,244,261	\$45,620,665	\$47,327,518	\$49,294,066	\$51,219,394	\$53,221,772	\$55,304,287	\$57,470,150	\$59,822,260	\$62,178,699
Expenditure Categories												
Salaries and Wages	\$20,400,319	(9) \$21,080,311	(9) \$21,712,721	\$22,581,230	\$23,484,479	\$24,423,859	\$25,400,813	\$26,416,845	\$27,473,519	\$28,572,460	\$29,715,358	\$30,903,973
Benefits	7,886,634	(10) 8,260,286	(10) 8,631,999	(10) 8,977,279	9,336,370	9,709,825	10,098,218	10,502,146	10,922,232	11,359,122	11,813,486	12,286,026
Operating Expense	3,070,986	3,174,430	3,301,405	3,433,461	3,570,800	3,713,632	3,862,177	4,016,664	4,177,331	4,344,424	4,518,201	4,698,929
Utilities	1,176,516	1,197,111	1,244,995	1,294,795	1,346,587	1,400,451	1,456,469	1,514,727	1,575,316	1,638,329	1,703,862	1,772,017
Services	3,917,937	4,392,366	(11) 4,062,939	4,225,456	4,394,474	4,570,253	4,753,063	4,943,186	5,140,913	5,346,550	5,560,412	5,782,828
Fixed Assets and Capital Outlay	419,271	372,611	387,515	403,016	419,137	435,902	453,338	471,472	490,331	509,944	530,342	551,555
Travel	59,480	72,705	75,613	78,638	81,783	85,055	88,457	91,995	95,675	99,502	103,482	107,621
Repairs and Maintenance	908,588	882,419	917,716	954,424	992,601	1,032,305	1,073,598	1,116,542	1,161,203	1,207,651	1,255,957	1,306,196
Special Projects Expenditures	369,455	360,500	374,920	389,917	405,513	421,734	438,603	456,148	474,393	493,369	513,104	533,628
Capital and Transfers Out	2,464,328	2,554,600	2,656,784	2,763,055	2,873,578	2,988,521	3,108,062	3,232,384	3,361,679	3,496,146	3,635,992	3,781,432
Total Expenditures	\$40,673,514	\$42,347,339	\$43,366,608	\$45,101,272	\$46,905,323	\$48,781,536	\$50,732,797	\$52,762,109	\$54,872,593	\$57,067,497	\$59,350,197	\$61,724,205
Total Impact to Fund Balance	\$232,868	\$202,508	\$877,653	\$519,393	\$422,195	\$512,531	\$486,598	\$459,663	\$431,693	\$402,652	\$472,063	\$454,495

Notes to 10-year Forecast:

- (1) Revenues and expenditures are generally anticipated to grow by inflation of 4% unless otherwise indicated.
- (2) Property Tax increases 5.6% in 2013-14 and 4.5% by 2014-15; Facebook tenant improvements complete by 2014-15; Excess ERAF decrease 50% onward.
- (3) Sales Tax to grow 1.5% in 2013-14; includes two years of In-Lieu Sales Use tax 2013-14 and 2014-15; State of California Triple Flip ends in 2017.
- (4) TOT rate increase January 2013 from 10% to 12%; 2013-14 full year at 12% tax rate.
- (5) Assumes 1% UUT tax rate on all utilities; 2.5% increase in 2013-14. Assumes no change on UUT tax cap payers.
- (6) Licenses and Permits include annual payments from Facebook: \$800,000 thru 2017; \$900,000 thru 2022; \$1 Million beginning 2023.
- (7) Portfolio earnings recover slowly 2013-14 0%; yields growing 15% each year by 2015-16.
- (8) Charges for Services - Planning Fees decrease as projects are completed.
- (9) Salaries & Wages adjusted for Salary negotiations with labor unions.
- (10) CalPERS rate increases assumed through 2016.
- (11) Services decrease in 2014-15 due to less demand for contract services in Community Development as projects are completed.

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All Capital Improvement Projects (CIP)	2012-2013 Remaining Balance (Est)	2013-2014 Proposed Budget
10-001 - Radio Replacement	130,000	395,000
10-002 - Police Parking Lot Security	40,000	-
20-053 - Atherton Channel Flood Abatement	471,763	-
20-054 - Downtown Irrigation Replacement	286,508	-
20-055 - Downtown Landscaping Improvements	-	-
20-056 - Chrysler Pump Station Discharge Pipe Replacement	18,904	-
70-073 - Sand Hill Road/Branner Signal Mast Arm Construction	71,733	-
70-075 - Parking Plaza 7 Renovations	926,394	-
70-076 - LED Streetlight Conversion	(808)	-
30-008 - Belle Haven Pool Boiler/Pumps Upgrades	62,707	-
90-019 - Burgess Gymnastics Center	84,427	-
40-007 - Main Library Carpet Replacement	96	-
40-008 - Library RFID Conversion Project	51,418	29,000
40-009 - Automated Library Materials Return	119,699	-
40-010 - Library Landscaping	-	50,000
40-011 - Automated Library Return Renovation	-	120,000
40-012 - Electronic Library Services Infrastructure Improvement Study	-	37,000
27-040 - Administration Building Emergency Generator	219,540	-
27-041 - Water Conservation Upgrades for City Facilities	32,355	-
27-042 - Little House Roof Replacement	8,375	-
27-043 - Energy Audit of City Administration	40,000	-
27-044 - Council Chambers Mics/Voting Equipment	60,000	-
27-045 - Council Chambers Audio/Video	75,000	-
27-046 - Facility Energy Retrofit	-	325,000
27-047 - Retractable Lights at Gymnasium and Gymnastics Center	-	200,000
90-020 - Rec Center Renovation and Addition	20,188	-
30-010 - Burgess Pool Pump Ladder	27,838	-
70-077 - Willow Road Signal Interconnect	291,171	-
70-078 - Elder Ave/Santa Cruz Ave Traffic Signal Installation	16,509	-
70-079 - Safe Routes to Oak Knoll School	25,178	-
20-058 - Sidewalk Master Plan Implementation	146,440	100,000
20-059 - Downtown Parking Utility Underground	94,013	100,000
20-060 - Sustainable/Green Building Standards Cost/Benefit Analysis	29,275	-
20-061 - Chrysler Pump Station Improvements	76,824	-
20-062 - Streets Ordinance Study	88,407	-
20-063 - STPL Federal Aide Resurfacing Project	157,528	-
20-064 - Alpine Road Bike Improvement	172,288	-
20-065 - Bay Levee Project	300,000	-
70-080 - Oak Grove/Merrill Intersection	51,569	-
70-081 - Willow Rd Improvements @ Newbridge & Bayfront Expressway	889,695	-
70-082 - ECR/Ravenswood NB Right Turn Lane	-	200,000
70-083 - ECR Lane Reconfiguration Study	-	200,000
70-084 - Pope/Chaucer Bridge Replacement	-	100,000
70-085 - Sand Hill Road Pathway Repair	-	50,000
25-036 - Seminary Oaks Park Pathway Replacement	797	-
25-038 - Bedwell Bayfront Park Leachate Collection System	-	100,000
25-039 - Gas Flare at Bedwell Bayfront Park	-	-

All Capital Improvement Projects (CIP)	2012-2013 Remaining Balance (Est)	2013-2014 Proposed Budget
60-003 - Housing Element Update	141,561	-
60-004 - General Plan Update	-	2,000,000
60-005 - Energy Efficiency/Renewable Plan	-	60,000
13-017 - City Facilities Telephone System Upgrade	295,000	-
13-018 - City Admin Space Renovation	300,000	-
13-019 - City Website Upgrade	-	75,000
13-020 - Information Technology Master Plan and Implementation	-	3,111,000
90-005 - Hillview School Field Renovation	50,000	-
90-006 - La Entrada School Recreational Facilities	5,000	-
90-012 - Burgess Park Signage	5,413	-
77-003 - Water Main Replacement Project	3,247,042	-
77-007 - Reservoirs #1 & #2 Mixers	166,627	-
77-008 - Sharon Heights Pump Station Replacement Design	1,950,967	1,300,000
27-033 - City Buildings (Minor)	252,010	300,000
25-028 - Park Improvements (Minor)	227,638	120,000
20-042 - Parking Plaza 2 Renovation	218	-
40-004 - Main Library Circulation Redsg	8,259	-
70-057 - Safe Routes to Laurel Elem Sch	120,848	-
20-043 - San Francisquito Creek Bonde Wier	21,237	-
90-013 - Playing Fields Study	7,098	-
20-046 - Storm Drainage Fee Study	63,380	-
20-049 - Middlefield Road Storm Drain	131,266	-
20-050 - Utility Undergrounding Study of City Parking Plazas	90,265	-
70-059 - Linfield/Middlefield Intersection	4,872	-
20-045 - Sidewalks on Santa Cruz Ave Study	627,811	-
70-062 - Safe Routes to Encinal School	61,159	-
70-063 - School Trip Traffic Reduction	5,846	-
70-064 - Sand Hill Road Study, 280 to Addison	1,000	-
70-065 - Safe Routes to Hillview School	17,878	-
70-066 - Residential Shuttle Service to MP CalTrain Station	2,043	-
70-069 - Downtown Bike Rack Installations	4,772	-
70-070 - Ringwood Ave Bicycle/Pedestrian Overcrossing Improvements	34,561	-
25-031 - Citywide Sports Field Study	6,139	-
25-032 - BH Child Development Center Playground Improvements	73,331	-
90-014 - Burgess Gym Study & Design	11,405	-
90-016 - Facilities Design @ Jack Lyle and Willow Oaks Parks	31,860	-
90-017 - Burgess Gym Improvements - Construction	32,122	-
27-029 - Police/City Service Center	1,678,021	-
20-010 - Street Resurfacing Project	840,152	5,270,000
20-011 - Sidewalk Repair Program	152,711	400,000
20-030 - El Camino Real Tree Planting	197,280	-
20-037 - Sidewalk Project	83,592	-
20-038 - Storm Drain Improvements and Cleaning	354,765	110,000
77-012 - Emergency Water Tank/Supply	4,723,604	2,800,000
77-015 - Reservoir Reroof	335,167	-
25-035 Bedwell Bayfront Park Gas Collection System Improvements Study	79,677	-
210E13 - Water Rate Study	8,400	-

All Capital Improvement Projects (CIP)	2012-2013 Remaining Balance (Est)	2013-2014 Proposed Budget
210T01 - Bike Lane Parking Mitigation Study	6,577	-
210T02 - Valparaiso Safe Route Plan	7,774	-
210T06 - Middle Avenue Bike Lane Feasibility Study	5,807	-
210T10 - High Speed Rail Coordination	141,103	50,000
All Projects	21,699,092	17,602,000

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 21, 2013
Staff Report #: 13-085

Agenda Item #: D-1

CONSENT CALENDAR:

Adopt a Resolution Giving Preliminary Approval of the Engineer's Report for the Menlo Park Landscaping District for Fiscal Year 2013-14 which Proposes No Increases to the Tree or Sidewalk Portions of the Assessment; Adopt a Resolution of Intent to Order the Levy and Collection of Assessments at the Current Rates for the Menlo Park Landscaping District for Fiscal Year 2013-14; and Set the Date for the Public Hearing for June 11, 2013

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt a Resolution giving preliminary approval of the Engineer's Report for the City of Menlo Park Landscaping District for Fiscal Year 2013-14, which proposes no increases to the tree or sidewalk portions of the assessment (Attachment A);
2. Adopt a Resolution of Intention to order the levy and collection of assessments at the current rates for the City of Menlo Park Landscaping District for Fiscal Year 2013-14 pursuant to the Landscaping and Lighting Act of 1972 (Attachment B); and;
3. Set the date for the Public Hearing for June 11, 2013.

BACKGROUND

The Landscaping Assessment District provides funding for the maintenance of trees, street sweeping and sidewalks throughout Menlo Park.

Tree Maintenance

Between 1960 and 1982, the City had one three-person tree crew to care for City parks, medians, and street trees. At that time, the tree crew trimmed trees as requested by residents. There was no specific, long-term plan to address tree maintenance. As the

trees grew, it took considerably more time per tree to provide proper care and the City's one tree crew was unable to maintain all the trees in proper condition.

The voters approved Measure N in 1982 as an advisory measure to the City Council regarding formation of the City of Menlo Park Landscaping District. The District was formed in 1983 to provide proper street-tree maintenance. Programmatic changes have occurred over the past 29 years to address new regulations and maintain the existing tree canopy. Proper care of the tree canopy continues to be identified as a priority by property owners, the Environmental Quality Commission and the Council.

In 1998, the City identified concerns that a significant number of City trees, of which over 80 percent were considered to be mature, would decline and fail at roughly the same time unless proactive measures were taken to stagger removal of the older trees with establishment of new, younger trees. In addition, the tree maintenance trimming and evaluation schedule had slipped from once every five years to once every seven years due to cost. The City proposed an increase in the District fees, which was approved per Proposition 218 requirements. The additional funds raised were used to bring back the tree trimming/evaluation schedule to once every five years. In addition, in 2008-09 a reforestation program was implemented with a portion of the District funds.

City Tree-Damaged Sidewalk Repair

Prior to 1990, property owners and the City split the cost of repairing sidewalks damaged by City trees. The City entered into individual agreements with approximately 200 individual property owners each year to conduct these repairs. The annual cost was a financial burden to some residents on fixed incomes, and burdensome for the City to administer.

An assessment for the repair of sidewalks and parking strips was established in 1990 to make the program more cost-effective and less of a financial burden for property owners, and to streamline staff's processing of tree-damaged sidewalk repair. Staff has been able to address the tripping hazards through new technologies in sidewalk sawcutting, resulting in the sidewalk assessment only having been raised once since its establishment.

Street Sweeping

Street sweeping is performed throughout the City for aesthetic, water quality and health reasons, as well as compliance with storm water regulations. Street sweeping work has been performed by contract services since 1992.

Engineer's Report Requirements

For each fiscal year the assessments will be levied, the City Council must direct the preparation of an Engineer's Report, budgets, and proposed assessments. On January 22, 2013, the City Council adopted Resolution 6122 describing the improvements and

directing the preparation of an Engineer's Report for the Landscaping District for FY 2013-14. In addition, Council approved an agreement with SCI Consulting Group to prepare that report.

The Engineer's Report establishes the foundation and justification for the continued collection of the landscape assessments for FY 2013-14. SCI Consulting Group has reviewed the report in context with recent court decisions and legal requirements for benefit assessments. The assessments proposed are fully compliant with recent court decisions and the requirements of Proposition 218.

The purpose of this staff report is to obtain Council's preliminary approval of the Engineer's Report, state the intention of the Council to order the levy and collection of assessments, give preliminary approval of no increase to the tree and sidewalk portions of the assessment, and set a public hearing for June 11, 2013, regarding the proposed assessments.

ANALYSIS

Approval of Engineer's Report

SCI Consulting Group has completed the preliminary Engineer's Report (Attachment C) for the Landscaping District, which includes the District's proposed FY 2013-14 budget. The budget covers tree maintenance, a portion of the cost of the City's street sweeping program, and the sidewalk repair program. The report describes in detail the method used for apportioning the total assessment among properties within the District. This method involves identifying the benefit received by each property in relation to a single-family home (Single Family Equivalent or SFE).

Expenses for the program are covered by revenue from property tax assessments, contributions from the City (primarily from the General Fund), and unspent funds from prior years.

Program Budgets

Tree Maintenance Assessments

Staff is proposing no increase to the tree maintenance budget for the fiscal year 2013-14. Table I shows the proposed budget for street tree maintenance expenses and revenues for FY 2013-14.

Table I Tree Maintenance Assessments Proposed FY 2013-14 Budget	
Projected Beginning Fund Balance	\$169,704
Estimated Revenues:	
Tree Assessment Revenue (no increase)	\$547,502
General Fund Contribution	214,600
Stormwater Fund Contribution for Street Sweeping	<u>20,700</u>
	\$782,802
Estimated Expenses:	
Street Tree Maintenance	\$542,905
Debris Removal (Street Sweeping)	217,818
Administration & County Collection of Assessment Fees	<u>49,618</u>
	\$810,341
Projected Ending Fund Balance	\$142,165

Staff estimates that tree maintenance expenditures will exceed revenues by approximately \$27,539 in FY 2013-14, which will result in a FY 2013-14 ending fund balance of approximately \$142,165. Staff is not recommending any increase to the tree maintenance assessment for FY 2013-14.

The General Fund contribution towards tree maintenance will be \$214,600 for FY 2013-14. Proposition 218 stipulates that only the “special benefits” received by a parcel can be charged through an assessment district, with “general benefits” being funded by other sources. The Engineer’s Report determined that 75 percent of the benefits received are special benefits, and 25 percent are general benefits. The proposed General Fund contribution of \$214,600 will meet the City’s remaining obligation.

Sidewalk Repair Assessments

The Council authorizes sidewalk repair program funding in the amount of \$300,000 per year as part of the City’s capital improvement program. For FY 2013-14 staff is proposing to increase the sidewalk repair program budget from \$300,000 to \$400,000 in order to perform a larger sidewalk repair project. Table II shows the proposed budget for sidewalk, curb, gutter and parking strip repair and replacement expenses and revenues for FY 2013-14.

Table II Sidewalk Repair Assessments Proposed FY 2013-14 Budget	
Projected Beginning Fund Balance	\$262,188
Estimated Revenues:	
Sidewalk Assessment Revenue (no rate increase)	\$196,336
General Fund CIP Contribution for sidewalk repair	<u>120,000</u>
	\$316,336
Estimated Expenses:	
Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement	\$400,000
Administration & County Collection of Assessment Fees	<u>49,618</u>
	\$449,618
Projected Ending Fund Balance	\$128,906

Staff estimates that the sidewalk repair program will have budgeted expenses that exceed revenues by approximately \$133,282 in FY 2013-14. The projected FY 2013-14 ending fund balance is approximately \$128,906. Therefore, staff is not recommending any increase to the sidewalk repair assessments for FY 2013-14.

Table III Annual Tree Assessment Rates Proposed FY 2013-14 (no increase from FY 2012-13)		
Property Type	Properties with Trees	Properties without Trees
Single-family	\$60.26 per Parcel	\$30.13 per Parcel
R-2 Zone, in use as single-family	\$60.26 per Parcel	\$30.13 per Parcel
Condominium/ Townhouse	\$54.23 per Unit \$271.17 max. per Project	\$27.12 per Unit \$135.59 max. per Project
Other Multi-family	\$48.21 per Unit \$241.04 max. per Project	\$24.10 per Unit \$120.52 max. per Project
Commercial	\$60.26 per 1/5 acre \$301.30 max. per Project	\$30.13 per 1/5 acre \$150.65 max. per Project
Industrial	\$60.26 per 1/5 acre \$301.30 max. per Project	\$30.13 per 1/5 acre \$150.65 max. per Project
Parks, Educational	\$60.26 per Parcel	\$30.13 per Parcel
Miscellaneous, Other	\$0.00 per Parcel	\$0.00 per Parcel

Table IV	
Property Type	Annual Sidewalk Assessment Rates Proposed FY 2013-14 (no increase from FY 2012-13)
Properties with Improvements	
Sidewalks, curbs, gutters	\$28.70 per Parcel
Parking strips and gutters	\$28.70 per Parcel
Curbs and/or gutters only	\$19.23 per Parcel
No improvements	\$9.47 per Parcel
Miscellaneous, Other	\$0.00 per Parcel
Properties without Improvements	
Parcels with or without improvements	\$9.47 per Parcel
Miscellaneous, Other	\$0.00 per Parcel

* All assessment amounts are rounded to the penny.

Assessment Process

If the Council approves the attached resolutions, staff will publish legal notice of the assessment Public Hearing at least ten days prior to the hearing, which is tentatively scheduled for June 11, 2013. Once the assessments are confirmed and approved, the levies will be submitted to the County Auditor/Controller for inclusion onto the property tax roll for FY 2013-14.

Assessments are subject to an annual adjustment based on the Engineering News Record Construction Cost Index (CCI) for the San Francisco Bay Area. The maximum annual adjustment cannot exceed 3%. Any change in the CCI in excess of 3% is cumulatively reserved and can be used to increase the assessment rate in years in which the CCI is less than 3%. The change in the CCI from December 2011 to December 2012 was 1.47%.

The maximum authorized assessment rate for fiscal year 2013-14 (based on accumulated unused CCI increases excess reserves from prior years) are \$95.59 per single family equivalent (SFE) benefit unit for tree maintenance and \$42.68 per single family equivalent (SFE) benefit unit for sidewalk maintenance. The estimated budget in the Engineer's Report proposes assessments for fiscal year 2013-14 at the rate of \$60.26 per SFE for tree maintenance and \$28.70 per SFE for sidewalk maintenance (same as FY 2012-13). Both amounts are less than the maximum authorized assessment rate.

IMPACT ON CITY RESOURCES

Funding for the entire tree-maintenance, street sweeping and sidewalk-repair programs under the assessment district comes from a variety of sources, including the carryover of unspent funds from prior years, annual tax assessment revenues, country stormwater program, and contributions from the General Fund. If the Council does not order the

levy and collection of assessments, the impact on City resources would be \$743,839 (the total amount of the proposed tree and sidewalk assessments).

Staff recommends not to increase either the tree maintenance or sidewalk repair assessment rate. The current estimated fund balances for both the tree and sidewalk programs are sufficient to maintain current services levels through FY 2013-14.

POLICY ISSUES

The recommendation is consistent with the Council's and the Environmental Quality Commission's emphasis on the importance of preserving and maintaining mature trees.

ENVIRONMENTAL REVIEW

An environmental review is not required.

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. Resolution of Preliminary Approval of the Engineer's Report
- B. Resolution of Intention to Order the Levy and Collection of Assessments
- C. Engineer's Report dated May 2013

Report prepared by:
Eren Romero
Business Manager

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RESOLUTION NO.

**RESOLUTION OF PRELIMINARY APPROVAL OF THE ENGINEER'S
REPORT FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT
FOR FISCAL YEAR 2013-14**

WHEREAS, on the twenty-second day of January, 2013, the Menlo Park City Council did adopt Resolution No. 6122, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District (District) for Fiscal Year 2013-14, pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, in said City and did refer the proposed improvements to SCI Consulting Group and did therein direct SCI Consulting Group to prepare and file with the Clerk of said City a report, in writing, all as therein more particularly described, under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, said SCI Consulting Group prepared and filed with the City Clerk of said City a report in writing as called for in Resolution No. 6122 and under and pursuant to said Article and Act, which report has been presented to this Council for consideration; and

WHEREAS, said Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that neither said report, nor any part thereof, should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follow:

1. That the plans and specifications for the existing improvements and the proposed new improvements to be made within the District or within any zone thereof, contained in said report, be, and they are hereby, preliminarily approved;
2. That the Engineer's estimate of the itemized and total costs and expenses of said improvements, maintenance, and servicing thereof, and of the incidental expenses in connection therewith, contained in said report be, and each of them is hereby, preliminarily approved;
3. That the diagram showing the exterior boundaries of the District referred to and described in said Resolution No. 6122 and also the boundaries of any zones therein and the lines and dimensions of each lot or parcel of land within said District as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which the report applies, each of which lot or parcel of land has been given a separate number upon said diagram, as contained in said report be, and it is hereby, preliminarily approved;

4. That the proposed continued assessment of the total amount of the estimated costs and expenses of the proposed improvements upon the several lots or parcels of land in said District in proportion to the estimated benefits to be received by such lots or parcels, respectively, from said improvements including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto, as contained in said report be, and they are hereby, preliminarily approved; and
5. That said report shall stand as the Engineer's Report for the purpose of all subsequent proceedings to be had pursuant to said Resolution No. 6122.

I, Margaret S. Roberts, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2013, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2013.

Margaret S. Roberts, MMC
City Clerk

RESOLUTION NO.

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO ORDER THE CONTINUATION AND COLLECTION OF ASSESSMENTS FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL YEAR 2013-14 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, pursuant to Resolution No. 6122 describing improvements and directing the preparation of the Engineer's Report for Fiscal Year 2013-14 for the City of Menlo Park Landscaping District, adopted on January 22, 2013, by the City Council of Menlo Park; and

WHEREAS pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, SCI Consulting Group for said City has prepared and filed with the City Clerk of this City the written report called for under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, by said Resolution No. 6122, which said report has been submitted and preliminarily approved by this Council in accordance with said Article and Act.

NOW, THEREFORE, BE IT RESOLVED, THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follows:

1. In its opinion, the public interest and convenience require, and it is the intention of this Council, to order the continuation and collection of assessments for Fiscal Year 2013-14 pursuant to the provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in Exhibit A hereto attached and by reference incorporated herein;
2. The cost and expense of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon the assessment district designated as "City of Menlo Park Landscaping District" (District) the exterior boundaries of which District are the composite and consolidated area as more particularly described on a map thereof on file in the office of the Clerk of said City, to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the District and of any zone thereof and the general location of said District;
3. Said Engineer's Report prepared by SCI Consulting Group, preliminarily approved by this Council, and on file with the Clerk of this City, is hereby referred to for a full and detailed description of the improvements, the boundaries of the

assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District;

4. The authorized maximum assessment rates for the District include an annual adjustment by an amount equal to the annual change in the Engineering News Record Index, not to exceed 3 percent per year, plus any uncaptured excesses. Assessment rates are not proposed to increase during Fiscal Year 2013-14 over the Fiscal Year 2012-13 assessments. The maximum authorized assessment rate for street tree maintenance for Fiscal Year 2013-14 is \$95.59 per single family equivalent benefit unit, and the proposed assessment rate per single family equivalent benefit unit to be continued to Fiscal Year 2013-14 is \$60.26, which is the same rate as that levied in Fiscal Year 2012-13 and is less than the maximum authorized rate. Including the authorized annual adjustment, the maximum authorized assessment rate for sidewalk repairs for Fiscal Year 2013-14 is \$42.68 per single family equivalent benefit unit, and the proposed assessment rate per single family equivalent benefit unit to be continued to Fiscal Year 2013-14 is \$28.70, which is the same rate as that levied in Fiscal Year 2013-14 and is less than the maximum authorized rate;
5. Notice is hereby given that Tuesday, the eleventh day of June, 2013, at the hour of 7:00 o'clock p.m., or as soon thereafter, in the regular meeting place of said Council, Council Chambers, Civic Center, 701 Laurel Street, Menlo Park, California, be, and the same are hereby appointed and fixed as the time and place for a Public Hearing by this Council on the question of the continuation and collection of the proposed assessment for the construction or installation of said improvements, including the maintenance and servicing, or both, thereof, and when and where it will consider all oral statements and all written protests made or filed by any interested person at or before the conclusion of said hearing, against said improvements, the boundaries of the assessment district and any zone therein, the proposed diagram or the proposed assessment, to the Engineer's estimate of the cost thereof, and when and where it will consider and finally act upon the Engineer's Report;
6. The Clerk of said City is hereby directed to give notice of said Public Hearing by causing a copy of this resolution to be published once in *The Daily News*, a newspaper circulated in said City, and by conspicuously posting a copy thereof upon the official bulletin board customarily used by the City for the posting of notices, said posting and publication to be had and completed at least ten (10) days prior to the date of public hearing specified herein; and
7. The Office of the Assistant Public Works Director of said City is hereby designated as the office to answer inquiries regarding any protest proceedings to be had herein, and may be contacted during regular office hours at the Civic Center, 701 Laurel Street, Menlo Park, California, 94025, or by calling (650) 330-6740.

I, Margaret S. Roberts, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2013, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2013.

Margaret S. Roberts, MMC
City Clerk

Exhibit A

City of Menlo Park Landscaping District

Maintaining and servicing of street trees, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health, and beauty of landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury, the removal of trimmings, rubbish, debris, and other solid waste, and water for the irrigation thereof, and the installation or construction, including the maintenance and servicing thereof, of curbs, gutters, sidewalks, and parking strips.



CITY OF MENLO PARK
LANDSCAPING ASSESSMENT DISTRICT

ENGINEER'S REPORT

FISCAL YEAR 2013-14

MAY, 2013

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
SCIConsultingGroup
4745 MANGELS BLVD.
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430.4300
FAX 707.430.4319
WWW.SCI-CG.COM

CITY OF MENLO PARK

MENLO PARK CITY COUNCIL

Mayor Peter I. Ohtaki
Mayor Pro Tem Ray Mueller
Council Member Catherine Carlton
Council Member Richard Cline
Council Member Kirsten Keith

CITY MANAGER

Alex D. McIntyre

ASSISTANT PUBLIC WORKS DIRECTOR

Ruben Niño

CITY CLERK

Margaret S. Roberts

CITY ATTORNEY

Bill McClure

ENGINEER OF WORK

SCI Consulting Group
Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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INTRODUCTION

ASSESSMENT BACKGROUND

Between 1960 and 1982, the City of Menlo Park had one three-person crew to care for approximately 9,000 City trees. As the trees grew, it took considerably more time per tree to provide proper care. Consequently one tree crew was unable to perform the necessary work to maintain all of the street trees in proper condition. The Landscape Assessment District was originally formed in 1983 for the purpose of levying annual special assessments in order to properly maintain street trees in the City of Menlo Park. Currently, there are approximately 11,000 street trees that are maintained by the assessments.

Prior to 1990, property owners and the City would split the cost of repairing sidewalks damaged by City trees. The City would annually enter into an agreement with approximately 200 individual property owners. The one-time cost was a financial burden to some residents on fixed incomes. In order to make the program more cost-effective and less of a financial burden for property owners, an assessment for repair of sidewalks/parking strips due to City street-tree related damages was established in 1990.

The increased cost of the necessary work made the assessment amounts levied in Fiscal Year 1997-98 insufficient for adequately maintaining the City's street trees, curbs, gutters and sidewalks. An increase in the assessments was required to provide funding for continued tree maintenance and sidewalk repairs. However, with the passage of Proposition 218 on November 6, 1996, assessments can only be raised after the City conducts an assessment ballot proceeding and the ballots submitted in opposition to the assessments do not exceed the ballots in favor of the assessments. (Each ballot is weighted by the amount of assessment for the property it represents.)

ASSESSMENT PROCESS

In 1998, the City conducted an assessment ballot proceeding for increased tree maintenance and sidewalk repair assessments pursuant to the requirements of Article XIID of the California Constitution (Proposition 218) and the Landscaping and Lighting Act of 1972. The proposed tree maintenance assessments for fiscal year 1998-99 were \$64.28 per single family equivalent unit and the proposed sidewalk repair assessments were \$28.70 per single family equivalent. The proposed maximum assessments also included an annual assessment cost escalator tied to the annual change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area ("ENR Index"). These proposed assessments were supported by 73% of assessment ballots received from property owners (with each ballot weighted by the amount of assessments it represented). Therefore, on June 16, 1998 by its Resolution Number 4840-D, the City Council levied the new assessments.

ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS

In each subsequent year for which the assessments will be continued, the City Council must direct the preparation of an Engineer's Report, budgets and proposed assessments

for the upcoming fiscal year. After the Engineer's Report is completed, the City Council may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Council.

The maximum authorized assessment rate, as increased each year by the change in the ENR Index, is the maximum assessment rate that can be levied in the given fiscal year without approval from property owners in another assessment ballot proceeding. In fiscal year 1998-99, the assessments were levied at the maximum rate for that fiscal year. Since this first fiscal year after the ballot proceeding, the assessments have been levied below the maximum authorized rate.

From December 2011 to December 2012, the ENR Index increased 1.47 percent. The maximum amount assessments can be increased annually is the ENR Index plus any uncaptured excess reserved from prior years, to a maximum increase of up to 3%.

Based on accumulated excess reserves from prior years, the maximum authorized rates for fiscal year 2013-14 are \$95.59 for trees and \$42.68 for sidewalks without another ballot proceeding. (No additional ballot proceeding is required because the maximum authorized assessment rates, including the annual adjustments in these rates, were approved in the 1998 ballot proceeding. The actual rate levied in any given fiscal year can be revised up, with an annual maximum increase of 3%, or down, by any amount that does not cause the actual rates levied to exceed the maximum authorized assessment rates.)

The City reduced the assessment rate for tree maintenance in fiscal year 2000-01 and increased the assessment rate in fiscal years 2002-03, and 2005-06 through 2009-10. In other fiscal years it was not necessary to increase the rate, due to sufficient reserve funds carried forward from prior fiscal years, combined with general benefit contributions. For fiscal year 2013-14 the proposed assessments for tree maintenance are not proposed to increase from fiscal year 2012-13, and the assessments for sidewalk maintenance are still not proposed to increase. The proposed rates therefore are \$60.26 per Single Family Equivalent (SFE) for tree maintenance and \$28.70 per SFE for sidewalk repairs.

If the Council approves this Engineer's Report and the continuation of the assessments by resolution, a notice of assessment levies must be published in a local newspaper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10 day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the assessments. This hearing is currently scheduled for June 11, 2013. At this hearing, the Council will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2013-14. If so confirmed and approved, the assessments will be submitted to the County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2013-14.

LEGAL ANALYSIS

PROPOSITION 218

This assessment is consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIII C and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process used to establish this assessment.

The original assessment existed prior to the passage of Proposition 218. Although the original assessment is also consistent with Proposition 218, the California judiciary has generally referred to pre-Proposition 218 assessments as "grandfathered assessments" and held them to a lower standard than post Proposition 218 assessments.

SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA vs. SCCOSA"). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the assessment district

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

PLANS & SPECIFICATIONS

Following is a description of the Services that are provided for the benefit of property in the Assessment District. Prior to the residential development in Menlo Park, the Level of Service on these improvements was effectively zero. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre-development) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

Final Level of Service	=	Baseline Level of Service (≈zero, pre-development)	+	Enhanced Level of Service
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The City of Menlo Park maintains street trees, sidewalks, curbs, gutters, and parking strips throughout the City.

The proposed improvements to be undertaken by the City of Menlo Park and financed by the levy of the annual assessment provide special benefit to Assessor Parcels within the District as defined in the Method of Assessment herein. The said improvements consist of maintaining, trimming, disease treatment, and replacement of street trees; street sweeping to remove debris; and the repair and replacement of damaged sidewalks, curbs, gutters, and parking strips damaged by street trees throughout the City of Menlo Park.

METHOD OF ASSESSMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the maintenance, repair, and replacement of street trees, sidewalks, curbs, gutters, and parking strips throughout the City, and the methodology used to apportion the total assessment to properties within the Landscaping Assessment District.

The Landscaping Assessment District consists of all Assessor Parcels within the boundaries of the City of Menlo Park as defined by the County of San Mateo tax code areas. The method used for apportioning the assessment is based upon the proportional special benefits to be derived by the properties in the Landscaping Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to properties. This benefit is received by property over and above any general benefits and such benefit is not based on any one property owner's use of the amenities or a property owner's specific demographic status. With reference to the requirements for assessment, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Article XIII D, Section 4 of the California Constitution has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of landscaping and lighting improvements to be provided with the assessment proceeds. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by property from maintenance and improvements such as those within by the District. These types of special benefit are summarized as follows:

- A. PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- B. ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- C. IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT.
- D. ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.
- E. INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.
- F. ENHANCED DESIRABILITY OF THE PROPERTY.
- G. REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE.

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that landscaping improvements are a direct advantage and special benefit to property that is proximate to landscaping that is improved by an assessment:

The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).

Proximity, improved access and views, in addition to the other special benefits listed above further strengthen the basis of these assessments.

BENEFIT FACTORS

The special benefits from the Improvements are further detailed below:

PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the landscaping areas in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits, but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaping areas that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT

The City, by maintaining these landscaped areas, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District. The Landscaping Assessment District provides funding to maintain and protect these public resources and facilities of the City. For example, the assessments provide funding to trim and maintain the street trees to maintain them in a healthy condition. This benefits properties by maintaining and improving the public resources in the community.

In order to allocate the proposed assessments, the Engineer begins by identifying the types of special benefit arising from the maintenance, repair, and replacement of the aforementioned facilities and that would be provided to property within the District. These types of special benefit are as follows:

ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.

Residential properties benefit from the enhanced environment provided by a vigorous program to install and maintain the street trees at a level beyond that followed by other cities throughout the County. The increased use of street trees provides an atmosphere of beauty beyond the norm. The improvements to the trees will be available to residents and guests of properties within the District.

Non-residential properties also will benefit from these improvements in many ways. The use of street trees softens the environment making it more pleasant for employees during commute time and at breaks from their work. These improvements, therefore, enhance an employer's ability to attract and keep quality employees. The benefits to employers ultimately flow to the property because better employees improve the employment

prospects for companies and enhanced economic conditions benefit the property by making it more valuable.

INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.

An aggressive inspection program identifies hazardous conditions in sidewalks, curbs and gutters caused by street trees and allows for these conditions to be repaired on a timely basis. Timely repair of hazardous conditions greatly improves the overall safety of the environment, thereby providing for safer use of property.

ENHANCED DESIRABILITY OF THE PROPERTY

The assessments will provide funding to improve the City's street tree program, raising the quality to a more desired level, and to ensure that the sidewalks, curbs, and gutters remain operable, safe, clean and well maintained. Such improved and well-maintained facilities enhance the overall desirability of property. This is a benefit to residential, commercial and industrial properties.

REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE

The assessments will reduce the liability for landscape maintenance to street trees and other improvements. This is a benefit to residential, commercial and industrial properties.

GENERAL VS. SPECIAL BENEFIT

Article XIII D of the Constitution specifies that only special benefits are assessable and that the City must separate the general benefits from the special benefits conferred on any parcel. The complete analysis of special benefits and their allocation are found elsewhere in this report. For the Landscaping Assessment District, the City has identified a general benefit and has separated it from the special assessments.

The City's maintenance of street trees and sidewalk facilities provides a general benefit to the community and to the general public to some degree. The measure of this general benefit is the enhancement of the environment and safety provided to the greater public at large. This general benefit can be measured by the proportionate amount of time that the City's sidewalks and street trees are used and enjoyed by the greater public at large¹. It is reasonable to assume that approximately 1/4 or 25% of the usage and enjoyment of the improvements is by the greater public. Therefore, approximately 25% of the benefits conferred by the improvements are general in nature.

¹ . The greater public at large is generally defined as those who are not residents, property owners, customers or employees within the City, and residents who do not live in close proximity to the improvements.

The City's total budget for maintenance and improvement of its trees and sidewalk facilities is \$1,259,959. Of this total budget amount, the City will contribute \$120,000 from sources other than the assessments for sidewalk repair and \$214,600 for street tree maintenance. In addition, a County program contributes \$20,700 for the tree maintenance fund, which is used by the City for street sweeping. These contributions by the City and County equate to approximately 28.2% of the total budget for maintenance, and when combined with the reserve funds carried forward from Fiscal Year the previous fiscal year, more than offset the cost of the general benefits resulting from the improvements.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments. However, in this Report, the general benefit is more conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

METHOD OF ASSESSMENT

The second step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalents (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated a SFE value, which is each property's relative benefit in relation to a single family home on one parcel. The "benchmark" property is the single family detached dwelling which is one Single Family Equivalent, or one SFE.

As stated previously, the special benefits derived from the assessments are conferred on property and are not based on a specific property owner's use of the improvements, on a specific property owner's occupancy of property, or the property owner's demographic status such as age or number of dependents. However, it is ultimately people who enjoy the special benefits described above, use and enjoy the City's trees and sidewalks, and control property values by placing a value on the special benefits to be provided by the improvements. In other words, the benefits derived to property are related the average number of people who could potentially live on, work at or otherwise could use a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise use a property is an indicator of the relative level of benefit received by the property.

ASSESSMENT APPORTIONMENT - STREET TREES

PROPERTIES WITH STREET TREES

All improved residential properties that represent a single residential dwelling unit and have a street tree on or fronting the property are assigned 1.0 SFE. All single-family houses with tree(s) and those units in R-2 zones that are being used as single family dwellings (with trees) are included in this category.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the improvements in proportion to the number of dwelling units that occupy each property and the relative number of people who reside in multi-family residential units compared to the average number of people who reside in a single-family home. The population density factors for the County of San Mateo are depicted below. The SFE factors for condominium, townhouse, and multi-family parcels, as derived from relative dwelling unit population density, are also shown below.

FIGURE 1 – RESIDENTIAL ASSESSMENT FACTORS

<i>Total Population</i>	<i>Occupied Households</i>	<i>Persons per Household</i>	<i>SFE Factor- Single Family Residential</i>	<i>SFE Factor- Condominium/ Townhouse</i>	<i>SFE Factor- Multi-Family Residential</i>
717,041	257,849	2.74	1.0	0.9	0.8

Source: 2003 Census, San Mateo County

The SFE factor for condominium, townhouse, and multi-family parcels is based on the ratio of average persons per household for the property type versus the average persons per household for a single family residential home. Multi-family units are assessed at 0.80 per unit up to a maximum of 4.0 SFE per parcel (maximum of 5 units multiplied by 0.80). Condominium and townhouse parcels are assessed at 0.90 per unit, up to a maximum of 4.5 SFEs per development (maximum of 5 units multiplied by 0.90).

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single-family residential property and the average commercial/industrial property. The average size of a parcel for a single-family home in the District is approximately 0.18 acres, and such single-family property has an SFE value of 1.0. Using the equivalence of benefit on a land area basis, improved commercial and industrial parcels of approximately 0.20 acres or less would also receive an SFE benefit factor of 1.0. Commercial and industrial parcels in excess of a fifth of an acre in size are assigned 1.0 SFE per 0.20 acre or portion thereof, and the maximum benefit factor for any commercial/industrial parcel is 5.0 SFE.

Vacant parcels are also benefited from the street tree improvement and maintenance program. An example of a benefit is enhancement of the visual appeal that will accrue to a vacant parcel from the presence or proximity of the community's street trees based on its future potential use. Undeveloped property also benefits from the installation and maintenance of street trees, because if the property is developed during the year, the street trees will be available to the developed property. The relative benefit to vacant property is determined to be generally equal to the benefit to a single-family home property. Therefore, vacant property with street tree(s) are assessed 1 SFE.

PROPERTIES WITHOUT STREET TREES

The special benefit factors conferred on property can be defined by the benefits conferred to properties with and without street trees. The types of benefits conferred to all property in the community include protection of views, screening, and resource values and enhanced desirability of the property. A higher level of special benefits is conferred directly on parcels with street trees because these parcels obtain additional benefits from well-maintained, healthy trees fronting the property. The types of special benefits that are increased for properties with street trees include enhanced levels of safety, desirability, unique proximity, access and views of resources and facilities from healthy trees on the property. Therefore, individual properties without street trees but in close proximity to parcels with street trees receive a direct benefit from the street trees and should pay 50% of the rate for a similar property with street trees. Such properties are assigned an SFE benefit factor that is 50% of that for a similar property with street trees.

ASSESSMENT APPORTIONMENT - SIDEWALK PROGRAM

The benefits to property for sidewalks, curbs, gutters and parking strips are closely related to a parcel's proximity to these improvements and the parcel's proximity to street trees. Street trees are the most common cause of sidewalk problems. Therefore, the highest benefit from the proposed sidewalk improvements is to properties with street trees and sidewalks, curbs and gutters, or street trees and parking strips and gutters, because without the maintenance work, these improvements would degrade more quickly, which would affect the parcel's appearance and safety. It is estimated that 1/3 of the special benefits are conferred to property with street trees and sidewalks or parking strips. Another 1/3 of the special benefits are conferred to property with street trees and curbs and gutters. Special benefit factors are also conferred on property without street trees or adjoining sidewalk, curb, gutter and/or parking strip improvements that are in close proximity to these types of improvements. It is estimated that the remaining 1/3 of the special benefit factors from the Sidewalk Program are conferred to these parcels that are in close proximity to the improvements but that do not have improvements directly adjacent to their property.

Consequently, properties with street trees and sidewalks or parking strips and curbs and gutters or valley gutters are assigned a benefit factor of 1 SFE. Properties with street trees, curbs and gutters are assigned a benefit factor of 0.67 SFE. If there are street trees but no improvements along the frontage of a parcel, or no street trees on a parcel, its benefit is 1/3 or 0.33 SFE.

ASSESSMENT APPORTIONMENT - OTHER PROPERTIES

Improved, publicly owned parcels that are used for residential, commercial or industrial purposes are assessed at the rates specified previously. Other improved public property; institutional property and properties used for educational purposes, typically generate employees on a less consistent basis than other non-residential parcels. Moreover, many of these parcels provide some degree of on-site amenities that serve to offset some of the benefits from the District. Therefore, these parcels, with or without street trees, receive minimal benefit and are assessed an SFE factor of 1 for street tree assessments and an SFE factor of 1 for sidewalks, curbs and gutter assessments.

All properties that are specially benefited have been assessed. Agricultural parcels without living units, public right-of-way parcels, well, reservoir or other water rights parcels, unimproved open space parcels, watershed parcels and common area parcels generally provide recreational, open space and/or scenic benefits to the community. As such, they tend to provide similar benefits as provided by the improvements in the District. Any benefits they would receive from the landscaping maintenance are generally offset by the equivalent benefits they provide. Moreover, these parcels typically do not generate employees, residents or customers. Such parcels are, therefore, not specially benefited and are not assessed.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the Engineering Services Manager of the City of Menlo Park or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the Engineering Services Manager or his or her designee will promptly review the appeal and any information provided by the property owner. If the Engineering Services Manager or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County of San Mateo for collection, the Engineering Services Manager or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the Engineering Services Manager or his or her designee shall be referred to the City Council of the City of Menlo Park and the decision of the City Council of the City of Menlo Park shall be final.

FIGURE 2 – TREE MAINTENANCE ASSESSMENTS

TREE MAINTENANCE ASSESSMENTS

<i>Property Type</i>	<i>2013-14 Assessment Rates</i>	
<i>Parcels with Trees</i>		
Single Family	\$60.26	(per Parcel)
R-2 Zone, in use as single family	\$60.26	(per Parcel)
Condominium/Townhouse	\$54.23	(per Unit, \$271.17 max. per Project)
Other Multi-family	\$48.21	(per Unit, \$241.04 max. per Project)
Commercial	\$60.26	(per 1/5 acre, \$301.30 max. per Project)
Industrial	\$60.26	(per 1/5 acre, \$301.30 max. per Project)
Parks, Educational	\$60.26	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
<i>Parcels without Trees</i>		
Single Family	\$30.13	(per Parcel)
R-2 Zone, in use as single family	\$30.13	(per Parcel)
Condominium/Townhouse	\$27.12	(per Unit, \$135.59 max. per Project)
Other Multi-family	\$24.10	(per Unit, \$120.52 max. per Project)
Commercial	\$30.13	(per 1/5 acre, \$150.65 max.)
Industrial	\$30.13	(per 1/5 acre, \$150.65 max.)
Parks, Educational	\$30.13	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

FIGURE 3 – SIDEWALK, CURB, GUTTER, PARKING STRIP ASSESSMENTS

SIDEWALK, CURB, GUTTER, PARKING STRIP ASSESSMENTS

<i>Parcels with Trees</i>	<i>2013-14 Assessment Rates</i>	
Sidewalks, curbs, gutters	\$28.70	(per Parcel)
Parking strips and gutters	\$28.70	(per Parcel)
Curbs and/or gutters only	\$19.23	(per Parcel)
No improvements	\$9.47	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
<i>Parcels without Trees</i>		
Parcels with or without improvements	\$9.47	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

Note: All total combined tree and sidewalk assessment amounts are rounded to the lower even penny.

ASSESSMENT

WHEREAS, on January 24, 2013 the City Council of the City of Menlo Park, County of San Mateo, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution (collectively "the Act"), adopted its Resolution Initiating Proceedings for the Levy of Assessments within the Landscaping Assessment District;

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the assessment district and an assessment of the estimated costs of the improvements upon all assessable parcels within the assessment district, to which Resolution and the description of said proposed improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City of Menlo Park, hereby make the following assessment to cover the portion of the estimated cost of said improvements, and the costs and expenses incidental thereto to be paid by the assessment district.

The amount to be paid for said improvements and the expense incidental thereto, to be paid by the Landscaping Assessment District for the fiscal year 2013-14 is generally as follows:

Figure 4 – Summary Cost Estimate

	<i>F.Y. 2013-14</i> <i>Budget</i>
Street Tree Program	\$542,905
Street Sweeping	\$217,818
Sidewalk Program	\$400,000
Incidental Expenses	\$99,236
TOTAL BUDGET	\$1,259,959
Plus:	
Projected Fund Balance	\$271,072
Less:	
City Contribution for General Benefits	(\$334,600)
County Contribution for General Benefits	(\$20,700)
Contribution from Carry-Over Fund Balances	(\$431,892)
NET AMOUNT TO ASSESSMENTS	\$743,839

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Landscaping Assessment District. The distinctive number of each parcel or lot of land in the said Landscaping Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

And I do hereby assess and apportion said net amount of the cost and expenses of said improvements, including the costs and expenses incidental thereto, upon the parcels and lots of land within said Landscaping Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessment is made upon the parcels or lots of land within the Landscaping Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said improvements.

The assessment is subject to an annual adjustment tied to the Engineering News Record (ENR) Construction Cost Index for the San Francisco Bay Area, with a maximum annual adjustment not to exceed 3%. Any change in the ENR in excess of 3% shall be cumulatively reserved as the "Unused ENR" and shall be used to increase the maximum authorized assessment rate in years in which the ENR is less than 3%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 3% or 2) the change in the ENR plus any Unused ENR as described above.

The change in the ENR from December 2011 to December 2012 was 1.47% and the Unused ENR carried forward from the previous fiscal year is 24.27% for tree maintenance and 42.89% for sidewalk maintenance. (The unused ENR for sidewalk maintenance is greater than the unused ENR for tree maintenance because no increases have been applied for sidewalk maintenance since 1998.) Therefore, the maximum authorized assessment rate for fiscal year 2013-14 is increased above the maximum authorized rate for the previous fiscal year, to \$95.59 per single family equivalent benefit unit for tree maintenance and \$42.68 per single family equivalent benefit unit for sidewalk maintenance. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2013-14 at the rate of \$60.26 per single family equivalent benefit unit for tree maintenance, which is less than the maximum authorized assessment rate and is the same rate that was assessed in the previous fiscal year. The proposed assessment rate for fiscal year 2013-14 for sidewalk maintenance is \$28.70 per single family equivalent benefit unit, which is also less than the maximum authorized assessment rate and is also the same rate that was assessed in the previous fiscal year.

Property owners in the Assessment District, in an assessment ballot proceeding, approved the initial fiscal year benefit assessment for special benefits to their property including the ENR adjustment schedule. As a result, the assessment may continue to be levied annually

and may be adjusted by up to the maximum annual ENR adjustment without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of San Mateo for the fiscal year 2013-14. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2013-14 for each parcel or lot of land within the said Landscaping Assessment District.

May 8, 2013

Engineer of Work



By _____
John W. Bliss, License No. C52091



FIGURE 5 – ENGINEER’S COST ESTIMATE, FISCAL YEAR 2013-14
2013-14
CITY OF MENLO PARK LANDSCAPING ASSESSMENT DISTRICT
ENGINEER’S COST ESTIMATE

A. Tree Maintenance		
Salaries & Benefits	\$286,818.00	
Operating Expense	\$33,387.00	
Fixed Assets & Capital Outlay	\$4,500.00	
Vehicle & Equipment Maintenance	\$18,200.00	
Professional Services (Tree Spraying, Tree Trimming, Misc.)	\$200,000.00	
Subtotal - Tree Maintenance		\$542,905.00
 B. Debris Removal		
Salaries & Benefits	\$71,228.00	
Operating Expense	\$1,590.00	
Street Sweeping Contract	\$145,000.00	
Subtotal - Debris Removal		\$217,818.00
 C. Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement		
Construction Costs	\$325,000.00	
Design & Inspection	\$75,000.00	
Subtotal - S/W,C,G, & PS Repair/Replace		\$400,000.00
Subtotal Tree/Debris/Reforestation/Sidewalk		\$1,160,723.00
 D. Incidentals		
Indirect Costs & Administration	\$84,236.00	
County Collection Fees	\$15,000.00	
Subtotal - Incidentals		\$99,236.00
Total Cost		\$1,259,959.00

Projected Fund Balance	\$271,071.60
Tree Maintenance Ending Fund Balance	(\$169,704.00)
Less General Fund Contribution	(\$214,600.00)
Less C/CAG Contribution - Street Sweeping	(\$20,700.00)
Sidewalk Fund Ending Balance	(\$262,188.00)
Less General Fund CIP Contribution to Sidewalk Fund	(\$120,000.00)
Net to Assessment	\$743,838.60

Revenue

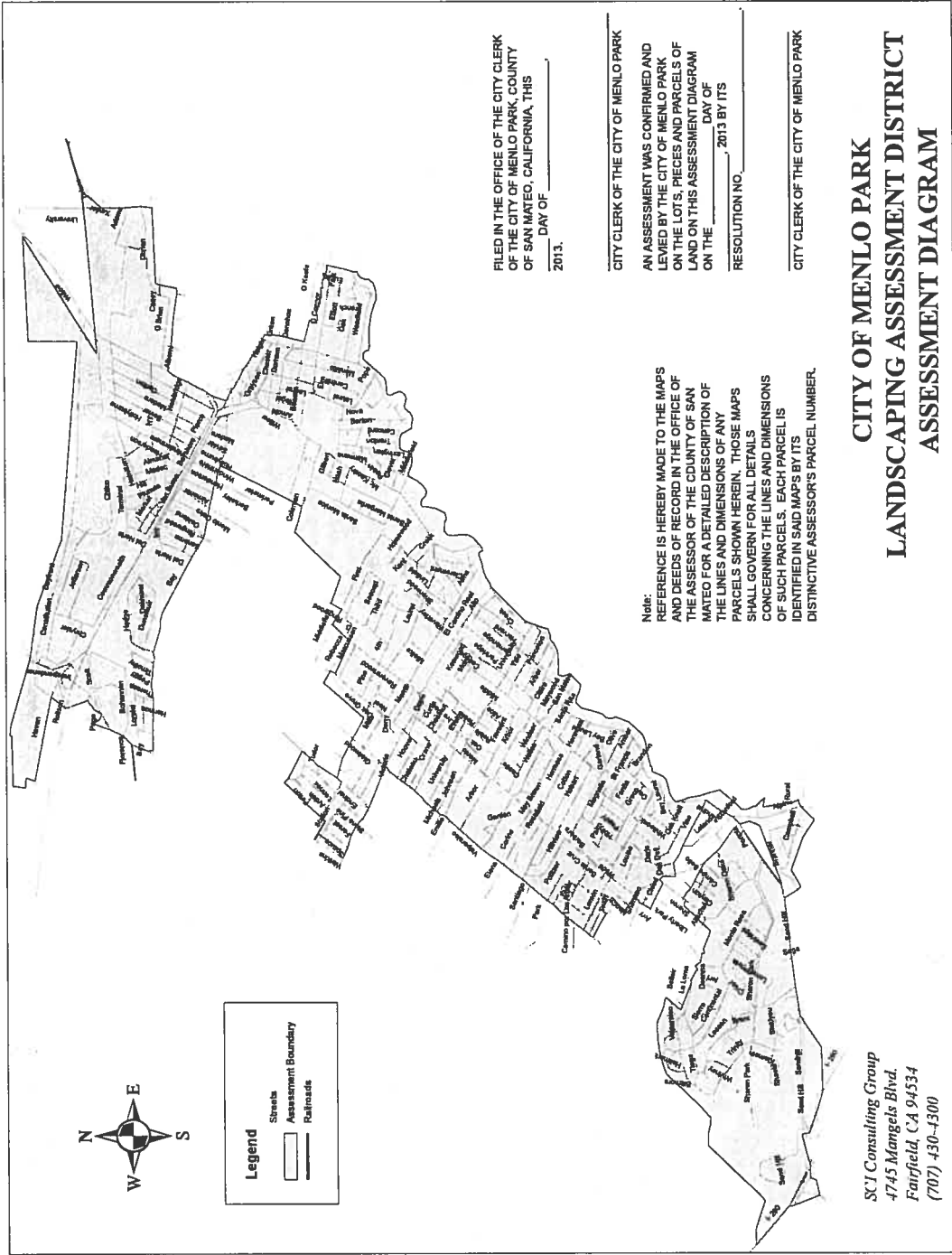
Single Family Equivalent Benefit Units - Trees		9,085.67
Single Family Equivalent Benefit Units - Sidewalks		6,840.98
	2013/14	2012/13
Assessment Rate for Tree Fund/ SFE	\$60.26	\$60.26
Assessment Rate for Sidewalk Fund/ SFE	\$28.70	\$28.70
Revenue for Tree Fund		\$547,502.47
Revenue for Sidewalk Fund		\$196,336.13
Total Revenue *		\$743,838.60

* Total revenue is slightly less than SFEs times the assessment rate because all combined assessments are rounded down to the even penny.

ASSESSMENT DIAGRAM

The Landscaping Assessment District includes all properties within the boundaries of the City of Menlo Park.

The boundaries of the Landscaping Assessment District are displayed on the following Assessment Diagram.



APPENDIX A – ASSESSMENT ROLL, FY 2013-14

Reference is hereby made to the Assessment Roll in and for the assessment proceedings on file in the office of the City Clerk of the City of Menlo Park, as the Assessment Roll is too voluminous to be bound with this Engineer's Report.



PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 21, 2013

Staff Report #: 13-083

Agenda Item #: D-2

CONSENT CALENDAR: **Approve the Response to the San Mateo Grand Jury Report “Water Recycling” – An Important Component of Wise Water Management**

RECOMMENDATION

Staff recommends that the City Council approve and Mayor sign the attached response to the San Mateo County Grand Jury report “Water Recycling” – An Important Component of Wise Water Management dated March 6, 2013.

BACKGROUND

The San Mateo County Grand Jury conducted an investigation into recycled water use and found that only the Cities of Daly City and Redwood City have implemented water recycling programs and the remaining Cities and County are considering recycling or do not have a plan including Menlo Park. The attached letter has been written in response to the Grand Jury findings and recommendations.

The Grand Jury filed a report on March 6, 2013 (Attachment B) which contained six findings and seven recommendations. Comments responding to the Findings and Recommendations were required to be submitted to the Honorable Judge Richard C. Livermore no later than June 4, 2013. The City’s response must be approved by the City Council at a public meeting.

ANALYSIS

Staff reviewed existing reports in regards to the Water Recycling in San Mateo County including Menlo Park. The Menlo Park response included some of the relevant findings and recommendations gleaned from this analysis.

IMPACT ON CITY RESOURCES

Approving and submitting a response to the Grand Jury report has no direct impact on City resources.

POLICY ISSUES

There are no policy implications as the Menlo Park is in compliance with the Grand Jury recommendation.

ENVIRONMENTAL REVIEW

No environmental assessment is required.

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. City of Menlo Park Response Letter
- B. Grand Jury Report

Report prepared by:
Ruben Niño
Assistant Public Works Director



City Council

May 22, 2013

The Honorable Richard Livermore
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Report – “Water recycling – An Important Component of Wise Water Management”

Dear Judge Livermore:

The Menlo Park City Council received the above referenced San Mateo County Civil Grand Jury Report in March 2013. The report identifies certain findings and recommendations, and requests that the City Council respond in writing to those findings and recommendations no later than June 4, 2013.

Regarding the “findings” of the San Mateo County Civil Grand Jury, Council was requested to respond with one of the following:

1. Council agrees with the finding.
2. Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

Regarding the “recommendations” of the San Mateo County Civil Grand Jury, Council was requested to report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the

governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the Grand Jury report.

4. The recommendation will not be implemented because it is not warranted or reasonable, with an explanation therefore.

The City of Menlo Park responds to the San Mateo County Civil Grand Jury's report as follows:

Summary of Recycled Water Survey Responses

Menlo Park – Menlo Park did not cite a reason for not developing a program.

Staff is unsure who the Grand Jury spoke to regarding whether the City was going to develop a recycling program. Recycling water is normally developed by wastewater treatment facilities and the City does not operate a treatment facility. The City of Menlo Park has participated in the City of Redwood/SBSA and Palo Alto studies on recycled water and they both concluded that it was not cost effective to bring recycled water to Menlo Park at this time.

FINDINGS

F1. There is a growing imbalance in the County and the region between water supply and demand.

City Response: Regional water supply and demand projections developed by BAWSCA (Bay Area Water Supply and Conservation Agency) indicate that water demand will exceed water supply in the region. With the assumption that these projections are accurate, the City of Menlo Park agrees with this finding.

F2. The County and Cities must reduce their residents' dependence on imported water by diversifying their water supply sources.

City Response: Regional water supply and demand projections developed by BAWSCA indicate that water demand will exceed water supply in the region. With the assumption that these projections are accurate, the City of Menlo Park agrees with this finding.

F3. Water recycling alone cannot completely mitigate the growing imbalance between water supply and demand, but used in conjunction with other water management options it can help the County and Cities maintain a safe and reliable water source.

City Response: Regional water supply and demand projections developed by BAWSCA indicate that water demand will exceed water supply in the region. With the assumption that these projections are accurate, the City of Menlo Park agrees with this finding.

F4. Properly produced and used, recycled water poses little or no public health risk.

City Response: If produced and used in accordance with existing regulations (such as Title 22, Division 4, Chapter 3 of the California Code of Regulations (“CCR”) and Title 17, Division 1, Chapter 5 of the CCR), the City agrees that recycled water likely poses little or no public health risk; however the City has not conducted a literature review to develop an independent opinion on this topic.

F5. Educational programs are necessary to highlight the growing importance of recycled water in the County and the region.

City Response: The necessity of recycled water education programs varies from community to community. Educational programs are more important to communities currently with recycled water programs than those without. The City agrees that regional educational programs may provide a benefit for cities that are developing or planning to develop recycled water programs.

F6. The County and Cities would benefit from collaborative arrangements to jointly produce and distribute recycled water where appropriate.

City Response: The City agrees that collaborative arrangements to jointly produce and distribute recycled water may provide cost-benefits associated with economies of scale, however the actual benefit would vary city to city.

RECOMMENDATIONS

Grand Jury Recommendations R1 through R5 are not addressed herein because they pertain to cities and water agencies other than Menlo Park. As Menlo Park is not responsible for the actions of other water agencies, it cannot respond to such recommendations.

The Grand Jury recommends that the **County Board of Supervisors and the City/Town Councils of Atherton, Belmont, Burlingame, Colma, East Palo Alto, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Portola Valley, San Carlos, and Woodside** do the following, on or before June 30, 2015:

R6. Engage in active dialogue with water purveyors and wastewater treatment providers, as applicable, about the feasibility of developing a program for producing and distributing recycled water.

Response: The City agrees to participate in any studies on the use of recycled water or alternative water supply that would benefit the City.

R7. Conduct any studies that may be required to develop a program for recycling water.

Response: The City of Menlo Park adopted an Urban Water Management Plan (UWMP) in 2011. Chapter 4.7 of the 2011 UWMP analyzed existing and future recycled uses. The conclusion of the study is that although the City has some potential users of recycled water they are located far from recycled water suppliers at this time. As the agencies responsible for recycled water engage in studies that would benefit Menlo Park, the City will fully participate in those studies. Also, the City is required to update the UWMP every five years and will update it in 2014-15.

Sincerely,

Peter Ohtaki
Mayor
City of Menlo Park

This is an advanced copy of a Grand Jury report that will be publicly released on March 6, 2013. Penal Code section 933.05 (f) prohibits any officer, agency, department, or governing body of a public agency from disclosing any contents of the report prior to the public release of this report.



WATER RECYCLING – AN IMPORTANT COMPONENT OF WISE WATER MANAGEMENT

SUMMARY

San Mateo County's more than 720,000 residents are almost completely dependent on the Hetch Hetchy regional water system, a system vulnerable to drought and changing weather patterns. Facing an expanding population and a limited water supply, San Mateo County (County)¹ and its 20 cities and towns (Cities) must reduce their residents' dependence on imported water by diversifying their water supply sources. One way to diversify is through the increased use of recycled water.

Water recycling alone cannot completely mitigate the growing imbalance between water supply and demand, but used in conjunction with other water management options it can help the County and Cities maintain a safe and reliable water source.

Water recycling reduces regional dependence on imported water by providing a local, drought-resistant water source. It enhances water quality by reducing discharges to and diversions from ecologically sensitive water bodies. It is environmentally sustainable and has a smaller energy footprint than most other water supply sources.

The 2012-2013 San Mateo County Civil Grand Jury (Grand Jury) investigated recycled water use and found that only the cities of Daly City and Redwood City have implemented water recycling programs. The cities of Brisbane, Foster City, Pacifica, San Bruno, South San Francisco, and San Mateo have water recycling programs under consideration. The cities of Atherton, Belmont, Burlingame, Colma, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Portola Valley, San Carlos, and Woodside, plus the County, do not currently plan to develop water recycling programs. East Palo Alto did not respond to the Grand Jury's survey.

The Grand Jury recommends that Daly City and Redwood City study expansion of their programs into other non-potable uses of recycled water, as well as geographic expansion of their distribution system. The Grand Jury recommends the cities of Brisbane, Foster City, Pacifica, San Bruno, South San Francisco, and San Mateo finalize their feasibility studies and develop educational programs designed to highlight the need for recycled water, while addressing public health risk concerns. The Grand Jury recommends the remaining Cities and the County engage in active dialogue with water purveyors and wastewater treatment providers, as applicable, about the feasibility of developing programs for recycling water.

¹ The term "County" in this report refers to the government of the County or the geographic area of the County, as appropriate to the context in which it is used.

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BACKGROUND

Population growth and climate change put at risk the reliability and sustainability of the water supply that many of us take for granted. Our region's imported water supplies, while still capable of meeting demands during years of normal rainfall, are increasingly less reliable when rainfall is below normal. This problem will continue to worsen as more people and businesses move into the region thereby increasing the demand for water. The *San Francisco Bay Area Integrated Regional Water Management Plan*² highlights the growing imbalance between water supply and demand and provides a blueprint for improving the region's water supply reliability. The plan emphasizes a multi-faceted approach to addressing regional water problems and sets forth a core strategy of increasing the amount of water recycling in the region.

On February 3, 2009, the California State Water Resources Control Board (State Water Board) adopted a policy encouraging the use of recycled water. The State Water Board found that recycled water, when used in compliance with the policy, Title 22, Division 4, Chapter 3 of the California Code of Regulations (CCR), and all applicable state and federal water quality laws, is safe, and strongly supports its use.³

With regional and state support for recycled water, the Grand Jury sought to determine what efforts the County and Cities were undertaking to promote and develop programs for recycling water.

METHODOLOGY

The Grand Jury collected information about water recycling programs in the County via a survey sent to the County Public Works director and each of the Cities' managers. The Grand Jury conducted online research and interviewed representatives from Redwood City, the Bay Area Water Supply and Conservation Agency (BAWSCA), and the South Bayside System Authority. The Grand Jury also toured the South Bayside System Authority treatment facility, the Redwood City recycled water pump station, and a site in Redwood City using recycled water for irrigation.

DISCUSSION

The Need for Recycled Water

According to the City/County Association of Governments (CCAG) Energy Strategy 2012 document,⁴ the County and Cities' water supply systems may not be able to meet the challenges

² "San Francisco Bay Area Integrated Regional Water Management Plan," <http://bairwmp.org/plan/executive-summary> (Dec. 19, 2012).

³ California Recycled Water Policy, http://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/ (Dec. 19, 2012).

⁴ "San Mateo County Energy Strategy 2012," <http://www.ccag.ca.gov/pdf/USTF/reports/Draft%20County%20Energy%20Strategy.pdf> (Dec. 19, 2012).

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of population growth and climate change. The San Francisco Public Utilities Commission, operator of the Hetch Hetchy Aqueduct, estimates that the County and Cities will need an additional 5 million gallons of water per day by 2018 to meet projected demands. In order to meet this demand, the County and Cities will need to implement cost-effective and feasible water conservation and recycling programs.

The County and Cities must diversify their water supply sources and reduce their residents' dependence on water from the Hetch Hetchy regional water system. Recycled water is one of the keys to reducing potable water use. Recycled water can augment water supplies, reduce the impacts and costs of wastewater disposal, and restore and improve sensitive natural environments. Water recycling would help the County and Cities realize the water conservation goals established in the California "20x2020 Water Conservation Plan," that requires urban water suppliers to reduce potable water use 20% by the year 2020.⁵

What is Recycled Water?

Recycled water is wastewater (sewage) treated to remove solids and certain other impurities, such as metals and ammonia, so the water can be used in landscape irrigation and industrial processes, or to recharge groundwater aquifers. The term "recycled water" is synonymous with "reclaimed water" or "reused water."

The Recycling Process

Sanitary sewer systems in the County (Appendix A) deliver wastewater to treatment plants where it progresses through varying degrees of treatment. The end use will dictate whether the wastewater receives primary, secondary, or tertiary treatment and disinfection. (Appendix B)

A dual piping network that keeps recycled water pipes completely separate from drinking water pipes distributes the recycled water to various end users.⁶ Effective June 1, 1993, all pipes designed to carry recycled water must be purple, or wrapped in distinctive purple tape and labeled as recycled water.⁷

Historical Use of Recycled Water

Water recycling has been a part of California's water management plan for more than 100 years.

⁵ California State Water Resources Control Board - 20x2020 Agency Team on Water Conservation, http://www.swrcb.ca.gov/water_issues/hot_topics/20x2020/index.shtml (Dec. 19, 2012).

⁶ Wikipedia - Reclaimed Water, http://en.wikipedia.org/wiki/Reclaimed_water (Dec. 19, 2012).

⁷ "California Health Laws Related to Recycled Water", <http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Recharge/Purplebookupdate6-01.PDF> (Dec. 19, 2012).

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In the early 1900s, partially treated wastewater and groundwater transformed San Francisco's Golden Gate Park from an area of sand and waste to a garden spot. In the 1930s, construction began on the McQueen Treatment Plant in Golden Gate Park to provide secondary-treated recycled water for park irrigation. This practice continued until 1978 when the McQueen plant stopped operating because it did not meet the new state standards for irrigation use.⁸

In 1929, Los Angeles County began using recycled water for landscape irrigation in parks and golf courses.⁹

In 1967, the Irvine Ranch Water District (IRWD) began recycling water at its Michelson Water Reclamation Plant. In 1991, IRWD became the first in the nation to obtain health department permits for the interior use of recycled water for flushing toilets and other non-potable uses.¹⁰

Current Use of Recycled Water

Californians use recycled water for a variety of purposes including irrigation, toilet flushing, construction, water features, dust control, cooling and air conditioning, soil compaction, commercial laundry, car washing, fire sprinkler systems, and sewer and street cleaning. (Appendix C) *Recycled water must not be used for drinking, bathing, or swimming pools!*

In addition to commercial customers, residential customers are increasingly using recycled water. In southern California, virtually all new residential development serviced by the IRWD are required to use recycled water for landscape irrigation. In northern California, Vintage Greens in Windsor is equipped with dual piping that enables homeowners to use recycled water outside and potable water indoors.¹¹

At sites using recycled water for irrigation, signs are displayed warning people not to drink from the irrigation system.

⁸ San Francisco Water - Recycled Water, <http://www.sfwater.org/index.aspx?page=141> (Dec. 19, 2012).

⁹ http://en.wikipedia.org/wiki/Reclaimed_water

¹⁰ Ibid.

¹¹ "Recycled Water: Safe, Successful Use in Hundreds of Cities in California and Throughout America," A Summary Report prepared by the Redwood City Public Works Department, <http://www.datainstincts.com/images/pdf/cacities.pdf> (Dec. 19, 2012).

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Some local governments, such as Los Angeles and Orange County, are using recycled water for indirect, potable groundwater supply augmentation. The recycled water is pumped into groundwater aquifers, is pumped out, treated again, and then finally used as drinking water. The term for this process is “groundwater recharging.”¹²

Benefits of Recycled Water

Water recycling reduces regional dependence on imported water by providing a local, drought-resistant water source. It enhances water quality by reducing discharges to and diversions from ecologically sensitive water bodies. It is environmentally sustainable and has a smaller energy footprint than most other water supply sources. Recycled water requires about one-eighth the energy required for seawater desalination, less than one-half the energy used by the San Francisco regional water system to bring water to the Bay Area, and one-half to three-quarters the energy required to pump groundwater.¹³

The Importance of Educating the Public about Recycled Water

The public is more likely to support the use of recycled water when it understands its role in water management objectives. Education must focus on the environmental and economic benefits of recycled water, while addressing public health risk concerns.

Redwood City has a comprehensive program for educating the public about recycled water. The City uses printed materials and engages in public outreach activities in order to increase the public’s understanding and acceptance of recycled water. Redwood City also requires that all recycled water site supervisors attend a Site Supervisor Certification Workshop.

¹² http://en.wikipedia.org/wiki/Reclaimed_water

¹³ “Importance of Recycled Water to the San Francisco Bay Area” - Bay Area Recycled Water Coalition <http://www.barwc.org/files/LinkClick.pdf> (Dec. 19, 2012).

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Safety Concerns about Recycled Water

When used properly and for its intended use, recycled water is safe. A 2005 study titled, “Irrigation of Parks, Playgrounds, and Schoolyards with Reclaimed Water,” found that there had been no incidences of illness or disease from either microbial pathogens or chemicals, and the risks of using recycled water for irrigation were not measurably different from irrigation using potable water. Studies by the National Academies of Science and the Monterey Regional Water Pollution Control Agency, have found recycled water to be safe for agricultural use.¹⁴

State law regulates the production and use of recycled water. Title 22, Division 4, Chapter 3 of the CCR establishes water quality and public health requirements for recycled water. The California Department of Public Health is responsible for establishing these requirements and regional water quality control boards are responsible for their enforcement. In addition, Title 17, Division 1, Chapter 5 of the CCR establishes requirements to prevent cross connections between recycled water systems and drinking water systems. State and local health departments enforce these regulations.¹⁵

Cost Concerns about Recycled Water

Most recycled water projects are cost competitive with other water management options when the full range of benefits is considered. For example, the State Recycled Water Task Force, which convened in 2001, estimated that the cost of a recycled water program averaged about \$1,025 per acre-foot (325,853 gallons). The Task Force noted this cost was comparable to costs of other water supply options, including new dams, reservoirs, and desalination. The Task Force’s average unit cost estimate is very close to the average unit cost of 26 Bay Area recycled water projects evaluated in 2005. Collectively, the Bay Area projects had an average unit cost between \$1,000 and \$1,200 per acre-foot.¹⁶

People often use unequal comparisons when evaluating the relative cost of recycled water. For example, the cost of recycled water at the customer’s *location* gets compared to the cost of other water supplies at their *source*, without taking into account the transmission, treatment, and distribution costs associated with moving water from its source to the customer’s location. Cost comparisons with other supply options commonly ignore differences in delivery reliability and do not account for the cost of wastewater disposal and environmental impact.¹⁷

¹⁴ http://en.wikipedia.org/wiki/Reclaimed_water

¹⁵ California Department of Public Health Regulations Related to Recycled Water - January 2009, <http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Lawbook/RWregulations-01-2009.pdf> (Dec. 19, 2012).

¹⁶ <http://www.barwc.org/files/LinkClick.pdf>

¹⁷ Ibid.

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Federal, state, and local funding is available to help offset the cost of designing, constructing, and operating water recycling systems. Federal funding is available through the U.S. Bureau of Reclamation under Title XVI of the 1992 Reclamation Wastewater and Groundwater Study & Facilities Act (PL 102-575).¹⁸ State grants are available from a variety of sources including the State Water Board and the California Department of Water Resources.¹⁹ Local funding can include municipal debt repaid through utility rate increases, impact fees, or special assessments.

Cost of Recycled Water to the End User

To encourage the use of recycled water, end users often receive a discount on their water utility bills.²⁰ Redwood City, for example, uses the following recycled water pricing policy:

- **For existing irrigation meters/accounts that connect to recycled water:** Twenty five percent discount on monthly water utility bills beginning with the first billing period following connection to the Recycled Water Project. Discount shall apply to prevailing drinking water rates and charges in effect at the time of physical connection. The City will perform and pay for customer site retrofits related to landscape irrigation.
- **For existing industrial meters/accounts that connect to recycled water:** Forty percent discount on monthly water utility bills beginning with the first billing period following connection to the Recycled Water Project. Discount shall apply to prevailing drinking water rates and charges in effect at the time of physical connection. Customers will pay for and perform all facilities retrofits for industrial uses.

The North San Mateo County Sanitation District, a subsidiary district of the City of Daly City, also charges its customers using recycled water less than it charges customers using potable water.

The Need for Regional Collaboration

The growing imbalance between water supply and demand is a statewide problem, not just a problem in the County. Nevertheless, local water recycling projects are necessary to develop the infrastructure and public acceptance for a regional program.

While there is tremendous opportunity for recycled water in the County, there are numerous regional challenges that need to be addressed in order for local governments to realize the potential benefits of recycled water. These challenges include securing federal and state

¹⁸ US Department of the Interior/Bureau of Reclamation – Title XVI (Water Reclamation and Reuse) Program, <http://www.usbr.gov/lc/social/titlexvi.html> (Dec. 19, 2012).

¹⁹ California State Water Resources Control Board – Water Recycling Funding Program, http://www.waterboards.ca.gov/water_issues/programs/grants_loans/water_recycling/ (Dec. 19, 2012).

²⁰ http://en.wikipedia.org/wiki/Reclaimed_water

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participation in regional projects, coordinating local water plans and projects for regional benefits, resolving jurisdictional constraints, improving public understanding of recycled water, and addressing health risk misconceptions.²¹

BAWSCA is one agency that helps to coordinate local water plans and projects. BAWSCA represents the interests of 24 cities and water districts and 2 private utilities in Alameda, Santa Clara, and San Mateo counties that purchase water wholesale from the San Francisco regional water system.²² BAWSCA has initiated work on a long-term reliable water supply plan. This plan will quantify the projected water supply needs of its member agencies through year 2035 and identify water supply management projects that meet those needs. BAWSCA has also been helpful in coordinating the inclusion of local water recycling projects in regional packages submitted for state grant funding.

²¹ <http://www.barwc.org/files/LinkClick.pdf>

²² Bay Area Water Supply and Conservation Agency, <http://bawasca.org/about/> (Dec. 19, 2012).

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Summary of Recycled Water Survey Responses

Existing Recycled Water Programs	
Daly City/ North San Mateo County Sanitation District	<p>The North San Mateo County Sanitation District, a subsidiary district of Daly City, began delivering recycled water to commercial customers in August 2004. The distribution system consists of 4.85 miles of distribution pipeline, 2 pump stations, and 1.4 million gallons of storage. The geographic area served is Northern San Mateo County and the Southwest portion of the City/County of San Francisco through contractual agreements with its golf clubs. This represents 4.2% of the Sanitation District’s geographic area. At maximum production, 41% of the Sanitation District’s sewage effluent becomes recycled water. Median landscape and playing field irrigation, sewer main flushing, and turf irrigation at the Olympic, San Francisco, Lake Merced, and Harding Park Golf Clubs are the primary uses for the recycled water. Actual usage billed in hundred cubic feet units (748 gallons) determines the charges for recycled water. There are plans to conduct supplementary tests in the winter/spring 2012-2013 to determine if Colma cemeteries, Park Merced, and San Francisco State University can receive recycled water.</p>
Redwood City	<p>In 2002, Redwood City began planning for the development of a citywide recycled water system to address the very real possibility of severe water shortages in the coming years. The city had been exceeding its Hetch Hetchy water allotment and was searching for a way to use less water. In 2003, the City formed a Community Task Force on Recycled Water to build community support for the project. Initial opposition to the project centered on the safety of children at playgrounds and parks. Physical construction of the recycled water project began in 2005. Phase I of the project became operational in 2010. The distribution system consists of 15+ miles of distribution pipeline, 1 pump station, and 4.36 million gallons of storage. The geographic area served includes</p>

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	<p>Redwood Shores and Seaport. This represents 50% of the geographic area of Redwood City. Currently, Redwood City uses 6% of its sewage effluent as recycled water. In 2011, the city saved 169 million gallons of potable water. Redwood City uses recycled water for commercial and residential irrigation, dust control, water features, car washing, and sewer lift station cleaning. Actual usage by metering determines the charges for recycled water. Phase II of the Recycled Water Project calls for expansion into the area west of US 101. In the future, Redwood City can deliver recycled water to adjacent cities.</p>
Recycled Water Projects under Consideration	
Brisbane	<p>Brisbane has a proposed recycled water project under environmental review. The project known as “Brisbane Baylands” is approximately one square mile of underdeveloped brownfield southwest of Candlestick Park on the west side of US 101. Irrigation and toilet flushing within commercial buildings will be the primary uses of the recycled water.</p>
Foster City	<p>Foster City, the Estero Municipal Improvement District, and the City of San Mateo are preparing a Wastewater Treatment Plant Master Plan that will explore the feasibility of producing recycled water. The expected completion date is May 2013.</p>
Pacifica	<p>Pacifica, through a contract with the North Coast County Water District, plans to deliver recycled water for irrigation to Sharp Park Golf Course, Fairway Ballpark, Oceana High School and Ingrid B. Lacy Middle School fields, and the Beach Boulevard Promenade in the Spring of 2013. This represents 10% of its geographic jurisdiction. The recycled water system includes one pump station, three miles of distribution pipeline, and a 400,000-gallon tank. Pacifica anticipates potable water savings of 50 million gallons each year. Recycled water rates will be less than potable water rates.</p>
San Bruno and South San Francisco	<p>San Bruno owns and operates a Water Quality Control plant jointly with South San Francisco. In 2009, a Recycled Water Feasibility Study was completed. A</p>

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	<p>program for recycling water could be operational in the year 2020. The proposed facilities would include approximately four miles of distribution pipe, a 1.4 million gallon per day tertiary treatment system, and two storage tanks. Landscape irrigation at parks and schools in the service area, including the Golden Gate National Cemetery and Commodore Park in San Bruno, will be the primary uses for the recycled water.</p>
City of San Mateo	<p>The City of San Mateo is performing a market analysis to identify demand for recycled water. The city plans to serve low-lying areas, encompassing 30-50% of the city's geographic area. Irrigation would be the main use of recycled water.</p>
Cities/Towns Not Planning on Developing Recycled Water Programs	
Atherton	<p>Atherton stated that CalWater handles its water issues.²³ The West Bay Sanitary District collects Atherton's sewage and the South Bayside System Authority treats it.</p>
Belmont	<p>Belmont is not involved in water distribution or wastewater treatment and does not have the infrastructure to undertake such function. The South Bayside System Authority treats its wastewater.</p>
Burlingame	<p>Burlingame uses a small amount of recycled water at the wastewater treatment plant for washing down equipment, but has no plans to develop a program for distributing recycled water.</p>
Colma	<p>Colma does not have a sewer treatment plant, nor is it a water purveyor. Therefore, the revenue source to fund a capital improvement, such as the infrastructure for a recycled water system, becomes very unlikely. Colma would be interested in recycled water for irrigation purposes. The North San Mateo County Sanitation District, a subsidiary district of Daly City, plans to conduct supplementary tests in the winter/spring 2012-2013 to determine if Colma cemeteries can receive recycled water.</p>

²³ The Grand Jury has limited legal authority to investigate private utility companies such as CalWater.

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Half Moon Bay	The Sewer-Authority Mid-Coastside or the Coastside County Water District is the agency that would implement a program for recycling water. These agencies are responsible for wastewater treatment and water distribution respectively within the city limits of Half Moon Bay.
Hillsborough	Hillsborough does not plan to recycle water. The adjacent cities of Burlingame and San Mateo treat Hillsborough's sewage.
Menlo Park	Menlo Park did not cite a reason for not developing a program.
Millbrae	Millbrae, from 1988 to 2009, used recycled water for landscaping at the US 101/Millbrae Avenue interchange. The practice stopped in 2009 due to renovations at the city's wastewater treatment plant. The city has one pump station and less than one mile of distribution pipe. The city currently has no plans to expand the distribution system stating that it would be cost prohibitive to do so.
Portola Valley	CalWater provides Portola Valley's water service and the West Bay Sanitary District provides its wastewater service. Neither of these utilities have plans to construct a recycled water system to serve Portola Valley.
San Carlos	San Carlos cited the distance to the treatment facility and overall cost as reasons for not pursuing a recycled water program.
Woodside	Woodside did not cite a reason for not developing a program.
County of San Mateo	Recycled water programs usually exist at large-scale wastewater treatment facilities. The County does not operate any large-scale wastewater treatment facilities.

Survey Non-Responders

East Palo Alto did not respond to the Grand Jury's survey on Recycled Water.

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FINDINGS

- F1. There is a growing imbalance in the County and the region between water supply and demand.
- F2. The County and Cities must reduce their residents' dependence on imported water by diversifying their water supply sources.
- F3. Water recycling alone cannot completely mitigate the growing imbalance between water supply and demand, but used in conjunction with other water management options it can help the County and Cities maintain a safe and reliable water source.
- F4. Properly produced and used, recycled water poses little or no public health risk.
- F5. Educational programs are necessary to highlight the growing importance of recycled water in the County and the region.
- F6. The County and Cities would benefit from collaborative arrangements to jointly produce and distribute recycled water where appropriate.

RECOMMENDATIONS

The 2012-2013 San Mateo County Civil Grand Jury recommends that, the *City Councils of Daly City and Redwood City* do the following, on or before June 30, 2014:

- R1. Study expansion of their programs into other non-potable uses of recycled water.
- R2. Study geographic expansion of their recycled water distribution systems.

The Grand Jury recommends that the *City Councils of Brisbane, Foster City, Pacifica, San Bruno, South San Francisco, and San Mateo* do the following, on or before June 30, 2014:

- R3. Finalize current feasibility studies.
- R4. Actively pursue partnerships for producing and distributing recycled water.
- R5. Develop educational programs designed to highlight the need for recycled water, while addressing public health risk concerns.

The Grand Jury recommends that the *County Board of Supervisors and the City/Town Councils of Atherton, Belmont, Burlingame, Colma, East Palo Alto, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Portola Valley, San Carlos, and Woodside* do the following, on or before June 30, 2015:

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R6. Engage in active dialogue with water purveyors and wastewater treatment providers, as applicable, about the feasibility of developing a program for producing and distributing recycled water.

R7. Conduct any studies that may be required to develop a program for recycling water.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the Grand Jury requests the following to respond to the foregoing Findings and Recommendations referring in each instance to the number thereof:

- County Board of Supervisors
- Each City/Town Council in the County

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.
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APPENDIX A

Sewage Collection Systems within Each Treatment Plant Service Area in the County

Treatment Plant Operator	Collection System Operator **	Serves Unincorporated Area	County District *
North San Mateo County Sanitation District	City of Daly City Town of Colma Westborough County Water District	X	
City of Pacifica	City of Pacifica		
Sewer Authority Mid-Coast	City of Half Moon Bay Montara Sanitary District Granada Sanitary District	X X	
City of San Francisco-Southeast Treatment Plant	City of Brisbane Bayshore Sanitary District Guadalupe Valley Municipal Improvement District	X	
South San Francisco-San Bruno	City of South San Francisco City of San Bruno	X	
Airports Commission, City and County of San Francisco	San Francisco International Airport	X	
City of Millbrae	City of Millbrae		
City of Burlingame	City of Burlingame Burlingame Hills Sewer Maintenance District Town of Hillsborough (part)	X	X
City of San Mateo-Estero Municipal Improvement District	Town of Hillsborough (part) City of San Mateo Crystal Springs County Sanitation District Estero Municipal Improvement District	X	X

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Treatment Plant Operator	Collection System Operator **	Serves Unincorporated Area	County District *
South Bayside System Authority	City of Belmont		
	City of San Carlos		
	Harbor Industrial Sewer Maintenance District	X	X
	Scenic Heights County Sanitation District	X	X
	Devonshire County Sanitation District	X	X
	City of Redwood City		
	Edgewood Sewer Maintenance District	X	X
	Emerald Lake Heights Sewer Maintenance District	X	X
	Fair Oaks Sewer Maintenance District	X	X
	Kensington Square Sewer Maintenance District	X	X
	Oak Knoll Sewer Maintenance District	X	X
	West Bay Sanitary District	X	
City of Palo Alto	East Palo Alto Sanitary District		

Source: San Mateo County Planning Division

* The County Public Works Department provides sewer collection services for residents and businesses in the ten sewer maintenance and sanitation districts within the County.

The County does not operate sewage treatment facilities.

** Sewage from all districts flows through the downstream agency's pipes to the wastewater treatment plant. All districts have agreements with the downstream agencies to pay for the use of their pipes and treatment.

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APPENDIX B

RECYCLED WATER USES* ALLOWED IN CALIFORNIA

This summary is prepared by WaterReuse Association of California, from the December 2, 2000, Title 22 adopted Water Recycling Criteria, and supersedes all earlier versions.

Recycled Water Use	Treatment Level			
	Disinfected Tertiary Recycled Water	Disinfected Secondary 2.2 Recycled Water	Disinfected Secondary 2.3 Recycled Water	Undisinfected Secondary Recycled Water
Other Uses:				
Groundwater Recharge	ALLOWED under special case-by-case permits by RWQCB ⁴			
Flushing toilets and urinals	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Priming drain traps	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Industrial process water that may contact workers	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Structural fire fighting	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Decorative fountains	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Commercial laundries	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Consolidation of backfill material around potable water pipelines	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Artificial snow making for commercial outdoor use	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Commercial car washes, not heating the water, excluding the general public from the washing process	ALLOWED	NOT ALLOWED	NOT ALLOWED	NOT ALLOWED
Industrial process water that will not come into contact with workers	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Industrial boiler feed	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Nonstructural fire fighting	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Backfill consolidation around nonpotable piping	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Soil compaction	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Mixing concrete	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Dust control on roads and streets	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Cleaning roads, sidewalks and outdoor work areas	ALLOWED	ALLOWED	ALLOWED	NOT ALLOWED
Flushing sanitary sewers	ALLOWED	ALLOWED	ALLOWED	ALLOWED

* Refer to the full text of the the December 2, 2000 version Title 22: California Water Recycling Criteria. This chart is only an informal summary of the uses allowed in this version. Adapted for use in Site Supervisor Training Workshops by South Bay Water Recycling, San Jose, California, October 29, 2002, Jerry Brown, Workshop Coordinator. The complete and final 12/02/2000 version of the adopted criteria can be downloaded from:

http://dhs.ca.gov/ps/dwernm/publications/regulations/recycleregs_index.htm

² With "Conventional tertiary treatment". Additional monitoring for two years or more is necessary with direct filtration.

³ Dfitt eliminators and/or biocides are required if public or employees can be exposed to mist.

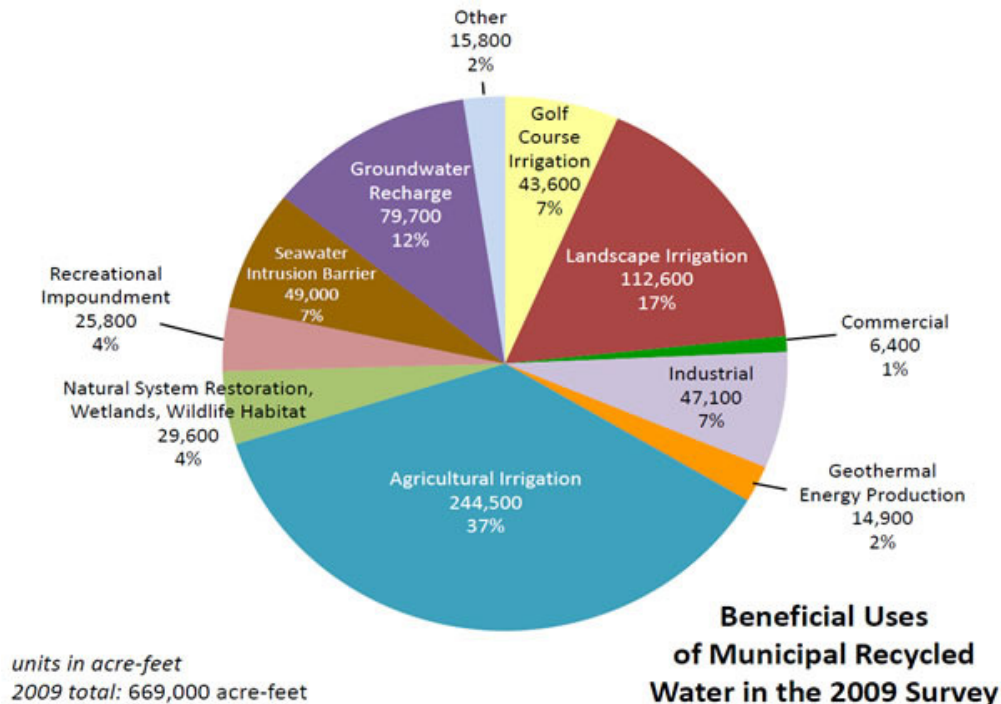
⁴ Refer to Groundwater Recharge Guidelines, available from the California Department of Health Services.

This is an advanced copy of a Grand Jury report that will be publicly released on March 6, 2013. Penal Code section 933.05 (f) prohibits any officer, agency, department, or governing body of a public agency from disclosing any contents of the report prior to the public release of this report.

APPENDIX C

2009 Municipal Wastewater Survey Results

(Conducted by the State Water Resources Control Board and the Department of Water Resources)



An acre-foot is the amount of water needed to cover one acre to a depth of one foot. It is equivalent to 325,853 gallons

Golf Course Irrigation = Public and private courses

Landscape Irrigation = Non-golf course related landscape irrigation, including buildings, highways, schools, and parks

Commercial = Business use, such as laundries and office buildings

Industrial = Manufacturing facilities, cooling towers

Geothermal Energy Production = Augmentation of geothermal fields

Agricultural Irrigation = Pasture or crop irrigation

Natural System Restoration, Wetlands, Wildlife Habitat = Addition to wetlands

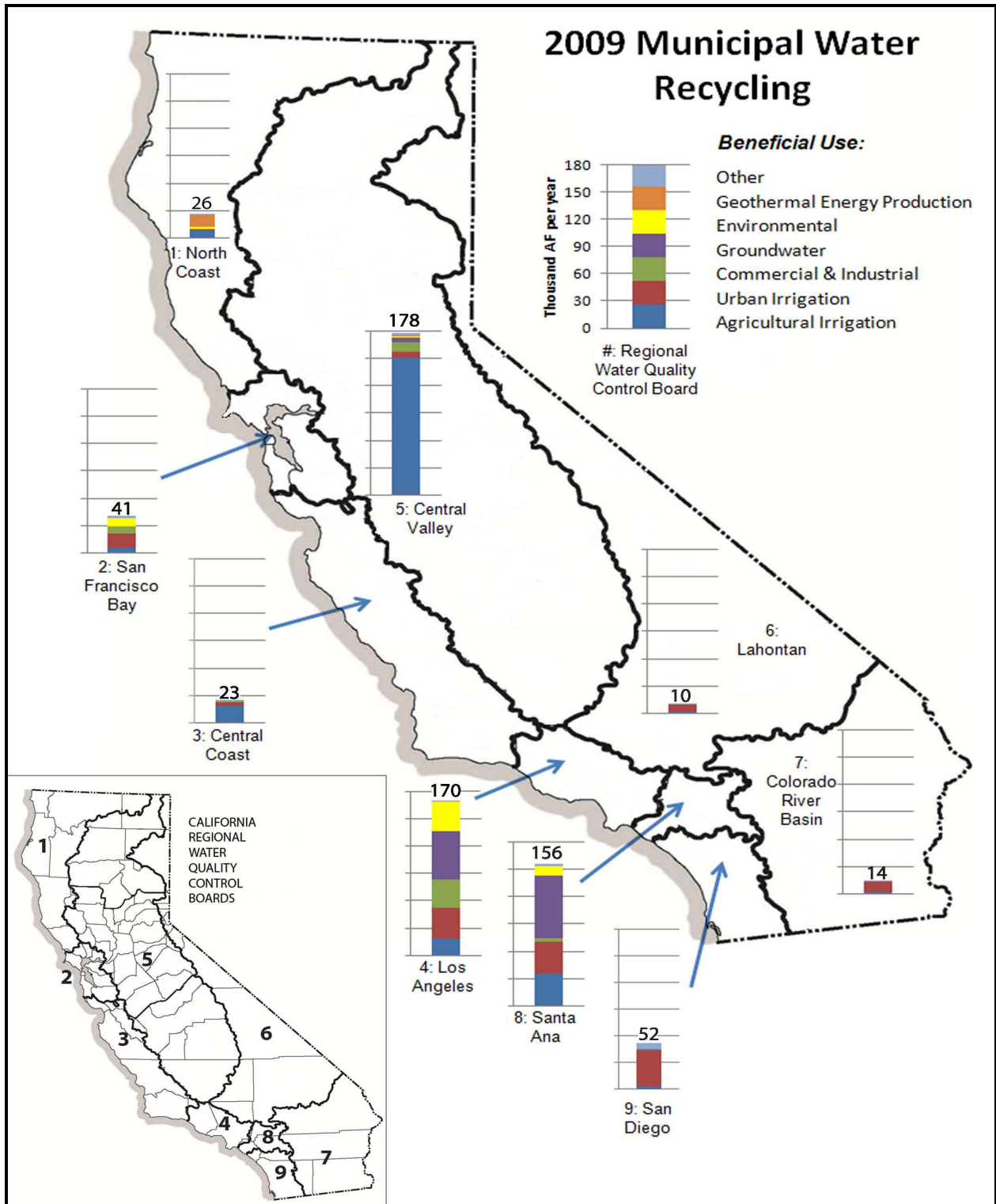
Recreational Impoundment = Addition to recreational lakes

Seawater Intrusion Barrier = Groundwater injection to prevent or reduce seawater intrusion

Groundwater Recharge = Recharge basins to augment depleted groundwater aquifers

Other = Construction Use, dust control, or unknown

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COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: May 21, 2013
Staff Report #: 13-084

Agenda Item #: E-1

PUBLIC HEARING: Consider the Planning Commission Recommendation to Approve the Housing Element of the General Plan and Associated General Plan Amendments, Zoning Ordinance Amendments, Rezonings and Environmental Review

RECOMMENDATION

The Planning Commission and staff recommend that the City Council:

Environmental Review

1. Adopt a Resolution of the City Council of the City of Menlo Park, Adopting the Environmental Assessment for the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments, Making Findings, and Adopting the Mitigation and Monitoring Reporting Program (Attachment A).
2. Adopt a Resolution of the City Council of the City of Menlo Park, Adopting the Statement of Overriding Considerations for the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments (Attachment B).

General Plan Amendments

3. Adopt a Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Replace the Housing Element in its Entirety (Attachment C).
4. Adopt a Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Update the Open Space and Conservation, Noise and Safety Elements, Modify the Land Use Designations of Medium Density Residential, High Density Residential and Limited Industry, to Delete the Land Use Designation of El Camino Real Professional/Retail Commercial, to Modify the Residential, Commercial and Industrial Use Intensity Tables, and to Change the Land Use Designation for Property Located at 1221-1275 and 1317-1385 Willow Road, 631, 711-721, 735-763, 767, 771, 777-821, and 831-851 Hamilton

Avenue, and 3605-3615, 3633-3639, and 3645-3665 Haven Avenue (Attachment D or E).

Zoning Ordinance Amendments and Rezoning

5. Introduce an Ordinance of the City of Menlo Park, Amending Title 16 of the Menlo Park Municipal Code to Incorporate the R-4-S (High Density Residential, Special) District (Attachment F), which implements Housing Element Programs H4.I and H4.O.
6. Introduce an Ordinance of the City of Menlo Park Adding Chapter 16.98 (Affordable Housing Overlay) to Title 16 (Zoning) of the Menlo Park Municipal Code (Attachment G), which implements Housing Element Program H4.C.
7. Introduce an Ordinance of the City Council of the City of Menlo Park Adding Chapter 16.97 (State Density Bonus Law) to Title 16 (Zoning) of the Menlo Park Municipal Code (Attachment H), which implements the Housing Element Program H4.D.
8. Introduce an Ordinance of the City of Menlo Park, Amending Chapter 16.20, R-3 (Apartment) and Chapter 16.72 (Off-Street Parking) of the Menlo Park Municipal Code (Attachment I), which implements Housing Element Program H4.A.
9. Introduce an Ordinance of the City of Menlo Park, Amending Chapter 16.79, Secondary Dwelling Units of the Menlo Park Municipal Code (Attachment J), which implements the Housing Element Program H4.E.
10. Introduce an Ordinance of the City of Menlo Park, Rezoning Properties Located at 1221-1275 and 1317-1385 Willow Road (Attachment K).
11. Introduce an Ordinance of the City of Menlo Park, Rezoning Properties Located at 631, 711-721, 735-763, 767, 771, 777-821 and 831-851 Hamilton Avenue (Attachment L).
12. Introduce an Ordinance of the City of Menlo Park, Rezoning Properties Located at 3605-3615, 3633-3639, and 3645-3665 Haven Avenue (Attachment M or N).
13. Introduce an Ordinance of the City of Menlo Park, Amending Title 16 of the Menlo Park Municipal Code to Eliminate Zoning Districts (C-4 General Commercial – Applicable to El Camino Real, M-1 Light Industrial District, and P-D District) for which No Properties are Zoned (Attachment O).

If the Council votes to introduce the proposed zoning ordinance amendments and rezonings on May 21, 2013, then the second reading/adoption of these ordinances is tentatively scheduled to occur on June 4, 2013. The ordinances would go into effect 30 days thereafter. If the Council votes to approve the resolutions associated with the

General Plan amendments and the Environmental Assessment, the resolutions would become effective immediately.

BACKGROUND

Since May 2012, the City has been in the process of updating the Housing Element of the General Plan in compliance with State law and a Court Order (Peninsula Interfaith Action, Urban Habitat Program and Youth United for Community Action vs. City of Menlo Park and Menlo Park City Council, Case No. CIV513882). The Housing Element is one of seven State-mandated elements of the City's General Plan, and provides goals, polices, and implementation programs for the planning and development of housing throughout the City. Housing element law requires local governments to adequately plan to meet their existing and projected housing needs including their share of the regional housing need.

The City's existing Housing Element was adopted by the City Council in 1992 for the planning period through 1999. As part of the current Housing Element update, the City is addressing housing needs from the planning periods 1999 through 2006 as well as 2007 through 2014. As a result, the City is required to plan for a total of 1,975 housing units. The City plans to meet its Regional Housing Needs Allocation (RHNA) figures through a combination of existing net new construction, build out of existing zoning capacity, rezoning for higher density housing and implementation of housing policies and programs identified in the Housing Element.

Summary of Housing Element Process

The City has conducted an extensive public process assisted by the Housing Element Steering Committee comprised of members from the City Council, Planning Commission and Housing Commission. Between June 2012 and January 2013, the Steering Committee met six times to provide feedback on the components of the Housing Element and the overall process.

During October 2012, the Housing Commission and Planning Commission reviewed preliminary drafts of the Housing Element with goals, policies and programs, and forwarded recommendations to the City Council for its review and direction to staff. The City Council subsequently reviewed the preliminary draft Housing Element and authorized the City Manager to incorporate Council's direction and to submit the draft Housing Element to the State Department of Housing and Community Development (HCD) for review and comment. Since the initial submittal of the Draft Housing Element, staff has been in communication with HCD and has received constructive feedback about additional information that is necessary to meet the statues of California Government Code in order to achieve State certification.

During this same time period, City staff organized workshops and attended meetings to engage and inform the community and many of the City Commissions about the Housing Element update, and to receive feedback on its key components. Staff

conducted community workshops in August 2012 and again in January 2013, made presentations at the various Commission and Council meetings, and issued a citywide newsletter in the summer 2012 and early 2013.

On March 12, 2013, the City Council provided direction to staff on which sites to pursue for rezoning for higher density housing. With that information, the Final Draft Housing Element, Environmental Assessment (EA) and Fiscal Impact Analysis (FIA) were finalized.

In early April, the City sent a citywide mailer announcing the availability of the Final Draft Housing Element and associated documents such as the EA and FIA. The documents were released in preparation for the City Council and Planning Commission joint study session on April 9, 2013. The purpose of the joint session was to present information on the Housing Element and to provide an opportunity for members of the public, Planning Commission and City Council to become familiar with the Housing Element and associated documents prior to conducting public hearings at subsequent meetings.

On April 18, 2013, the Housing Commission reviewed the Housing Element and associated implementing ordinances. The Commission voted unanimously to recommend adoption of the Housing Element, with the understanding that additional refinement to the document may occur through the remaining steps in the process.

Planning Commission Recommendation

On April 22, 2013, the Planning Commission conducted a public hearing to consider and recommend to the City Council on the Housing Element and its associated components. After receiving public comment and discussing the various components, the Commission appointed a subcommittee of Vice Chair Kadwany and Commissioners Onken and Riggs to further review and refine the R-4-S (High Density Residential, Special) design standards and to present them to the full Commission for review and recommendation. The Commission continued the review to a special meeting on April 29, 2013. At its meeting on April 29, the Planning Commission made a series of recommendations on the Housing Element, the EA, General Plan amendments, Zoning Ordinance amendments, and rezonings. The draft minutes of the meetings are included as Attachments S and T, respectively. Overall, the Commission recommended the adoption of the Housing Element and its associated components. The votes and the proposed modifications are noted in the recommendations below.

Environmental Review

1. Environmental Review: The Planning Commission recommended (6-1, Commissioner Bressler opposed) that the City Council make the findings for the EA, adopt the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations, as submitted.

General Plan Amendments

2. Housing Element: The Planning Commission unanimously recommended (7-0) that the City Council adopt the Final Draft Housing Element and Errata with the following modifications:
 - a. Add an implementing program to form a Transportation Management Association for the Bayfront/Haven Avenue area to coordinate grants, shuttles and other forms of transportation to the area.
 - b. Add a program to coordinate with the City of Redwood City on a pedestrian and bicycle overpass over Highway 101 between Marsh Road and 5th Avenue in Redwood City.
3. General Plan Amendments – All Other: The Planning Commission unanimously recommended (7-0) that the City Council adopt the resolution to amend the General Plan to Update the Open Space and Conservation, Noise and Safety Elements; modify the Medium Density Residential, High Density Residential and Limited Industry land use designations; delete the land use designation of El Camino Real Professional/Retail Commercial; modify the residential, commercial and industrial use intensity tables; and change the land use designation to High Density Residential for the properties along the 1200 and 1300 block of Willow Road, 600,700 and 800 block of Hamilton Avenue, and the 3600 block of Haven Avenue.

Zoning Ordinance Amendments and Rezonings

4. R-4-S Zoning District: The Planning Commission unanimously recommended (7-0) that the City Council establish the new R-4-S (High Density Residential, Special) zoning district, and the associated design standards and guidelines, as proposed by the subcommittee, with the following modifications:
 - A. Development Regulations
 - a. Allow for limited mixed use developments as a conditional use if permissible by HCD.
 - b. Incorporate proposed compliance review procedures.
 - B. Design Standards and Guidelines
 - a. Require divided light windows (mullions on the exterior with a spacer bar in between) where mullions are proposed on windows.
 - b. Limit the amount of major step backs of the building to one.
 - c. Delete the diagrams where a tiered (“wedding cake”) building is shown.
 - d. Reduce the maximum building façade height from 32 to 25 feet.
 - e. Clarify that existing trees in the public right-of-way along property frontage can count towards the tree requirement for that property frontage.
 - f. Add a requirement that an average of one (1) 15-gallon tree is required per 40 linear feet for the length of the property in setback areas not along a public right-of-way.

- g. Limit the amount of any one projection to 15 percent of the façade area.
 - h. Delete specific references to external colors and building materials and replace with language that states the building should be designed to discourage graffiti.
 - i. Clarify that building entries shall be oriented towards a public street when adjacent to a public street.
 - j. Clarify that bicycle parking should be located within 40 feet of common entry points when provided in a residential building garage.
5. Affordable Housing Overlay (AHO) Zone and State Density Bonus Law: The Planning Commission recommended (6-1, Commissioner Bressler opposed) that the City Council approve the creation of the Affordable Housing Overlay and the codification of the State Density Bonus Law, with the following modifications:
- a. Add an applicability section to the AHO zone to explicitly state that the AHO is applicable to properties zoned R-4-S (AHO) and within the El Camino Real/Downtown Specific Plan area.
 - b. Add language to specify which specific regulations of the El Camino Real/Downtown Specific Plan are not eligible to be modified by an incentive or waiver.
6. R-3 Zoning: The Planning Commission recommended (6-1, Commissioner Kadvaný opposed) that the City Council approve the modifications to the R-3 zoning district and off-street parking chapter, as proposed.
7. Secondary Dwelling Unit: The Planning Commission unanimously recommended (7-0) that the City Council approve amending the secondary dwelling unit ordinance with the following modifications from the existing ordinance:
- a. Reduce the minimum lot size to 6,000 square feet.
 - b. Reduce the minimum rear and interior side yards to five feet.
 - c. Set the maximum square footage of a secondary dwelling unit to be 640 square feet.
 - d. Clarify that the maximum number of bathrooms in the unit is one.
 - e. Increase the maximum height of the unit to 17 feet.
 - f. Allow parking within the required interior yard.
 - g. Allow parking within the required front yard if no more than 500 square feet of the front yard is paved for motor vehicle use and a minimum setback of 18 inches from the side property line is maintained.
8. Rezoning: The Planning Commission unanimously recommended (7-0) that the City Council approve the rezoning of properties along the 1200 and 1300 block of Willow Road, 600,700 and 800 block of Hamilton Avenue, and the 3600 block of Haven Avenue to R-4-S (High Density Housing, Special), with the following modification:

- a. Provide the flexibility to remove the Scarlett property (3641 Haven Avenue) from the Haven Avenue site if the property owner requests it.
9. Miscellaneous Zoning Amendments: The Planning Commission unanimously recommended (7-0) that the City Council approve the amendments to eliminate zoning districts for which no properties are zoned as submitted.

ANALYSIS

All of the previous staff reports, materials presented at the various meetings, the Final Draft Housing Element, FIA, EA and other items under consideration are available on the project webpage at <http://www.menlopark.org/athome>.

This staff report focuses on the modifications to the Housing Element and the various components since the City Council reviewed the draft material at its April 9, 2013 joint session. The purpose of the May 21 City Council meeting is to review and take action on the Housing Element and associated components. Subsequent to the Council's review of the following items, the Council should make a motion and vote on each of the items in the order identified in the Recommendation section above. The Council will be considering the adoption of four resolutions and nine ordinances.

Housing Element

The Final Draft Housing Element, distributed previously under separate cover, comprises the Revised Draft Housing Element, dated December 11, 2012, with additional edits shown in underline text in the document. Since the release of the Final Draft Housing Element on April 4, 2013, staff released Errata #1 as part of the Planning Commission April 22, 2013 staff report and Errata #2 as part of the April 29 Planning Commission staff report. The Errata are included as Attachments P-Q, respectively. The Errata include enhancements to the sites analysis section and refinements, and clarifications to several of the proposed programs, including:

- 1) Adding specificity about the groups targeted for affordable housing in the Housing to Address Local Needs Program (H4.2),
- 2) Providing additional details regarding the evaluation of the Below Market Rate (BMR) program under the Implement Inclusionary Housing Regulations and Adopt Standards to Implement State Density Bonus Law Program (H4.D), and
- 3) Establishing a maximum number of new units that could be constructed under the new R-3 zoning for lots of 10,000 square feet or more and located within the El Camino Real/Downtown Specific Plan area under the program to Modify Development Standards to Encourage Additional Infill Housing (H4.A).

The errata also includes the addition of two new programs (H4.R – Achieve long term viability of affordable housing and H4.S – Review overnight parking requirements for the R-4-S zoning district) and one new policy (H4.14 – Recognition that infill development is appropriate around the downtown area, and it is not intended to significantly change the

character). Staff has identified these edits to address compliance issues with the Settlement Agreement (Peninsula Interfaith Action, Urban Habitat Program and Youth United for Community Action vs. City of Menlo Park and Menlo Park City Council, Case No. CIV513882) and certification, and to also address requests and/or concerns raised by the City Council, Planning Commission and members of the public regarding the potential impacts to the surrounding neighborhood as a result of increased densities and additional affordable housing.

As part of the Planning Commission's recommendation, two additional programs are proposed to be added. The proposed programs would 1) create a Transportation Management Association focused on the Haven Avenue/Bayfront Expressway area and 2) to coordinate with the City of Redwood City on the development of a pedestrian and bicycle bridge over Highway 101 between Marsh Road and 5th Avenue. These programs are included in Errata #3 (Attachment R). In addition, Errata #3 provides updated information on Program H3.A Zone for Emergency Shelter for the Homeless based upon a report released on May 10, 2013. Recent data indicates that the homeless population in the City has decreased. As a result, the number of beds the City would be required to provide to address the homeless needs in the community has been reduced from 72 to 16. In addition, the amount of land proposed for the emergency shelter for the homeless overlay zone would be reduced from 5 to 10 acres to 1 to 3 acres. Staff recommends that the Program H3.A of the Housing Element be amended to reflect the current need.

General Plan Consistency Update – Open Space and Conservation, Noise and Safety Elements

The Open Space and Conservation, Noise and Safety Elements of the General Plan were established in the 1970s and are outdated and do not fully comply with the current State law. These three elements of the General Plan have received updates to reflect current City practices, consistency with the Housing Element and State law, and have been developed to replace the existing elements in their entirety. These elements were distributed previously under separate cover. No changes were proposed since the joint study session on April 9 and the Planning Commission recommended approval of the document as submitted.

Since the Planning Commission meeting on April 29, refinements have been made to these documents. The proposed changes are primarily edits for typographical errors and for clarification purposes, and are not intended to change the substance of the documents. A strikeout and underline version of the Open Space and Conservation, Noise and Safety Elements with the proposed edits has been distributed under separate cover and is available on the City website.

General Plan Amendments – Land Use and Circulation Element

The proposed amendments to the Land Use and Circulation Element are limited to items specifically necessitated for consistency with the Housing Element Update and Zoning Ordinance. A more comprehensive review of the goals, policies and programs

would be evaluated as part of the General Plan Update process, which is scheduled to commence later this calendar year.

The proposed amendments to the Land Use and Circulation Element are two-fold:

1) text amendments, which add, delete or modify text in the General Plan document and
2) land use amendments, which change the land use designation on the General Plan land use map. The proposed text amendments would modify the Medium Density and High Density Residential land use designation and the associated residential use intensity table. The proposed land use amendments would change the land use designations to High Density Residential on four housing opportunity sites for higher density housing along Willow Road, Hamilton Avenue and Haven Avenue. A change in the General Plan along with a rezoning consistent with the land use designation would allow for high density residential uses at the sites.

Since the April 9 joint session, staff and the Planning Commission have proposed the following modifications, which are shown in underline and strikeout format in Attachment D for ease of read:

- Deletion of the El Camino Real Professional/Retail Commercial land use designation since no properties have this land use designation;
- Modifications to the General Plan Commercial Use Intensity table (Table II-2) for consistency with the elimination of the El Camino Real Professional/Retail Commercial land use designation; and
- Modifications to the Limited Industry designation and Industrial Use Intensity table (Table II-3) to eliminate reference to the M-1 zoning district since no properties would be zoned M-1 if the identified properties along Hamilton Avenue are rezoned for higher density housing.
- Modification to the definition of High Density Residential to clarify that the current residential intensity of senior housing does not have a required minimum density.

General Plan Land Use Amendments

There are four proposed land use amendments. These four sites correspond to the housing opportunity sites on Willow Road, Hamilton Avenue and Haven Avenue identified by the City Council. One of the property owners (Scarletts of 3641 Haven Avenue) within the Haven Avenue site is contemplating whether to be rezoned for higher density housing. The Scarletts correspondence is included in Attachment W and additional discussion is within the Rezoning section below. The Planning Commission's recommendation provided the flexibility to remove the parcel from the larger site, and staff is recommending to exclude the Scarlett property from the General Plan land use amendment and rezoning at this time. However, two resolutions have been prepared for the City Council's review. Attachment D excludes 3641 Haven Avenue from the larger site and Attachment E includes the parcel.

Staff concurs with the Planning Commission's recommendation, and recommends that the City Council approve the proposed amendments to the General Plan's Open Space and Conservation, Noise, Safety and Land Use and Circulation Elements, and the

General Plan land use amendments as noted above along with the minor revisions made to aid and clarify the documents (Attachment D).

Zoning Ordinance Amendments

Creation of the R-4-S (High Density Residential, Special) District

The proposed R-4-S (High Density Residential, Special) zoning is to encourage higher density housing in appropriate locations in the City, and would implement Housing Element programs H4.I and H4.O. Currently as proposed, the R-4-S zoning district would be applied to the four housing opportunity sites. The R-4-S zoning district is unique to other zoning districts in the City in that, in addition to development regulations, the district contains design standards and design guidelines. Since the April 9 joint session, the following modifications have been made, which reflects input and concurrence of the Planning Commission:

- *Maximum Façade Height and Building Profile:* These items were established to provide variation and articulation to buildings, and are applied when a property line is contiguous to a public right-of-way or single-family zoned property.
- *Accessory Structures/Buildings:* Accessory structures and buildings are required to be located on the rear half of the lot. Many of the R-4-S parcels are deep, and requiring an accessory structure, such as a carport, to be located on the rear half of the lot could be challenging from a site layout perspective. Language has been added that would allow an encroachment into the front half of the lot, with a minimum of a 50 foot setback, unless a use permit is approved for a different setback.
- *Electric Vehicle Parking:* From staff's review of the design standards in the El Camino Real/Downtown Specific Plan, staff incorporated electric vehicle parking as a development regulation. An electric vehicle parking can be counted towards the required parking.
- *Process for Modifications to Regulations and Standards:* A provision was added that would allow modifications to the development regulations through approval of a use permit and allow modifications to the design standards through approval of architectural control, both of which are discretionary processes.
- *Compliance Review Procedure:* If a development complies with the defined development regulations and the design standards, approval of the project is ministerial and discretionary review is not required. Conforming projects are considered "by right" development. To ensure conformance with the development regulations and design standards, the draft ordinance includes a procedure for compliance review. The process entails noticing of property owners and occupants within a 300-foot radius of the exterior boundary of the project site and a study session before the Planning Commission. The

Commission's review is limited to review of the architectural design of the proposal relative to the Design Standards and Design Guidelines and is advisory only. The Community Development Director shall make the final determination of compliance.

- *Design Standards and Guidelines:* Development in this zoning district is intended to provide quality living for its residents and minimize impacts to adjacent uses with application of the development regulations and design standards. All development in this zoning district would need to meet both the development regulations and the design standards. The design guidelines serve to encourage good design, but are more qualitative in nature and are not mandatory. Many of the design standards and guidelines are borrowed from the Land Use and Building Character chapter of the El Camino Real/Downtown Specific Plan.
- *Mitigation Monitoring and Reporting Program:* All development would need to comply with the Mitigation Monitoring and Reporting Program (MMRP) established through the Housing Element Environmental Assessment. For example, all future development would need to comply with measures identified by the Bay Area Air Quality Management District (BAAQMD) for reducing construction emissions. Implementation of measures to address potential environmental concerns would be reviewed on a case-by case basis. The MMRP is included as Attachment A.

Notable features of the R-4-S regulations and design standards include:

- Establishment of parking based on bedroom count per unit rather than a standard two spaces per unit, which is the typical residential parking ratio in residential zoning districts outside of the Specific Plan area;
- Establishment of a building profile to help articulate the building;
- Inclusion of requirements for both bicycle parking and electric vehicles in recognition the importance of other modes of transportation;
- Inclusion of a minimum number of trees that would need to be planted within the front setback areas to enhance the overall site and streetscape; and
- Setting a minimum open space requirement, private and/or common, on a per unit basis, and requiring minimum dimensions for both to create usable and meaningful open space areas.

In addition, staff is proposing refinements to the R-4-S development standards and design guidelines since the Planning Commission's recommendation on April 29. The proposed edits are shown in underline and strikeout format in Attachment F. These changes are discussed below, and are intended to clarify and not modify the intent or standards as recommended by the Planning Commission.

The Planning Commission recommended that a building contain only one major step back, and this was included as standard in Item (a)1 under Building Profile. However, as previously written, it would not preclude a set back below the façade height. The intent is to have only one step back, and therefore the reference to maximum façade height has been removed. Subsequently, staff recognized that the word “façade” was used in multiple terms, and is proposing to simply its use to avoid misapplication. Staff is proposing to delete the term “maximum facade height” without eliminating the requirement for a 25-foot maximum height at the setback line. The regulation for building profile has been revised to replace the words “maximum façade height” with 25 feet as follows:

Starting at ~~the maximum façade height~~ a height of 25 feet, a 45-degree building profile shall be set at the minimum setback line contiguous with a public right-of-way or single-family zoned property.

Staff is also proposing to remove the term “primary building façade” from design standard (a)4 within the Building Setbacks and Projections with Setbacks section and replace it with language to clarify how the measurement is calculated. Staff believes these proposed modification simplifies terminology used in the regulations and standards without impacting the purpose of the requirement.

The City Council may also wish to consider modifications to the development regulations and design standards that have been raised in the correspondence (Attachment W) submitted by some of the property owners where the proposed R-4-S district would be applied. The primary standards that have been raised as concerns are the following: maximum façade height of 25 feet, limitation on the type and amount of stucco that can be used on the exterior of the building, and the requirement that 85% of projections enclosing living area shall be windows.

Staff concurs with the Planning Commission’s recommendation, and recommends that the City Council approve the proposed modifications to the R-4-S (High Density Residential, Special) zoning district along with the minor revisions made to aid and clarify the document (Attachment E).

Creation of an Affordable Housing Overlay

Consistent with program H.4.C of the Final Draft Housing Element, staff and the Planning Commission are recommending that the City Council establish an Affordable Housing Overlay (AHO) zone through an amendment to the Zoning Ordinance. The AHO provides incentives above and beyond what is allowed under the State Density Bonus Law for providing low, very-low and extremely-low income housing. One of the key incentives is the ability to increase the maximum density and floor area ratio (FAR) for the site. Attachment U summarizes the density and FAR that could result with application of the AHO. Unlike the Below Market Rate Housing Program, the AHO is not a provision for inclusionary zoning. Use of the AHO is voluntary, and can only be used where the AHO is zoned and when certain minimum standards have been met. The

AHO is proposed to be applied to three select housing opportunity sites (discussed below in the Rezoning section) as well as throughout the El Camino Real/Downtown Specific Plan area boundary. Use of the AHO in the Specific Plan area would be similar to receiving public benefit levels established in the plan. The Plan recognizes that affordable housing, particularly for lower affordability levels, in areas nearest to the station area/downtown and senior housing are elements where a public benefit bonus can be considered (page E17 of the El Camino Real/Downtown Specific Plan). Whereas the public benefit is determined through a structured negotiation process in the Specific Plan, application of the AHO is automatic if specific triggers are met. Attachment V provides a comparison table of the density bonus that could be achieved with application of the public benefit provision, State Density Bonus Law or the AHO.

Since the April 9 joint session, clarifications have been made to the AHO, including:

- Addition of language to explicitly state that use of the Affordable Housing Overlay and the State Density Bonus Law cannot be combined. An applicant may select to implement one or the other, but not both.
- Addition of an Applicability section to explicitly state that the AHO is applicable to properties zoned R-4-S (AHO) and within the El Camino Real/Downtown Specific Plan area.
- Add language to specify which specific regulations of the El Camino Real/Downtown Specific Plan are not eligible to be modified by an incentive or waiver.

Since the Planning Commission's recommendation on April 29, staff is recommending minor revisions to the document to clarify the parking standards and the process for review when the AHO is applied. These proposed modifications are shown in underline and strikethrough format in Attachment G.

Staff concurs with the Planning Commission's recommendation, and recommends that the City Council approve the creation of an Affordable Housing Overlay (AHO) zone along with the minor revisions made to aid and clarify the document (Attachment G).

Implementation of State Density Bonus Law

Government Code Section 65915, the State Density Bonus law, requires local governments to provide density bonuses and other incentives to developers of senior housing as well as affordable housing who commit to providing a certain percentage of dwelling units to households whose incomes do not exceed specific thresholds. Under State law, a jurisdiction must provide a density bonus, and concessions and incentives based on certain criteria and must adopt an ordinance to implement the State law. The State Density Bonus law is used to supplement the City's local Below Market Rate ordinance. Per program H4.D of the Housing Element, staff is proposing to amend the Zoning Ordinance to be consistent with State Density Bonus law requirements.

One minor addition has been made to the proposed ordinance since the April 9 joint session. Similar to the language added to the AHO, language has been added to the State Density Bonus Law to explicitly state that the application of the AHO and State Density Bonus Law cannot be combined.

Since the Planning Commission's recommendation on April 29, staff is recommending minor revisions to the document to clarify which specific design elements of the El Camino Real/Downtown Specific Plan area may not be modified by an incentive or waiver, similar to language within the AHO. These proposed modifications are shown in underline and strikeout format in Attachment H.

Staff concurs with the Planning Commission's recommendation, and recommends that the City Council approve an ordinance to codify the City's implementation of to the State Density Bonus Law along with the minor revisions made to aid and clarify the document (Attachment H).

Amendment to the R-3 (Apartment) District

Consistent with Housing Element Program H4.A, the City is proposing to modify the R-3 (Apartment) zoning district to provide greater opportunities for infill housing in designated areas around the El Camino Real/Downtown Specific Plan area by increasing the maximum density to 30 dwelling units per acre on lots 10,000 square feet or greater. For purposes of this amendment to the R-3 district, the area around the Downtown/El Camino Real is defined in three distinct areas as follows: Area #1 bounded by University Avenue, Valparaiso Avenue, El Camino Real and Oak Grove Avenue; Area #2 bounded by Arbor Road, Santa Cruz Avenue, El Camino Real and Middle Avenue; and Area #3 generally bounded by San Antonio Street and Alma Street, Encinal Avenue, Marcussen Drive and Ravenswood Avenue. A map of the infill area is included at Attachment U.

To accommodate the increase in density on lots 10,000 square feet or greater, development regulations, such as floor area ratio, building coverage, height and parking would be modified as well. The floor area ratio would increase on an even gradient from 35 percent for a 13.1 du/ac project to 75 percent for a 30 du/ac project, and additional height would only be permitted when a minimum of 20 du/ac is provided. These controls have been established to help achieve higher density housing and not a few large units, which would result in underutilization of land.

Since the joint session on April 9, 2013, a 'maximum façade height' of 28 feet and a 'building profile' were added to the development regulations. In addition, a provision for compliance with the Mitigation Monitoring and Reporting Program (MMRP) established through the Housing Element Environmental Assessment has been added. With respect to infill development, the primary potential environmental impact would be to historic resources. At the time of individual development, a site specific project evaluation may be required if the subject site or adjacent property contains a building more than 50 years old. The City Council may wish to consider whether the City should

conduct a historical evaluation of the properties within the infill areas to eliminate the need for individual property owners to prepare a historical evaluation on a case-by-case basis. This could be considered a future CIP project.

Since the Planning Commission's recommendation on this item, staff is recommending the removal of the "maximum façade height" regulation and combining the requirement with the building profile regulation, similar to and for consistency with the proposed R-4-S district. Staff believes the proposed modification simplifies application of the regulation without modifying its intent, and believes it is consistent with the Planning Commission's recommendation. The proposed changes since the Planning Commission's April 29 recommendation are shown in underline and strikeout format in Attachment I.

Staff concurs with the Planning Commission's recommendation, and recommends that the City Council approve the proposed modifications to the R-3 (Apartment) zoning district along with the minor revisions made to aid and clarify the document (Attachment I).

Secondary Dwelling Units

Consistent with Housing Element Program H4.E, the City is proposing to modify the Secondary Dwelling Unit requirements pertaining to single-family residential lots 6,000 square feet or greater in size throughout the City. The intent of the ordinance is two-fold: the first is to bring the ordinance into compliance with State law and the second is to encourage the creation of more second units, which are ancillary to the main dwelling.

Since the release of the summary of the proposed changes for the April 9, 2013 joint session, both staff and the Planning Commission have proposed modifications. The Planning Commission raised potential concerns about privacy, resulting in discussions about the maximum unit size, the maximum number of bedrooms, wall and overall height and the required minimum yards for a detached secondary dwelling unit. In addition, the Commission discussed an issue regarding secondary access to properties raised by a member of the public during public comment. The Commission commented that this was not an issue that needed to be addressed as part of the Housing Element and directed to keep the General Plan and Zoning Ordinance as is without suggested language by the member of the public.

The table below compares the development regulations of the existing ordinance and the proposed ordinance as recommended by the Planning Commission. Development regulations proposed to be modified are: 1) minimum lot size of 6,000 square feet, 2) unit size up to 640 square feet and limit of one bathroom, 3) overall height of 17 feet, 4) parking within the front and side setbacks under certain criteria, and 5) reduction in minimum rear and interior yards to five feet without requiring neighbor approval. The following are the existing requirements for side yards:

- R-E:** min. 10' on one side; 30' total
- R-E-S:** min. 10' on one side; 25' total
- R-1-S:** min. 10'
- R-1-U:** 10% of min. lot width up to 10'; min. 5'

Attachment U shows the lots in the City where the ordinance would be applicable.

Secondary Dwelling Units			
		Existing Ordinance	Proposed Ordinance
Unit Type		Attached to main dwelling unit or detached	Unchanged
Minimum Lot Size		7,000 sf	6,000 sf
Density		No more than 1 secondary dwelling unit per lot	Unchanged
Minimum Yards	Attached	Comply with minimum yard requirements for zoning district	Unchanged
	Detached	Comply with minimum yard requirements for zoning district, except minimum rear yard requirement is 10 feet	Reduce the interior side and rear yard setback to 5 feet
Unit Size		5% of lot area or 640 sf, whichever is less	Maximum of 640 sf
Number of Bedrooms and Bathrooms		1 (maximum)	1 bedroom (maximum) - unchanged 1 bathroom (maximum)
Height	Attached	28 feet	unchanged
	Detached	9 ft. (maximum wall height) 14 ft. (maximum overall height)	9 ft. (maximum wall height) - unchanged 17 ft. (maximum overall height)
Parking		1 (covered or uncovered); meets the minimum yard requirements of the zoning district; tandem ok; use permit required if located within required yards	1 (covered or uncovered); permitted within required interior side yard and within the front yard if no more than 500 sf of the front yard is paved for motor vehicles and a minimum side setback of 18 inches is maintained
Approval Process		Comply with all applicable development regulations for the single-family zoning district and building code requirements	Unchanged
Aesthetics		Unit shall have the colors, materials and textures and architecture similar to main dwelling unit	Unchanged
Tenancy		Property owner shall occupy either the main or secondary dwelling unit	Unchanged

In addition, a provision has been added to require all second unit development to comply with the Mitigation Monitoring and Reporting Program (MMRP) established through the Housing Element Environmental Assessment. Similar to infill development, the potential environmental impact would be to historic resources. Given that the potential for secondary dwelling units spans across the City, the Council may wish to consider whether to conduct a survey of its historical resources as part of a future CIP project, but expand the scope of the survey citywide.

The Housing Element also includes a program to undertake an amnesty program (H4.F) for secondary dwelling units that do not have permits in order to increase the legal housing stock. This program is anticipated to be initiated in 2014 and will be brought back to the Planning Commission and City Council for review and action.

Since the Planning Commission meeting on April 29, staff is suggesting the addition of the following language to clarify that a use permit would not allow for modifications to the density, subdivision and tenancy. The modified language is shown in underline as follows:

16.79.030 Conditional use. A secondary dwelling unit that is either attached or detached and requesting modification to the development regulations, except for items (1) density, (2) subdivision, and (10) tenancy, as established in Chapter 16.79.040.

Although the above language is new, staff believes the proposed edits are consistent with the Planning Commission's discussion and desire to minimize potential impacts to the surrounding properties, and recommends that the City Council approve the proposed amendment to the secondary dwelling unit ordinance along with the proposed modification, which has been included as Attachment J.

Rezoning

The Housing Element recognizes there are limitations to the amount of available land resources in Menlo Park and the intent of the Housing Element is to use the remaining available land resources as efficiently as possible in addressing local housing needs and the City's fair share of regional housing needs.

Housing elements are required to identify parcels that can be rezoned for possible future housing development in order to meet regional housing needs. The City's starting point to address its RHNA for the last two Housing Element planning periods is 1,975 units. The table on page 98 of the Final Draft Housing Element shows the City's "adjusted" RHNA, which accounts for units that can be credited to the City based on past construction activity, current zoning, and the anticipated number of units from implementation of the programs contained in the Housing Element. The recent adoption of the El Camino Real/Downtown Specific Plan accounts for 680 units of the 1,975 units. Based on the analysis in the Housing Element, the City needs to rezone

additional sites to allow a minimum of 500 units of high density housing, defined as 30 dwelling units per acre to meet the remaining need.

At its March 12, 2013 meeting, the City Council identified five sites for higher density housing. The sites were selected based on the following factors:

- Community input;
- Strong property owner interest;
- Sites would be available within the City by the end of 2014 (i.e., the current planning period) without need for annexation;
- Distribution of sites to balance the elementary school impacts of the 680 potential units through the El Camino Real Downtown Specific Plan and the 118 potential units through Infill Around Downtown zoning changes;
- Proximity to projected job growth in Menlo Park (e.g., Facebook, Menlo Gateway, 151 Commonwealth, etc.) to enable commute options through walking and bicycling; and
- Proximity to freeways (Highway 101) for easy access to regional transportation without impacting local streets.

Four of the five sites are located along the 1200 and 1300 blocks of Willow Road, 600, 700 and 800 block of Hamilton Avenue and the 3600 block of Haven Avenue. The Veterans Affairs campus was identified as the fifth site, but due to a Federal pre-emption of the City's land use authority, the site does not need to be rezoned in order for the pending 60-unit affordable housing development to be built. Nevertheless, the City is able to account for the new units as meeting the City's obligations under the Housing Element requirements.

The remaining four housing opportunity sites are proposed to be rezoned to the new R-4-S (High Density Residential, Special) zoning district. The maximum allowed density in the R-4-S zoning district is 30 dwelling units per acre, which could provide up to 700 net new dwelling units across approximately 30 acres of land (compared to 45 acres of land already zoned at densities of 30+ dwelling units per acre (maximum of 680 units) within the El Camino Real/Downtown Specific Plan area). The potential for up to 700 units exceeds the 500 units needed to meet the current and past planning cycles. However, upon adoption of this Housing Element, the City then must begin the process of updating the Housing Element for the next planning cycle covering the period from 2014 to 2022 and these additional units will help the City have sufficient land available for housing in the next planning period and adopt the next Housing Element in a timely manner. With adoption and certification by the deadline of December 2014, the City would not need to prepare an update for eight years. Otherwise, the City would need to prepare an update every four years. By pursuing rezoning of more than the minimum 500 units now, there may be remaining development capacity in future years that might decrease the need to rezone property as part of the next planning cycle.

In response to correspondence received from Henry and Patricia Scarlett, the property owners of 3641 Haven Avenue, the Planning Commission discussed whether to include the 0.91-acre site in the larger Haven Avenue housing site. The Scarletts submitted a letter indicating that they do not want their property rezoned to high density housing given their investment in their business, but also do not oppose the rezoning of the properties in the surrounding area. However, they were interested in learning more about what the rezoning would mean for their building and use to be 'nonconforming.' A nonconforming use would be able to continue to operate, but would not be able to expand. Per Section 16.80.020(1) (Nonconforming uses) of the Zoning Ordinance, a conditional use permit would need to be obtained for commercial uses located in a residential district. The proposed rezoning would have an unintended consequence of requiring the existing uses to obtain a use permit. Therefore, staff is proposing to add language to the R-4-S zoning district which would not require the use permit for legal uses established at the time of the rezoning.

16.22.040 Nonconforming Uses.

No legal use of any parcel existing as of the effective date of adoption of an ordinance rezoning the parcel to R-4-S shall be required to obtain a use permit to continue operating such existing use on the parcel, which use became non-conforming solely as a result of such rezoning.

Any future development or new use would need to conform to the new zoning, if the property is rezoned. Since staff was still in communication with the Scarletts, the Planning Commission's recommendation provided the flexibility to exclude the property from the Haven Avenue site.

Since the Planning Commission's recommendation on April 29, 2013, staff has received feedback that the Scarletts do not wish to have their property rezoned, but they are still exploring their options. Given that the property owner appears to not be interested in the rezoning, staff is recommending removal of the 3641 Haven Avenue from the larger Haven Avenue site. Staff does not believe the removal of the site would hinder the larger Haven Avenue site from redeveloping into residential uses due to the parcel's relatively small size and adjacency to other M-2 properties that would remain M-2.

In addition, the application of the Affordable Housing Overlay (AHO) is proposed for all of the sites except for the Hamilton Avenue site. Each rezoning requires adoption of an Ordinance, which have been included as Attachments K-N. For the Haven Avenue site, staff has prepared two ordinances, one without the Scarlett property (Attachment M) as recommended by staff and the Planning Commission and one with the Scarlett property (Attachment N), should the Council wish to include the property in the rezoning of the larger Haven Avenue site.

Deletion of Zoning Districts

Since the April 9, 2013 joint session, staff identified several "clean up items" for the Zoning Ordinance. With the implementation of the rezoning of the Hamilton Avenue

East site from M-1 (Light Industrial) to R-4-S, there would be no existing properties with an M-1 designation. In addition, staff is proposing the deletion of two other zoning districts for which no properties exist. With the adoption of the El Camino Real/Downtown Specific Plan, there are no remaining C-4 (ECR) designated properties. Likewise, with the adoption of the Specific Plan, application of the PD district is no longer applicable.

Staff and the Planning Commission recommend that the City Council approve the ordinance to delete the referenced zoning districts for which no properties are zoned, included as Attachment O.

Correspondence

Since the April 9, 2013 joint City Council and Planning Commission meeting, staff has received 15 pieces of written correspondence on the Housing Element, two of which pertain specifically to the EA and one regarding the FIA. The correspondence is included as Attachment W.

- Steven Pierce and Robert Burke of Greenheart Land Company, dated May 13, 2013 (letter via email) – Greenheart Land Company are property owners within the Hamilton Avenue site. In their letter, they identify specific issues and recommendations for consideration. In general, they believe that overly prescribed and an abundance of design standards can be a hindrance to good design. They have identified multiple items in the proposed R-4-S zoning district that they wish to have reconsidered, but of highest priority are: 1) maximum façade height, 2) limitation on building materials and 3) location of building entries.
- Sheryl Bims, dated May 7, 2013 (letter via email) – Ms. Bims expresses concerns for herself and many members of the Belle Haven community about the geographic imbalance of the proposed housing opportunity sites for higher density housing, and the proposed increase in density of affordable housing at the MidPen sites located along the 1200 and 1300 blocks of Willow Road. Attachment X responds to the points raised in Ms. Bims' letter.
- Ahmad Sheikholeslami, Menlo Park City School District, dated May 1, 2013 (email) – Mr. Sheikholeslami provides comments on the school impacts discussion in both the EA and FIA. In the FIA, Mr. Sheikholeslami notes that State matching funds under Proposition 1D bond money for new construction are fully depleted and that new construction money is based on eligibility that the School District can match it by 50 percent. He states, however, that this does not mean it will cover 50 percent of the construction cost needed to expand the facility. The second comment relates to the student generation rates used for single-family housing in the supplemental analysis. A response from BAE, preparers of the FIA, is included in Attachment Y.

Mr. Sheikholeslami raises similar concerns about use of the “new” student generation rate for single-family residences in the EA and the funding for new

facilities. He states that the monies collected from the developer fees do not cover the actual cost to improve and expand into a new facility to accommodate the projected growth. For purposes of CEQA the payment of fees is deemed to fully mitigate impacts per State law. Therefore, the City is under no obligation to add additional mitigation measures.

- Deno Milano, San Mateo County Environmental Health, dated received May 1, 2013 (letter) – Mr. Milano notes that the areas within the sites along the 700-800 block of Hamilton Avenue and 3600 block of Haven Avenue contain soils and groundwater contamination exceeding residential use Environmental Screening Levels established by the Regional Water Quality Control Board and that a deed restriction on property at 3645 Haven Avenue limits the use of the property to commercial uses. The EA discuss the potential contamination at these sites and identifies policies and mitigation measures to reduce the level of impact to less than significant for residential uses.
- Lily Gray, MidPen Housing, dated April 29, 2013 (email) – Ms. Gray provides comments regarding external material and bicycle parking in the proposed R-4-S development regulations and design standards.
- Ardie Zahedani of St. Anton Partners, dated April 29, 2013 (email) – The letter was submitted in reference to the Planning Commission Subcommittee’s proposed R-4-S design standards and guidelines, including façade height, external building materials, and window depth.
- Wallace Murfit, dated April 29, 2013 (email) – Mr. Murfit, who represents 3645 and 3665 Haven Avenue, expresses concern about the façade height.
- Randy Ackerman, dated April 29, 2013 (email) – Mr. Ackerman provides comments to the Planning Commissions Subcommittee’s proposed R-4-S design standards, and raises issue with the façade height, the glazing requirement on projections, the maximum amount of external stucco material, orientation of entries and location of bicycle parking.
- Kiran Kiki Kapany, dated April 29, 2013 (email) – Mr. Kapany’s, a resident on Louise Street, provides comments on secondary access on properties, which was an issue raised at the April 22 Planning Commission meeting. Mr. Kapany states access should be reviewed on a case by case basis and the proposed language (from April 22) to the Housing Element is not necessary.
- Steve Pierce and Robert Burke of Greenheart Land Company, dated April 28, 2013 (letter via email) -
- Patty Fry, dated April 22, 2013 (email x 2)– In her emails, Ms. Fry raises concerns about potential impacts from the proposed changes to the secondary dwelling units, particularly standards that would allow greater heights, more bedrooms and reduced minimum yard requirements.
- John Beltramo, dated April 22, 2013 – Mr. Beltramo is seeking clarification on the adjusted density that would be allowed in the R-3 infill sites.

- Henry A. Scarlett and Patricia M. Scarlett, dated April 18, 2013 – The Scarletts indicate that they are not opposed to the higher density rezoning near their property, but do not wish to have their property included in the rezoning.
- Mark Lotor, dated April 15, 2013 – Mr. Lotor mentions that areas in the City may have Conditions, Covenants and Restrictions (CC&Rs) that specifically allow only a single-family residential unit and the City should advise property owners before they submit plans for a secondary dwelling unit.
- Tom Jackson, dated April 12, 2013 – Mr. Jackson states that the proposed secondary dwelling unit ordinance address some of the existing problems of the onerous ordinance today.

IMPACT ON CITY RESOURCES

The impacts of the Housing Element Update have been evaluated in a FIA, which identifies potential revenue and cost impacts to the City and other districts, such as schools and fire, associated with development that could occur from the implementation of the Housing Element and the General Plan Consistency Update.

The FIA addresses change in revenues and expenditures, and resulting net fiscal impact that would result from the project, as well as the special districts and five school districts that serve the project sites. In addition, the FIA includes a supplemental analysis that evaluates the potential development from the Housing Element along with development that is currently allowed in the General Plan and by zoning. The supplemental analysis also considers the findings from other FIAs prepared for the El Camino Real/Downtown Specific Plan, 389 El Camino Real, Menlo Gateway and the Facebook Campus projects.

A presentation on the FIA was provided at the City Council/Planning Commission joint meeting on April 9, and the presentation is located on the City's webpage. The following provides a general overview of the FIA findings. Staff received on comment letter regarding the FIA. The correspondence from the Menlo Park City School District is included in Attachment W and the response from the FIA consultant is included in Attachment Y.

General Fund

The FIA focuses on the City's General Fund, which represents a portion of municipal and district budgets that finance ongoing provision of basic services. To pay for these services, the City's General Fund and operating funds are dependent on discretionary revenue sources such as property taxes, sales taxes and transient occupancy tax. Generally, the addition of housing requires cities to provide additional services for the increase in service population. The cost of providing these services are often offset by increases in General Fund revenues associated in sales and use taxes, property taxes and impact fees and capital facilities charges. At project build out, projected annual

revenues to the City would increase, but the City's General Fund expenditures are expected to increase by a greater amount, resulting in a net negative fiscal impact.

Special Districts – Menlo Park Fire Protection and School Districts

In addition to the General Fund, the proposed project would generate fiscal impacts to various special districts. The FIA analyzes impacts to the Menlo Park Fire Protection District as well as the five school districts that serve the City.

Impacts to the Fire District are expected to be fully covered in combination through new property tax revenues and the adoption of a pending development impact fee.

The FIA analyses five school districts, four elementary and one high school, that could be affected by the rezoning of 5 sites throughout the City. The differences in school district funding affect the fiscal impact of each of the districts. The Ravenswood and Redwood City School Districts are Revenue Limit districts, which means that the State provides funds as needed to ensure a set level of per student spending. This means that if a development does not provide sufficient property tax revenues to offset the cost of an increase in student population, State funds would make up the difference. Conversely, State funding would be reduced proportionately if new property taxes provide more revenue than needed to offset the cost of an increase in student population. This means that the net fiscal impact for a revenue limit district will always be zero.

By comparison, a Basic Aid school district receives a minimal amount of State aid and instead relies on property tax revenues to fund school activities. Menlo Park City, Las Lomas Elementary and Sequoia Union School Districts are all Basic Aid districts. Preliminary findings in the FIA show that the project would have a net negative fiscal impact on the three school districts, with Sequoia Union High being the most affected.

Supplemental Analysis

In order to provide a full picture of the fiscal impacts for development pursuant to the General Plan, the FIA includes a supplemental analysis. The FIA finds that any deficit to the General Fund resulting from the Housing Element Update would be substantially offset by other recently approved developments (Specific Plan, Facebook, Menlo Gateway) and other development allowed by the General Plan. Overall development would create a net positive fiscal impact.

The impacts to the school districts would also result in a net positive fiscal impact to the Las Lomas and Sequoia Union High School Districts, no fiscal impact to Ravenswood Elementary School District, and a net fiscal deficit to the Menlo Park City School District of approximately \$16,000 per year.

POLICY ISSUES

The adoption of the Housing Element of the General Plan for certification by HCD would bring the City's Housing Element into compliance with State law and a Court Order. The adoption of a Housing Element would also provide a plan for the City to address local housing needs and contribute to its fair share of housing in the region. The lack of a certified Housing Element, however, could result in repercussions per Government Code Section 65755 (a), such as the suspension of the City's authority to issue non-residential building permits and approve entitlements such as zoning changes, variances and subdivision maps.

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. However, the local agency must conduct an Initial Study and if that study shows that there may be a significant impact on the environment, the agency must prepare an Environmental Assessment (EA) that is the equivalent of a Draft Environmental Impact Report (EIR). However, unlike a full EIR process, an EA does not have a formal comment period and preparation of a Final EIR with response to comments. Staff distributed copies of the EA to potentially interested parties to solicit comments. Staff received two pieces of correspondence, one from the San Mateo County Environmental Health Department and one from the Menlo Park City School District. A summary of the comments is provided in the Correspondence section.

The EA evaluates potential environmental consequences that could result from future development that would occur by adopting and implementing the proposed Housing Element Update, General Plan Consistency Update and associated Zoning Ordinance amendments. The document studies impacts of the rezoning of sites for up to 900 dwelling units, up to 118 infill dwelling units, and up to 300 secondary dwelling units for a total of 1,318 units through the year 2035. The EA studies 14 different topic areas, including aesthetics, biological resources, hazards and hazardous materials, public services and recreation, and traffic and transportation to name a few. The EA and associated technical appendices are located on the Housing Element project webpage for reference.

At the joint City Council/Planning Commission meeting, an overview of the EA was provided. The presentation is located on the project webpage. At the Planning Commission public hearing on April 22, 2013, staff made a presentation on the transportation impacts, including the location of the impacts, identification of potential mitigation measures, and the effectiveness and feasibility of those measures. This presentation is also available for review on the project webpage.

In general, the proposed project would not create any unusual environmental impacts. Where potential environmental impacts may occur, proposed General Plan policies as part of the General Plan Consistency Update would generally self-mitigate the impact(s) to less than significant. The EA indicates that there would be three topic areas that would create a significant, unavoidable impact. The impacts are related to Traffic and Transportation, Air Quality and Greenhouse Gas Emissions. For these three topic areas, the impacts are citywide. Given the thresholds for these topics/impacts, a reduction in the number of dwelling units to obtain a less than significant impact would likely result in a project that would not meet the objective of achieving the housing need numbers. For a summary of the potential impacts and mitigation measures, please refer to Table 2-1 of the EA.

Government Code section 65759 provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. Because adoption of not only the updated Housing Element, but also all the associated resolutions and ordinances is required to bring the General Plan or relevant mandatory elements into compliance with State law and the Court Order, they are also not subject to CEQA. For this reason and the reasons stated below, the adoption of the resolution pertaining to the General Plan amendments and the ordinances associated with the Zoning Ordinance amendments and rezonings are exempt. This language and the following statements have been included within the applicable resolution and ordinances.

Furthermore, if the proposed resolutions and ordinances were subject to CEQA, the proposed General Plan and Zoning Ordinance amendments would not be a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. These ordinances and resolutions are ministerial in that the Housing Element indicates that the City “will” take the actions identified in the ordinances and resolutions within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. Health First v. March Joint Powers Auth. (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in these ordinances and resolutions in response to environmental review. As a ministerial action, the proposed amendments identified in the ordinances and resolutions are not a project subject to CEQA.

Even if these ordinances and resolutions were determined to be discretionary projects subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt these ordinances and resolutions from needless environmental

review. CEQA Guidelines 15601(b)(3); Muzzy Ranch Co. v. Solano County Airport Land Use Commission (2007) 41 Cal. 4th 372. The environmental impacts of these ordinances and resolutions were reviewed in the Environmental Assessment, which is the equivalent of a Draft EIR, conducted for the Housing Element and related General Plan elements and zoning ordinances which is being considered by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinances and resolutions will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, these ordinances and resolutions are exempt from CEQA.

Since the Planning Commission's recommendation on April 29, staff has refined the Mitigation Monitoring and Reporting Program (Attachment A) with clarifying language to aid in implementation of the document, including the removal of mitigation measure AQ-3, which was inadvertently added and not applicable to the Plan Components. In addition, staff has provided additional details about the mitigation and responsibility of improvements at the Haven Avenue approach to Marsh Road at Bayfront Expressway.

As part of the City Council's actions, the Council must first act on the Environmental Assessment. Attachment A provides a draft resolution adopting the Environmental Assessment, findings and Mitigation Monitoring and Reporting Program (MMRP). Attachment B includes the Statement of Overriding Considerations, which considers the benefits of the proposed project against the potential significant and unavoidable impacts that could result from implementation of the proposed project.

MEETING PROCESS AND SUMMARY

Staff recommends that the City Council conduct the May 21, 2013 meeting as follows:

1. Staff overview presentation
2. Council clarification questions
3. Public comment
4. Council questions and discussion on items (in order the Council deems appropriate)
5. Council action on items (in order outlined in the Recommendation section above)

PUBLIC NOTICE

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail to all property owners and occupants within a 300-foot radius of the each of the four rezoning sites and the infill areas around the El Camino Real/Downtown Specific Plan area. The mailed notice was supplemented by an email update that was sent to subscribers of the project page for the proposal, which is available at the following address: <http://www.menlopark.org/athome>. In addition to allowing for interested parties to subscribe to email updates, the Project page provides

up-to-date information about the Project, as well as links to previous staff reports and other related documents.

ATTACHMENTS

- A. Draft Resolution of the City Council of the City of Menlo Park, Adopting the Environmental Assessment for the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments, Findings, Statement of Overriding Considerations, and the Mitigation and Monitoring Reporting Program
- B. Draft Resolution of the City Council of the City of Menlo Park, Adopting the Statement of Overriding Considerations for the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments
- C. Draft Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Replace the Housing Element in its Entirety
- D. Draft Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Update the Open Space and Conservation, Noise and Safety Elements; Modify the Land Use Designations of Medium Density Residential, High Density Residential and Limited Industry; Delete the Land Use Designation of El Camino Real Professional/Retail Commercial; Modify the Residential, Commercial and Industrial Use Intensity Tables; and Change the Land Use Designation for Property Located at 1221-1275 and 1317-1385 Willow Road, 631, 711-721, 735-763, 767, 771, 777-821, and 831-851 Hamilton Avenue, and 3605-3615, 3633-3639, and 3645-3665 Haven Avenue
- E. Draft Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Update the Open Space and Conservation, Noise and Safety Elements; Modify the Land Use Designations of Medium Density Residential, High Density Residential and Limited Industry; Delete the Land Use Designation of El Camino Real Professional/Retail Commercial; Modify the Residential, Commercial and Industrial Use Intensity Tables; and Change the Land Use Designation for Property Located at 1221-1275 and 1317-1385 Willow Road, 631, 711-721, 735-763, 767, 771, 777-821, and 831-851 Hamilton Avenue, and 3605-3665 Haven Avenue
- F. Draft Ordinance of the City of Menlo Park, Amending Title 16 of the Menlo Park Municipal Code to Incorporate the R-4-S (High Density Residential, Special) District
- G. Draft Ordinance of the City of Menlo Park, Adding Chapter 16.98 (Affordable Housing Overlay) to Title 16 (Zoning) of the Menlo Park Municipal Code
- H. Draft Ordinance of the City Council of the City of Menlo Park Adding Chapter 16.97 (State Density Bonus Law) to Title 16 (Zoning) of the Menlo Park Municipal Code
- I. Draft Ordinance of the City of Menlo Park, Amending Chapter 16.20, R-3 (Apartment) and Chapter 16.72 (Off-Street Parking) of the Menlo Park Municipal Code
- J. Draft Ordinance of the City of Menlo Park, Amending Chapter 16.79, Secondary Dwelling Units of the Menlo Park Municipal Code

- K. Draft Ordinance of the City of Menlo Park, Rezoning Properties Located at 1221-1275 and 1317-1385 Willow Road
- L. Draft Ordinance of the City of Menlo Park, Rezoning Properties Located at 631, 711-721, 735-763, 767, 771, 777-821 and 831-851 Hamilton Avenue
- M. Draft Ordinance of the City of Menlo Park, Rezoning Properties Located at 3605-3615, 3633-3639, and 3645-3665 Haven Avenue
- N. Draft Ordinance of the City of Menlo Park, Rezoning Properties Located at 3605-3665 Haven Avenue
- O. Draft Ordinance of the City of Menlo Park, Amending Title 16 (Zoning) of the Menlo Park Municipal Code to Eliminate Zoning Districts for which No Properties are Zoned
- P. Final Draft Housing Element Errata #1
- Q. Final Draft Housing Element Errata #2
- R. Final Draft Housing Element Errata #3
- S. Draft Minutes of the Planning Commission Meeting of April 22, 2013
- T. Draft Minutes of the Planning Commission Meeting of April 29, 2013
- U. Maps
 - Infill Areas Around the El Camino Real/Downtown Specific Plan Boundary
 - Zoning Map of Areas around El Camino Real Downtown Specific Plan Boundary
 - Single-Family Zoned Lots 6,000 Square Feet or Greater
- V. Specific Plan Density Bonus Table
- W. Correspondence:
 - Steven Pierce and Robert Burke of Greenheart Land Company, dated May 13, 2013 (letter via email)
 - Sheryl Bims, dated May 7, 2013 (letter via email)
 - Ahmad Sheikholeslami, Menlo Park City School District, dated May 1, 2013 (email)
 - Deno Milano, San Mateo County Environmental Health, dated received May 1, 2013 (letter)
 - Lily Gray, MidPen Housing, dated April 29, 2013 (email)
 - Ardie Zahedani of St. Anton Partners, dated April 29, 2013 (email)
 - Wallace Murfit, dated April 29, 2013 (email)
 - Randy Ackerman, dated April 29, 2013 (email)
 - Kiran Kiki Kapany, dated April 29, 2013 (email)
 - Steve Pierce and Robert Burke of Greenheart Land Company, dated April 28, 2013 (letter via email)
 - Patty Fry, dated April 22, 2013 (email x 2)
 - John Beltramo, dated April 22, 2013
 - Henry A. Scarlett and Patricia M. Scarlett, dated April 18, 2013
 - Mark Lotor, dated April 15, 2013
 - Tom Jackson, dated April 12, 2013
- X. Response to Correspondence from Sheryl Bims, dated May 7, 2013
- Y. Response from BAE on Correspondence from Ahmad Sheikholeslami, Menlo park City School District, dated May 1, 2013

AVAILABLE FOR REVIEW AT CITY OFFICES AND ON THE PROJECT WEB PAGE

- Court Order – Judgment pursuant to Stipulation incorporating the [Settlement Agreement](#)
- [Final Draft Housing Element, dated April 4, 2013](#)
- [Environmental Assessment, dated April 4, 2013](#)
- [Fiscal Impact Analysis, dated April 1, 2013](#)
- [Preliminary Draft Open Space and Conservation, Noise and Safety Elements, dated April 4, 2013](#)
- [Planning Commission Staff Report, dated April 22, 2013](#)
- [Planning Commission Staff Report, dated April 29, 2013](#)
- [Planning Commission Staff Report, dated May 6, 2013](#)

Report prepared by:
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Senior Planner

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RESOLUTION NO.**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADOPTING THE ENVIRONMENTAL ASSESSMENT AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HOUSING ELEMENT UPDATE, GENERAL PLAN CONSISTENCY UPDATE AND ASSOCIATED ZONING ORDINANCE AMENDMENTS**

WHEREAS, in May 2012, Peninsula Interfaith Action, Urban Habitat Program and Youth United for Community Action (“Petitioners”) filed an action against the City of Menlo Park (“City”) for failure to timely update its Housing Element in accordance with State law and for failure to re-zone adequate sites to accommodate the City’s share of the region’s need for affordable housing; and

WHEREAS, the City and Petitioners entered into a Judgment Pursuant to Stipulation incorporating the Settlement Agreement in which the City agreed to update its Housing Element in accordance with State law and to re-zone adequate sites to accommodate the City’s share of the region’s need for affordable housing; and

WHEREAS, California Government Code Section 65759 provides that when a city is ordered by a court to bring its Housing Element into compliance, the city shall prepare an initial study and if it determines that the action may have a significant effect on the environment, the city shall prepare an Environmental Assessment, the content of which shall substantially conform to the required content of a Draft Environmental Impact Report (“EIR”); and

WHEREAS, the City prepared an Initial Study to determine the environmental topics for which potential future development associated with the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments (“Plan Components”) could result in potentially significant impacts; and

WHEREAS, the City prepared an Environmental Assessment dated April 4, 2013 that substantially conforms to the required content of a Draft EIR and addresses the significant or potentially significant impacts on the environment associated with the Plan Components; and

WHEREAS, a joint Planning Commission and City Council public hearing was held on April 9, 2013 to present information on the Environmental Assessment and members of the public and agencies were invited to provide comments; and

WHEREAS, the Planning Commission held public hearings on the Plan Components and Environmental Assessment on April 22, 2013 and April 29, 2013, whereat all persons interested therein might appear and be heard, and voted affirmatively to recommend to the City Council to find that the Environmental Assessment substantially conforms to the required contents for a Draft EIR and adopt the Mitigation Monitoring and Reporting Program (“MMRP”); and

WHEREAS, the City Council held a public hearing on the Plan Components and Environmental Assessment on May 21, 2013 whereat all persons interested therein might appear and be heard.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby makes the following findings with respect to the significant effects on the environment as identified in the Environmental Assessment and adopts the MMRP for the Plan Components.

I. Record of Proceedings

The Record of Proceedings upon which the Planning Commission and the City Council base these findings, actions and determinations regarding the Environmental Assessment and Plan Components, consist of the following documents and testimony:

- (a) All public notices issued by the City in conjunction with the Plan Components;
- (b) All drafts of the Housing Element;
- (c) The Environmental Assessment for the Plan Components dated April 4, 2013 and all documents relied upon or incorporated by reference including, but not limited to: the Housing Element Update, General Plan Consistency Update, and associated Zoning Ordinance amendments; SB 610 Water Supply Assessment Report, March 2013; and Traffic Impact Analysis, March 2013;
- (d) All comments, oral or written, received by the City regarding the Environmental Assessment or Plan Components;
- (e) The MMRP for the Plan Components;
- (f) All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Plan Components prepared by the City, or consultants to the City with respect to the Environmental Assessment and the City's action on the Plan Components;
- (g) All documents submitted to the City by other public agencies or members of the public in connection with the Plan Components;
- (h) All minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Plan Components;
- (i) All matters of common knowledge to this Planning Commission and City Council, including, but not limited to
 - a. The City's General Plan and other applicable policies;
 - b. The City's Zoning Ordinance and other applicable ordinances;
 - c. Information regarding the City's fiscal status; and
 - d. Applicable City policies and regulations;

- (j) Any other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

The documents described above, comprising the record of proceedings are located in the Community Development Department, City of Menlo Park 701 Laurel Street, Menlo Park, California 94025. The custodian of these documents is the Community Development Director or his/her designee.

II. Findings for Significant Impacts Avoided or Mitigated to a Less-Than-Significant Level

The Environmental Assessment for the Plan Components concluded that there would be significant environmental impacts. The City finds that by incorporating into the Plan Components all the mitigation measures outlined in the MMRP, the impacts discussed below are reduced to a less-than-significant level.

Findings: The City finds that, unless otherwise stated, all of the changes or alterations to the Plan Components listed below have been required in, or incorporated into, the Plan Components which mitigate or avoid the significant or potentially significant environmental impacts listed below, as identified in the Environmental Assessment, that these mitigation measures will be effective to reduce or avoid the potentially significant impact as described in the Environmental Assessment, and that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City of Menlo Park to implement or enforce. These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

1. Air Quality - Under the Plan Components, future residential development is proximate to substantial pollutant concentration.

- a. Significant Impact

The Plan Components has the potential to expose sensitive receptors to substantial pollutant concentrations (Appendix G Threshold 4, Initial Study). This would be a significant impact.

- b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigation Measure AQ-2:

Mitigation Measure AQ-2: Prior to issuing building permits, the City shall require the project applicant to evaluate all new residential development pursuant to current guidelines (e.g. Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines), including a risk assessment of all stationary and mobile emission sources within a 1,000-foot radius of the proposed project that emit sources of toxic air contaminants.

2. Air Quality - While the potential future residential development would not release Toxic Air Contaminants (TACs), various industrial and commercial processes (e.g. manufacturing, dry cleaning) allowed under the existing General Plan would be expected to release TACs resulting in community risk and hazards from placement of new sources of air toxics near sensitive receptors.

- a. Significant Impact

The Plan Components has the potential to result in community risk and hazards from placement of new sources of air toxics near sensitive receptors. This would be a significant impact.

- b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigation Measure AQ-3:

Mitigation Measure AQ-3: Prior to issuing building permits, the City shall require the project applicant to evaluate all new industrial development pursuant to current guidelines (e.g. Bay Area Air Quality Management District CEQA Guidelines) to determine its potential to emit toxic air contaminants and impact sensitive receptors (e.g. residences, day care centers, schools, or hospitals) within a 1,000-foot radius of the project site.

3. Cultural Resources - Future development on potential infill sites around downtown and future second units could lead to demolition and alteration that has the potential to change the historic fabric or setting of historic architectural resources such that the resource's ability to convey its significance may be materially impaired.

- a. Significant Impact

Implementation of the Plan Components has the potential to result in the disturbance or destruction of historical resources deposits. This is a potentially significant impact.

- b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigation Measure CULT-1:

Mitigation Measure CULT-1: At the time that individual projects are proposed for residential development on any infill or second unit housing sites around the downtown area with a building more than 50 years old or any site adjoining a property with a building more than 50 years old, the City shall require the project applicant to prepare a site-specific

evaluations to determine if the project is subject to completion of a site-specific historic resources study. If it is determined that a site-specific historic resources study is required the study shall be prepared by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the study shall consist of a records search of the California Historical Resources Information System, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The study shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If applicable, the specific requirements for inventory areas and documentation format required by certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), shall be adhered to.

If the project site or adjacent properties are found to be eligible for listing on the California Register, the project shall be required to conform to the current Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Restoring Historic Buildings, which require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible alterations to such structures.

4. Hazards and Hazardous Materials - Potential housing Site 5 (Haven Avenue) is site with known exposure to hazardous materials in the past and at the time of writing this Environmental Assessment has restrictions related to hazardous waste remediation under the authority of the San Mateo County.

- a. Significant Impact

Implementation of the Plan Components could expose residents to contaminated soils above levels considered safe to human health. This is a potentially significant impact.

- b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigations Measure HAZ-1:

Mitigation Measure HAZ-1: Prior to issuing building permits for residential development on potential housing Site 5 (Haven Avenue) the applicant shall assess exposure to hazardous materials through the preparation of a focused Phase 1 Environmental Site Assessment (ESA). The ESA shall

include an initial screening level analysis followed by a detailed, quantitative human risk assessment analysis, if necessary, per the approval of the San Mateo County Environmental Health Services Division. The applicant shall also prepare and implement a Soil Management Plan and companion Sampling and Analysis Plan during and following soil excavation and compaction activities. As part of the Soil Management Plan, the applicant shall retain an experienced, independent environmental monitor to observe all significant earth-moving activities. The monitor shall observe the operations, remaining watchful for stained or discolored soil that could represent residual contamination. The monitor shall also be empowered to alert the City and regulatory agencies, when appropriate, and provide direction to the grading contractor.

5. Transportation and Traffic - Under Near-Term 2014 plus Plan Components conditions the addition of trips from future residential development during both AM or PM peak hours would cause the intersection of Middlefield Road and Willow Road to operate at an unacceptable level of service.

a. Significant Impact

Implementation of the Plan Components has the potential to cause the intersection of Middlefield Road and Willow Road to operate at LOS (Level of Service) E during AM peak hour under Near-Term 2014 plus Plan Components conditions. This is a potentially significant impact.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigation Measure TR-1b:

Mitigation Measure TR-1b: At the intersection of Middlefield Road and Willow Road, the necessary mitigation measure is to re-stripe the northbound approach on Middlefield Road from one left turn lane, two through lanes and one right turn lane to one left turn lane, one through lane, one shared through/right turn lane and one right turn lane.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour and improves to LOS E during the PM peak hour, under the Near-Term 2014 plus Plan Components conditions. According to the 1601 Willow Road Development Agreement for the Facebook East Campus Project (FECPPDA), Facebook is responsible for implementing this necessary mitigation measure.

6. Transportation and Traffic - Under Near-Term 2014 plus Plan Components conditions the addition of trips from future residential development during PM

peak hours would cause the intersection of Bohannon Drive/Florence Street and Marsh Road to operate at an unacceptable level of service.

a. Significant Impact

Implementation of the Plan Components has the potential to cause the intersection of Bohannon Drive/Florence Street and Marsh Road to operate at LOS E during AM peak hour under Near-Term 2014 plus Plan Components conditions. This is a potentially significant impact.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigation Measure TR-1c:

Mitigation Measure TR-1c: At the intersection of Bohannon Drive/Florence Street and Marsh Road, the necessary mitigation measure is to add one exclusive westbound right turn lane on Marsh Road. With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the Near-Term 2014 plus Plan Components conditions. Through the Development Agreement for the Menlo Gateway Project, Bohannon Development Agreement is responsible for implementing the necessary mitigation measure.

7. Transportation and Traffic - Under 2035 plus Plan Components conditions the addition of trips from future residential development during both AM or PM peak hours would cause the intersection of Middlefield Road and Marsh Road (Atherton) to operate at an unacceptable level of service.

a. Significant Impact

Implementation of the Plan Components has the potential to cause the intersection of Middlefield Road and Marsh Road (Atherton) to operate at LOS F during both AM and PM peak hours under 2035 plus Plan Components conditions. This is a potentially significant impact.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigation Measure TR-2h:

Mitigation Measure TR-2h: At the intersection of Middlefield Road and Willow Road, the necessary mitigation measure is to re-stripe the northbound approach on Middlefield Road from one left turn lane, two through lanes and one right turn lane to one left turn lane, one through lane, one shared through/right turn lane and one right turn lane.

With the mitigation measure, the intersection level of service remains LOS F during both the AM and the PM peak hours, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. According to the FECFDA, Facebook is responsible for implementing this necessary mitigation measure.

8. Transportation and Traffic - Under 2035 plus Plan Components conditions the addition of trips from future residential development during both AM or PM peak hours would cause the intersection of Bohannon Drive/Florence Street and Marsh Road to operate at an unacceptable level of service.

a. Significant Impact

Implementation of the Plan Components has the potential to cause the intersection of Bohannon Drive/Florence Street and Marsh Road to operate at LOS E during AM peak hour and at LOS F during PM peak hours under 2035 plus Plan Components conditions. This is a potentially significant impact.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less-than-significant level with Mitigation Measure TR-2m:

Mitigation Measure TR-2m: At the intersection of Bohannon Drive/Florence Street and Marsh Road, the necessary mitigation measure is to add one exclusive westbound right turn lane on Marsh Road.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour and LOS E during the PM peak hour, under the 2035 plus Plan Components conditions. Through the Development Agreement for the Menlo Gateway Project, Bohannon Development is responsible for implementing the necessary mitigation measure.

III. Findings and Recommendations Regarding Significant and Unavoidable Impacts

The Environmental Assessment for the Plan Components concluded that there would be significant environmental impacts.

Findings: The City finds that, where feasible, the changes or alterations that have been required, or incorporated into, the Plan Components to reduce the significant environmental impacts listed below as identified in the Environmental Assessment. However, even after mitigation, some impacts are significant and unavoidable. The City

finds that there is no additional feasible mitigation that could be imposed beyond what is detailed herein. Unless otherwise noted, the City hereby finds the following mitigation measures infeasible or ineffective, and therefore finds the following impacts significant and unavoidable.

1. Air Quality - Subsequent environmental review of the Plan Components individual development projects may identify that construction and operational phase emissions would exceed BAAQMD's Project-Level significance thresholds.

- a. Significant Impact

Implementation of the potential housing projects under the Plan Components could violate the air quality standard or contribute substantially to an existing or projected air quality violation under the BAAQMD's Project-level thresholds. This would be a significant impact.

- b. Facts in Support of Finding

The significant effect listed above with regard to fugitive dust will be reduced to a less-than-significant level with Mitigation Measure AQ-1. However, while Mitigation Measure AQ-1 would require adherence to Bay Area Air Quality Management District's (BAAQMD) Basic Control Measures for fugitive dust control. An analysis of emissions generated operation and construction of subsequent Plan Components would be required to evaluate emissions compared to BAAQMD's Project-Level significance thresholds during individual environmental review. It should be noted that identification of this program-level impact does not preclude the finding of future less-than-significant impact for subsequent projects that comply with BAAQMD screening criteria or meet applicable thresholds of significance. Accordingly, impacts related to locally elevated levels of PM₁₀ during construction activities would remain significant and unavoidable.

Mitigation Measure AQ-1: Applicants for future development projects shall comply with the following Bay Area Air Quality Management District Basic Control Measures for reducing construction emissions of PM₁₀:

- Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Re-claimed water should be used whenever possible.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e. the

minimum required space between the top of the load and the top of the trailer).

- Pave, apply water twice daily or as often as necessary, to control dust, or apply (non-toxic) soil stabilizers on all un-paved access roads, parking areas, and staging areas at construction sites.
- Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, with water sweepers all paved access roads, parking areas and staging areas at the construction site to control dust.
- Sweep public streets daily (with water sweepers using re-claimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit vehicle traffic speeds on unpaved roads to 15 miles per hour.
- Replant vegetation in disturbed areas as quickly as possible.
- Install sandbags or other erosion control measures to pre-vent silt runoff from public roadways.

2. Greenhouse Gas Emissions (GHG) - Ongoing activities and future activities in the City would conflict with State Executive Order S-03-05's goal to reduce GHG emissions by 80 percent below 1990 levels by 2050. The majority of the reductions needed to reach the 2050 target will likely come from State measures (e.g. additional vehicle emissions standards), but the City does not have authority over such measures. The State has not identified plans to reduce emissions beyond 2020. As stated above, implementation of the Plan Components would reduce community-wide GHG emissions and all feasible measures have been included. No additional mitigating policies are available, and the impact is considered significant and unavoidable.

a. Significant and Unavoidable Impact

Implementation of the Plan Components would conflict with State Executive Order S-03-05's goal to reduce GHG emissions by 80 percent below 1990 levels by 2050. This is a significant impact.

b. Facts in Support of Finding

Mitigation Measures GHG-1 and GHG-2 require that at the time of the project application process, each project applicant shall bear the burden of showing how the project will be consistent with applicable General Plan policies aimed at reducing greenhouse gas emissions. As each General Plan policy aimed at reducing GHGs would not necessarily apply to each project the General Plan policies are not listed here. Nonetheless, the

majority of the reductions needed to reach the 2050 target will likely come from State measures (e.g. additional vehicle emissions standards), but the City does not have authority over such measures. Therefore, GHG emissions impacts would remain significant and unavoidable.

3. Transportation and Traffic - Six intersections have significant impacts with the addition of trips from future residential development during both AM or PM peak hours under Near-Term 2014 plus Plan Components conditions.

a. Significant and Unavoidable Impact

Implementation of the Plan Components has the potential to cause the following intersections to operate at unacceptable LOS under Near Term 2014 plus Plan Components conditions resulting in a significant impact at each intersection.

- Alpine Road/Santa Cruz Avenue and Junipero Serra Boulevard operates at LOS E during AM peak hour.
- Middlefield Road and Willow Road operates at LOS E during AM peak hour and operates at LOS F during PM peak hour.
- Scott Drive/Rolison Road and Marsh Road operates at LOS E during PM peak hour.
- Newbridge Street and Willow Road (Caltrans) operates at LOS F during both AM and PM peak hours.
- Bayfront Expressway and Willow Road (Caltrans) operates at LOS F during both AM and PM peak hours.
- Bayfront Expressway and University Avenue (Caltrans) operates at LOS F during PM peak hour.
- Bayfront Expressway and Marsh Road (Caltrans) operates at LOS F during AM and PM peak hours.
- US 101 NB Ramps & Marsh Road (Caltrans): LOS E during AM peak hour.

b. Facts in Support of Finding

The significant effects listed above would not be reduced to a less-than-significant level with implementation of the following mitigation measures. These are significant and unavoidable impacts.

Mitigation Measure TR-1a: At the intersection of Alpine Road/Santa Cruz Avenue and Junipero Serra Boulevard, the necessary mitigation measure

is to re-stripe the northbound approach on Alpine Road from two through lanes and one right turn lane to one through lane, one shared through/right turn lane and one right turn lane. A bike lane is currently striped between the right-most thru lane and the right turn lane.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the Near-Term 2014 plus Plan Components conditions. However, the re-striping for the northbound approach may not be feasible since this may create a challenge by placing bicyclists between two right turn lanes and may, therefore, require further analysis for the existing bike lane. Therefore, this impact would remain significant and unavoidable.

Mitigation Measure TR-1d: At the intersection of Scott Drive/Rolison Road and Marsh Road, the necessary mitigation measure is to re-stripe the westbound approach on Marsh Road from two left turn lanes, one through lane and one shared through/right turn lane to one left turn lane, two through lanes and one right turn lane.

With the mitigation measure, the intersection level of service improves to LOS D while the average queue for the westbound left turn movement remains as one vehicle during the PM peak hour, under the Near-Term 2014 plus Plan Components conditions. The improvements may appear feasible in the existing right-of-way, but the intersection is under both City and Caltrans jurisdiction and coordination between the two jurisdictions would be required. As such, the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-1e: At the intersection of Newbridge Street and Willow Road, the necessary mitigation measure is to re-stripe the southbound approach on Newbridge Street from one left turn lane, one through lane and one right-turn lane to one shared left turn/through lane, one shared through/right turn lane and one right turn lane, and to add one additional receiving lane on the south leg on Newbridge Street accordingly.

With the mitigation measure, the intersection still operates at LOS F during both the AM and PM peak hours, but the delay for the most critical movements are reduced to be less than under the Near-Term 2014 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints on the south leg of the intersection, which would impact private property in East Palo Alto. In addition, this intersection is under Caltrans jurisdiction, and the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains significant and unavoidable.

It should be noted that the FECPDA also suggests a mitigation measure for this intersection, which includes an additional eastbound left-turn lane, an additional northbound receiving lane for the eastbound left turning traffic, an additional westbound through/right-turn lane, and an additional receiving lane for the westbound through traffic. With this mitigation measure, the intersection still operates at LOS F during both the AM and PM peak hours. The delay for the most critical movements are reduced to be less than under the Near-Term condition during the PM peak hour; however, during the AM peak hour, the delay for the eastbound through critical movement is 70 seconds higher than under the Near-Term 2014 plus Plan Components condition even though the overall delay of the intersection was reduced. Therefore, this potential FECPDA mitigation measure could be considered as a partial mitigation measure, under the Near-Term 2014 plus Plan Components conditions, and this impact remains significant and unavoidable.

Mitigation Measure TR-1f: At the intersection of Bayfront Expressway and Willow Road, the necessary mitigation measure is to add a third right turn lane for the eastbound approach on Willow Road.

With the mitigation measure, the intersection still operates at LOS F during the PM peak hour, but the delay for the most critical movements are reduced to be less than under 2014 plus Plan Components condition. According to the FECPDA, Facebook is responsible for implementing this mitigation measure. However, since this intersection is under Caltrans jurisdiction and the City cannot guarantee implementation of the mitigation measure, this impact remains significant and unavoidable.

Mitigation Measure TR-1g: At the intersection of Bayfront Expressway and Marsh Road, the necessary mitigation measure is to re-stripe the southbound approach on Bayfront Expressway from one shared left turn/through lane, one through lane and one right turn lane to one left turn/through lane, one through/right turn lane and one right turn lane and to add a third right turn lane for the eastbound approach on Marsh Road.

With the mitigation measure, the intersection operates at LOS D during both AM and PM peak hours, under the Near-Term 2014 plus Plan Components conditions. However, this intersection is included in the City's Transportation Impact Fee Program and the improvements to each approach may appear feasible in the existing right-of-way. Since the intersection is under Caltrans jurisdiction, the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-1h: At the intersection of US 101 NB Ramps and Marsh Road, the necessary mitigation measure is to widen the northbound off-ramp on the western side of the approach and add an additional left-turn lane along with adding a second right-turn lane by restriping one of the existing left-turn lanes. This improvement will require relocation of existing traffic signal poles, utility relocation, and reconstruction of the curb ramp on the southwest corner of the intersection.

With the mitigation measure, the intersection operates at LOS D during the AM peak hour, under the Near-Term 2014 plus Plan Components conditions. According to the FECFDA, Facebook is responsible for implementing this mitigation measure. However, since this intersection is under Caltrans jurisdiction, the City cannot guarantee implementation of the mitigation measure. Therefore this impact remains significant and unavoidable.

4. Transportation and Traffic – Twenty-seven intersections have significant impacts with the addition of trips from future residential development during both AM or PM peak hours under 2035 plus Plan Components conditions.

- a. Significant and Unavoidable Impact

Implementation of the Plan Components has the potential to cause the following intersections to operate at unacceptable LOS under 2035 plus Plan Components conditions resulting in a significant impact at each intersection.

- Addison Wesley and Sand Hill Road operates at LOS E during AM peak hour.
- Sharon Park Drive and Sand Hill Road operates at LOS E during PM peak hour.
- Alpine Road/Santa Cruz Avenue and Junipero Serra Boulevard operates at LOS F during AM peak hour and operates at LOS E during PM peak hour.
- Santa Cruz Avenue and Sand Hill Road operates at LOS E during both AM and PM peak hours.
- Middlefield Road and Ravenswood Avenue operates at LOS E during PM peak hour.
- Middlefield Road and Willow Road operates at LOS F during both AM and PM peak hours.
- Gilbert Avenue and Willow Road operates at LOS E during PM peak hour.

- Coleman Avenue and Willow Road operates at LOS F during both AM and PM peak hour.
- Durham Street and Willow Road operates at LOS E during PM peak hour.
- Bay Road and Marsh Road operates at LOS E during AM peak hour.
- Scott Drive/Rolison Road and Marsh Road operates at LOS E during AM peak hour and LOS F during PM peak hour.
- Sand Hill Circle and Sand Hill Road (Caltrans) operates at LOS F during PM peak hour.
- El Camino Real and Valparaiso Avenue/Glenwood Avenue (Caltrans) operates at LOS E during PM peak hour.
- El Camino Real and Ravenswood Avenue/Menlo Avenue (Caltrans) operates at LOS F during both AM and PM peak hours.
- El Camino Real and Middle Avenue (Caltrans) operates at LOS F during PM peak hour.
- Bay Road and Willow Road (Caltrans) operates at LOS E during AM peak hour.
- Newbridge Street and Willow Road (Caltrans) operates at LOS F during both AM and PM peak hours.
- Hamilton Avenue and Willow Road (Caltrans) operates at LOS E during AM peak hour.
- Bayfront Expressway and Willow Road (Caltrans) operates at LOS F during both AM and PM peak hours.
- Bayfront Expressway and University Avenue (Caltrans) operates at LOS F during both AM and PM peak hours.
- Bayfront Expressway and Chilco Street (Caltrans) operates at LOS F during PM peak hour.
- Bayfront Expressway and Chrysler Drive (Caltrans) operates at LOS F during PM peak hour.
- Bayfront Expressway and Marsh Road (Caltrans) operates at LOS F during both AM and PM peak hour.
- US 101 SB Ramps and Marsh Road (Caltrans) operates at LOS F during AM peak hour and LOS E during PM peak hour.

- US 101 NB Ramps and Marsh Road (Caltrans) operates at LOS F during AM peak hour and LOS E during PM peak hour.
- University Avenue and Bay Road (Caltrans) operates at LOS E during both AM and PM peak hours.
- Middlefield Road and Lytton Avenue (Palo Alto) operates at LOS E during both AM and PM peak hours.

b. Facts in Support of Finding

The significant effects listed above would not be reduced to a less-than-significant level with implementation of the following mitigation measures. These are significant and unavoidable impacts.

Mitigation Measure TR-2a: At the intersection of Addison Wesley and Sand Hill Road, the necessary mitigation measure is to restripe the eastbound approach on Sand Hill Road from one left turn lane, two through lanes and one right turn lane to one left turn lane, two through lanes and one shared through/right turn lane. One additional receiving lane on Sand Hill Road is recommended to be added accordingly. A bike lane currently exists between the right-most through lane and the right turn lane.

With the mitigation measure, the intersection level of service improves to LOS B during the AM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints affecting private property. In addition, the re-striping for the eastbound approach is not feasible since this could result in increased safety hazards to bicyclist by placing bicyclists between two through lanes. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2b: At the intersection of Sharon Park Drive and Sand Hill Road, the necessary mitigation measure is to add one exclusive westbound right turn lane on Sand Hill Road.

With the mitigation measure, the intersection level of service improves to LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints and the presence of a dozen mature evergreen trees. Even though this impact remains significant and unavoidable, it should be noted that the width of the westbound bike lane of 10.5 feet enables this lane to function as a right turn lane in compliance with the California Manual on Uniform Traffic Control Devices (California MUTCD).

Mitigation Measure TR-2c: At the intersection of Alpine Road/Santa Cruz Avenue and Junipero Serra Boulevard, the necessary mitigation measure

is to re-stripe the northbound approach on Alpine Road from two through lanes and one right turn lane to one through lane, one shared through/right turn lane and one right turn lane. In addition, a second westbound right turn lane is recommended to be added on Junipero Serra Boulevard.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS E during PM peak hour, with the delay for the most critical movements reduced to be less than under the 2035 plus Plan Components conditions. However, the re-striping for the northbound approach may not be feasible since this may create a challenge by placing bicyclists between two right turn lanes and may, therefore, require further analysis for the existing bike lane. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2d: At the intersection of Santa Cruz Avenue and Sand Hill Road, the necessary mitigation measure is to re-stripe both westbound and eastbound approaches on Sand Hill Road from two left turn lanes, two through lanes and one right turn lane to two left turn lanes, two through lanes and one shared through/right turn lane. One additional receiving lane is recommended to be added on Sand Hill Road for the westbound direction.

With the mitigation measure, the intersection level of service remains LOS E during the AM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions; and improves to LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints, with the northwest corner of the intersection under the control of San Mateo County. Also, the re-striping for the eastbound and westbound approaches may not be feasible since this could result in increased safety hazards to bicyclist by placing bicyclists between two through lanes. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2e: At the intersection of Middlefield Road and Marsh Road, the necessary mitigation measure is to add a second southbound left turn lane on Middlefield Road and to add one receiving lane on Marsh Road accordingly.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour and LOS E during the PM peak hour, under the 2035 plus Plan Components conditions. However, this intersection is under the jurisdiction of Town of Atherton. Based on prior consultation with the Town of Atherton, the improvements may require

covering Atherton Channel and removing numerous heritage trees. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2f:

At the intersection of Laurel Street and Ravenswood Avenue, the necessary mitigation measure is to add one exclusive eastbound right turn lane on Ravenswood Avenue.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Component conditions

Both the City's Transportation Impact Fee (TIF) Program and the El Camino Real/Downtown Specific Plan project suggest the mitigation measures for this intersection, which are consistent with the necessary mitigation measure suggested for the Plan Components. However, the improvements may not be feasible due to right-of-way constraints. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2g: At the intersection of Middlefield Road and Ravenswood Avenue, the necessary mitigation measure is to add one exclusive southbound right turn lane on Middlefield Road.

With the mitigation measure, the intersection level of service improves to LOS D during both the AM and the PM peak hours, under the 2035 plus Plan Components conditions. However, this intersection is included in the City's TIF Program and could be constructed over the long term. However, the improvements may not be feasible due to right-of-way constraints affecting private property in Atherton and would involve coordination with the Town of Atherton. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2i: At the intersection of Gilbert Avenue and Willow Road, the necessary mitigation measure is to add one exclusive eastbound right turn lane and a second westbound left turn lane on Willow Road and to add one additional receiving lane on Gilbert Avenue accordingly.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS E during the AM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints due to impacts to private property. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2j: At the intersection of Coleman Avenue and Willow Road, the necessary mitigation measure is to add one exclusive southbound left turn lane on Coleman Avenue and a second eastbound through lane on Willow Road and to add one receiving lane on Willow Road accordingly.

With the mitigation measure, the intersection level of service improves to LOS C during the AM peak hour and LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. The installation of one exclusive southbound left turn lane on Coleman Avenue may be accomplished in the existing right-of-way by re-striping work, but it may require the removal of one or two parking spaces.

The other improvements to Willow Road do not appear feasible due to right-of-way constraints affecting private property. Although the restriping on Coleman would partially mitigate the impact, this impact remains significant and unavoidable.

Mitigation Measure TR-2k: At the intersection of Durham Street/VA (Veterans Administration) Driveway and Willow Road, the necessary mitigation measure is to add one exclusive westbound right turn lane on Willow Road.

With the mitigation measure, the intersection level of service improves to LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. The improvements does not appear feasible due to right-of-way constrains. Therefore, this impact remains significant and unavoidable.

It should be noted that the El Camino Real/Downtown Specific Plan project also suggests a mitigation measure for this intersection, which includes adding a southbound left turn at the VA Driveway. With this mitigation measure, the intersection still operates at LOS E during the PM peak hour, with the delay for the southbound left turn and the westbound through critical movements about 11 seconds higher than under the 2035 plus Plan Components conditions. However, the average delay for the intersection, as well as the delay of the critical movements, is all reduced by about 1 to 3 seconds, compared to without any mitigation measures under the 2035 plus Plan Components conditions. Therefore, this potential El Camino Real/Downtown Specific Plan mitigation measure could be considered as a partial mitigation measure.

Mitigation Measure TR-2l: At the intersection of Bay Road and Marsh Road, the necessary mitigation measure is to add one exclusive eastbound right turn lane on Marsh Road.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions. However, the improvements are not feasible due to right-of-way constraints and would require the approval of the County of San Mateo and Town of Atherton. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2n: At the intersection of Scott Drive/Rolison Road and Marsh Road, with the necessary mitigation measures suggested for the Near-Term 2014 plus Plan Components conditions (Mitigation Measure TR-1d), the intersection level of service remains LOS E during the AM peak hour and LOS F during the PM peak hours, and the delay for the critical movement was reduced to be lower than under the 2035 plus Plan Components conditions during the PM peak hour; however, during the AM peak hour, the westbound left turn critical movement delay is 54 seconds higher than under the Cumulative conditions. Therefore, such mitigation measures could only be considered as partial mitigation.

Under the 2035 plus Plan Components condition, the necessary mitigation measure is to add one exclusive westbound right turn lane on Marsh Road.

With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS F during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. The improvements may appear feasible in the existing right-of-way, but the intersection is under both City and Caltrans jurisdiction and coordination between the two jurisdictions would be required. As such, the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2o: At the intersection of the I-280 NB Off Ramp/Sand Hill Circle and Sand Hill Road, the necessary mitigation measure is to add one exclusive westbound left turn lane and a third eastbound through lane on Sand Hill Road. In addition, one additional receiving lane is recommended to be added on Sand Hill Road accordingly.

With the mitigation measure, the intersection level of service improves to LOS C for the south part of the intersection of the I-280 NB Off Ramp and Sand Hill Road, during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS F for the north part of the intersection of Sand Hill Circle and Sand Hill Road during the PM peak hour, with the delay for the most critical movement reduced to be less than

under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints and would require the approval of Caltrans. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2p: At the intersection of El Camino Real and Valparaiso Avenue/Glenwood Avenue, the necessary mitigation measure is to add one exclusive westbound right turn lane on Glenwood Avenue.

With the mitigation measure, the intersection level of service remains LOS E during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. This intersection is included in the City's TIF program, and improvements could be constructed over time. However, the improvements may not be feasible in the short term due to right-of-way constraints. In addition, this intersection is under Caltrans jurisdiction. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2q: At the intersection of El Camino Real and Ravenswood Avenue/Menlo Avenue, the necessary mitigation measure is to add one exclusive eastbound right turn lane on Menlo Avenue.

With the mitigation measure, the intersection level of service improves to LOS E during the A.M peak hour, under the 2035 plus Plan Components conditions; and remains LOS F during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. This intersection is included in the City's TIF program and improvements could be constructed over time. However, the improvements may not be feasible in the short term due to right-of-way constraints. In addition, this intersection is under Caltrans jurisdiction. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2r: At the intersection of El Camino Real and Middle Avenue, the necessary mitigation measure is to add one exclusive southbound right turn lane and a second northbound left turn lane on El Camino Real.

With the mitigation measure, the intersection level of service remains LOS F during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. The City's TIF program includes this intersection and suggests the same intersection improvements. However, these improvements may not be feasible due to right-of-way constraints. In addition, this intersection is under Caltrans jurisdiction. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2s: At the intersection of Bay Road and Willow Road, the necessary mitigation measure is to re-stripe the southbound approach from one left turn lane and one right turn lane to one left turn lane and one shared left turn/right turn lane.

With the mitigation measure, the intersection level of service improves to LOS C during the AM peak hour, under the 2035 plus Plan Components conditions. However, since this intersection is under Caltrans jurisdiction, this impact remains significant and unavoidable.

Mitigation Measure TR-2t: At the intersection of Newbridge Street and Willow Road, the necessary mitigation measure is to re-stripe the southbound approach on Newbridge Street from one left turn lane, one through lane and one right-turn lane to one shared left turn/through lane, one shared through/right turn lane and one right turn lane, and to add one additional receiving lane on the south leg on Newbridge Street accordingly.

With the mitigation measure, the intersection remains LOS F during both the AM and PM peak hours, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints on the south leg of the intersection, which would impact private property in East Palo Alto. In addition, this intersection is under Caltrans jurisdiction, and the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains significant and unavoidable.

It should be noted that the Facebook Project Development Agreement (FPDA) also suggests a mitigation measure for this intersection, which includes an additional eastbound left-turn lane, an additional northbound receiving lane for the eastbound left turning traffic, an additional westbound through/right-turn lane, and an additional receiving lane for the westbound through traffic. With this mitigation measure, the intersection still operates at LOS F during both the AM and PM peak hours. The delay for the most critical movements are reduced to be less than under the 2035 plus Plan Components conditions during the PM peak hour; however, during the AM peak hour, the delay for the eastbound through critical movement was over 100 seconds higher than under the Cumulative condition even though the overall delay of the intersection was reduced. Therefore, this potential Facebook mitigation measure could be considered as a partial mitigation measure, under the 2035 plus Plan Components conditions.

Mitigation Measure TR-2u: At the intersection of Hamilton Avenue and Willow Road, the necessary mitigation measure is to add one exclusive

southbound right turn lane on Hamilton Avenue and a second eastbound left turn lane on Willow Road and to add one receiving lane on Hamilton Avenue.

With the mitigation measure, the intersection level of service improves to LOS C during both the AM and PM peak hours, under the 2035 plus Plan Components conditions. The installation of one exclusive southbound right turn lane on Hamilton Avenue may be done by re-striping work, but it would require the removal of on-street parking spaces. Since the other improvements along Willow Road may not be feasible due to right-of-way constraints and the intersection is under Caltrans jurisdiction, this impact remains significant and unavoidable.

Mitigation Measure TR-2v: At the intersection of Bayfront Expressway and Willow Road, the necessary mitigation measure is to add a third right turn lane on Willow Road.

With the mitigation measure, the intersection still operates at LOS F, but the delay for the most critical movements are reduced to be less than under the 2035 plus Plan Components conditions. According to the FECFDA, Facebook is responsible for implementing this mitigation measure. However, since this intersection is under Caltrans jurisdiction and the City cannot guarantee implementation of the mitigation measure, this impact remains significant and unavoidable.

Mitigation Measure TR-2w: At the intersection of Bayfront Expressway and Marsh Road, the necessary mitigation measure is to re-stripe the southbound approach on Bayfront Expressway from one shared left turn/through lane, one through lane and one right turn lane to one left turn/through lane, one through/right turn lane and one right turn lane and to add a third right turn lane for the eastbound approach on Marsh Road.

With the mitigation measure, the intersection level of service improves to LOS E during both the AM and PM peak hours, under the 2035 plus Plan Components conditions. However, this intersection is included in the City's TIF Program and the improvements to each approach may appear feasible in the existing right-of-way. Since the intersection is under Caltrans jurisdiction, the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2x: At the intersection of US 101 SB Ramps and Marsh Road, the necessary mitigation measure is to add one southbound shared left turn/right turn lane on US 101 SB ramp and one additional receiving lane on Marsh Road accordingly.

With both mitigation measures, the intersection level of service improves to LOS E during the AM peak hour and LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way requirements. In addition, this intersection is under Caltrans jurisdiction. Therefore, this impact remains significant and unavoidable.

Mitigation Measure TR-2y: At the intersection of the US 101 NB Ramps and Marsh Road, the necessary mitigation measure is to widen the northbound off-ramp on the western side of the approach and add an additional left-turn lane along with adding a second right-turn lane by restriping one of the existing left-turn lanes. This improvement will require relocation of existing traffic signal poles, utility relocation, and reconstruction of the curb ramp on the southwest corner of the intersection.

This mitigation measure is suggested for the Near-Term 2014 plus Plan Components conditions (Mitigation Measure TR-1h), which according to the FECFDA, Facebook is responsible for implementing. With this mitigation measure, the intersection level of service remains LOS F during both the AM and PM peak hours, and the delay for the northbound left turn and the eastbound through critical movements is about 23 seconds and 14 seconds higher than under the Cumulative conditions, during the AM peak hour and PM peak hour, respectively. Therefore, such mitigation measures could only be considered as partial mitigation.

Under the 2035 plus Plan Components conditions, in addition to the mitigation measures suggested for the Near-Term 2014 plus Plan Components conditions, the additional necessary mitigation measure is to add a third eastbound through lane on Marsh Road and an additional receiving lane on Marsh Road would be necessary as well.

With the mitigation measure, the intersection level of service improves to LOS C during the AM peak hour and LOS B during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way requirements. In addition, this intersection is under Caltrans jurisdiction and the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains significant and unavoidable.

5. Transportation and Traffic – Roadway segment impacts under Near-Term 2014 plus Plan Components conditions would exceed City thresholds.

a. Significant and Unavoidable Impact

Implementation of the Plan Components has the potential to cause roadway segment impacts under Near-Term 2014 plus Plan Components conditions to exceed City thresholds.

b. Facts in Support of Finding

The significant effects listed above would not be reduced to a less-than-significant level with implementation Mitigation Measure TR-3. These are significant and unavoidable impacts.

Mitigation Measure TR-3: The mitigation measures for roadway segment impacts under Near-Term 2014 plus Plan Components conditions would require reducing traffic volumes and improving quality of life and could include transportation demand management (TDM) measures. Such measures may include encouraging carpooling and vanpooling, promoting transit and bicycle/pedestrian mode shares, etc. Even though such TDM measures collectively have the potential to reduce added future development trip totals to less than significant levels, the City cannot guarantee that these measures may be implemented and may reduce the impacts to less than significant. Therefore, the impacts remain significant and unavoidable.

6. Transportation and Traffic – Freeway segment impacts under Near-Term 2014 plus Plan Components conditions would exceed City thresholds.

a. Significant and Unavoidable Impact

Implementation of the Plan Components has the potential to cause freeway segment impacts under Near-Term 2014 plus Plan Components conditions to exceed City thresholds.

b. Facts in Support of Finding

The significant effects listed above would not be reduced to a less-than-significant level with implementation Mitigation Measure TR-4. These are significant and unavoidable impacts.

Mitigation Measure TR-4: The mitigation measure for freeway segments under Near-Term 2014 plus Plan Components conditions normally requires adding additional travel lanes and increasing the capacity of the roadway, to accommodate the additional trips generated by the Plan Components. However, widening roadways/adding additional travel lanes would require right-of-way and may not be feasible. In addition, SR 84 is

under Caltrans jurisdiction. Therefore, this impact remains significant and unavoidable.

7. Transportation and Traffic – Roadway segment impacts under 2035 plus Plan Components conditions would exceed City thresholds.

a. Significant and Unavoidable Impact

Implementation of the Plan Components has the potential to cause roadway segment impacts under 2035 plus Plan Components conditions to exceed City thresholds.

b. Facts in Support of Finding

The significant effects listed above would not be reduced to a less-than-significant level with implementation Mitigation Measure TR-5. These are significant and unavoidable impacts.

Mitigation Measure TR-5: The mitigation measures for roadway segment impacts under 2035 Plus Plan Components conditions would require reducing traffic volumes and improving quality of life and could include TDM measures. Such measures may include encouraging carpooling and vanpooling, promoting transit and bicycle/pedestrian mode shares, etc. Even though such TDM measures collectively have the potential to reduce added project trip totals to less than significant levels, the City cannot guarantee that these measures may be implemented and may reduce the impacts to less than significant. Therefore, the impacts remain significant and unavoidable.

8. Transportation and Traffic – Freeway segment impacts under 2035 plus Plan Components conditions would exceed City thresholds.

a. Significant and Unavoidable Impact

Implementation of the Plan Components has the potential to cause freeway segment impacts under 2035 plus Plan Components conditions to exceed City thresholds.

b. Facts in Support of Finding

The significant effects listed above would not be reduced to a less-than-significant level with implementation Mitigation Measure TR-6. These are significant and unavoidable impacts.

Mitigation Measure TR-6: The mitigation measure for freeway segments under 2035 Plus Plan Components conditions normally requires adding

additional travel lanes and increasing the capacity of the roadway, to accommodate the additional trips generated by the Plan Components. However, widening roadways/adding additional travel lanes would require right-of-way and may not be feasible. In addition, SR 84 is under Caltrans jurisdiction. Therefore, this impact remains significant and unavoidable.

IV. Project Alternatives

Consistent with the California Environmental Quality Act (“CEQA”), the Environmental Assessment evaluated a reasonable range of alternatives to the Plan Components that generally reduce or avoid potentially significant impacts of the Plan Components. Alternatives provide a basis of comparison to the Plan Components in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of a project. The Environmental Assessment analyzed two alternatives, including the No Project alternative and a reduced density alternative.

1. Alternative 1: No Project

The No Project/No Development Alternative (Alternative 1) is required by CEQA. Under this alternative, the Environmental Assessment assumes the Plan Components would not be adopted, and future development would be subject to existing policies, regulations, and land use designations as per the existing General Plan, which would allow for a total of approximately 30 units through second unit and infill housing development and additional industrial development on the Haven Avenue and Hamilton Avenue locations. Under this alternative, the City’s Housing Element would not be updated to fulfill the Regional Housing Needs Allocation (RHNA) for the current planning period (2007 to 2014) as well as the previous planning period (1999 to 2006).

Findings

Specific economic, social, or other considerations make infeasible the No Project Alternative as identified in the Environmental Assessment and as described below.

- Alternative 1 would not meet any of the goals and objectives of the project.
- Alternative 1 would not provide housing to meet the City’s or the region’s needs.
- Alternative 1 would not present a Housing Element that meets the requirements of the Settlement Agreement.
- Alternative 1 would not obtain certification of the City’s Housing Element by the State’s Department of Housing and Community Development as substantially in compliance with State Housing Element law.

2. Alternative 2: Reduced Footprint Alternative

Under this alternative, the overall number of potential housing units that would be permitted by adopting and implementing the Housing Element Update, General Plan

Consistency Update, and associated Zoning Ordinances amendments would be reduced by 25 percent. This would result in a total of 988 housing units, which represents 330 fewer housing units than the Plan Components. As a result, the Reduced Density Alternative would result in the generation of 2,520 new residents to Menlo Park. The General Plan goals, policies and programs, and associated Zoning Ordinance amendments would be the same as those of the Plan Components.

Findings

Specific economic, social, or other considerations make infeasible the Reduced Footprint Alternative as identified in the Environmental Assessment and as described below.

- Alternative 2 would provide less housing to meet the City's or the region's needs.
- Alternative 2 would reduce the numerical difference between the City's housing allocation as determined by ABAG and the amount of housing that can be built under the Housing Element. If the housing projects foreseen under this Alternative were not built, then the City would fail to meet its fair share housing obligations. Since the City cannot control exactly which housing projects are constructed by the private sector under the Housing Element, it desires to designate sites for more housing than required in order to increase the likelihood that the needed amount of housing will be built.

VI. Adoption of the MMRP

The City Council hereby adopts the mitigation measures set forth for the Plan Components in the Environmental Assessment and the MMRP attached hereto as Exhibit A and incorporated herein by this reference.

VII. Severability

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Plan Components, shall continue in full force and effect unless amended or modified by the City.

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I, Margaret S. Roberts, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2013, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHERE OF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2013.

Margaret S. Roberts, MMC
City Clerk

This Mitigation Monitoring and Reporting Program (MMRP) is for the Housing Element Update, General Plan Consistency Update, and associated Zoning Ordinance amendments, together referred to as the “Plan Components.” The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the project. The MMRP includes the following information:

- ◆ A list of mitigation measures;
- ◆ The party responsible for implementing the mitigation measures;
- ◆ The timing for implementation of the mitigation measure;
- ◆ The agency responsible for monitoring the implementation; and
- ◆ The monitoring action and frequency.

The timing for implementation of the mitigation measure is described in the following phases:

- ◆ Pre-Construction
- ◆ Construction
- ◆ Operation

The parties responsible for implementing the mitigation measures and agencies responsible for monitoring the implementation of the mitigation measures are identified as follows:

- ◆ CDD = Community Development Department
- ◆ PWD = Public Works Department
- ◆ SMCEHD = San Mateo County Environmental Health Division
- ◆ CDFG = California Department of Fish and Wildlife
- ◆ Corps = United States Army Corps of Engineers
- ◆ USFWS = United States Fish and Wildlife Services
- ◆ RWQCB = Regional Water Quality Control Board

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
AIR QUALITY					
<p><u>Mitigation Measure AQ-1:</u> Applicants for future development projects shall comply with the following Bay Area Air Quality Management District Basic Control Measures for reducing construction emissions of PM₁₀:</p> <ul style="list-style-type: none"> ◆ Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. ◆ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e. the minimum required space between the top of the load and the top of the trailer). ◆ Pave, apply water twice daily or as often as necessary, to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. ◆ Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, with water sweepers all paved access roads, parking areas and staging areas at the construction site to control dust. ◆ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material. ◆ Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. ◆ Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). ◆ Limit vehicle traffic speeds on unpaved roads to 15 mph. 	Pre-Construction/ Construction	Developer	CDD and PWD	<p>Prior to issuance of grading permit prepare an analysis of emissions generated operation and construction equipment.</p> <p>During construction implement measures to reduce fugitive dust.</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<ul style="list-style-type: none"> ◆ Replant vegetation in disturbed areas as quickly as possible. ◆ Install sandbags or other erosion control measures to prevent silt runoff from public roadways <p>Mitigation Measure AQ-1 would require adherence to Bay Area Air Quality Management District’s (BAAQMD) Basic Control Measures for fugitive dust control. An analysis of emissions generated operation and construction of subsequent Plan Components would be required to evaluate emissions compared to BAAQMD’s Project-Level significance thresholds during individual environmental review. It should be noted that the identification of this program-level impact does not preclude the finding of future less-than-significant impact for subsequent projects that comply with BAAQMD screening criteria or meet applicable thresholds of significance.</p>					
<p><u>Mitigation Measure AQ-2:</u> Prior to issuing building permits, the City shall require the project applicant to evaluate all new residential development pursuant to current guidelines (e.g. Bay Area Air Quality Management District CEQA Guidelines), including a risk assessment of all stationary and mobile emission sources within a 1,000-foot radius of the proposed project that emit sources of toxic air contaminants.</p>	Pre-Construction	Developer	CDD and PWD	Prior to issuing building permit submit evaluation report .	
<p><u>Mitigation Measure AQ-3:</u> Prior to issuing building permits, the City shall require the project applicant to evaluate all new industrial development pursuant to current guidelines (e.g. Bay Area Air Quality Management District CEQA Guidelines) to determine its potential to emit toxic air contaminants and impact sensitive receptors (e.g. residences, day care centers, schools, or hospitals) within a 1,000-foot radius of the project site.</p>	Pre-Construction	Developer	CDD and PWD	Prior to issuing building permit.	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
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CULTURAL RESOURCES

<p><u>Mitigation Measure CULT-1:</u> At the time that individual projects are proposed for residential development on any infill or second unit housing sites around the downtown area with a building more than 50 years old or any site adjoining a property with a building more than 50 years old, the City shall require the project applicant to prepare a site-specific evaluations to determine if the project is subject to completion of a site-specific historic resources study. If it is determined that a site-specific historic resources study is required the study shall be prepared by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the study shall consist of a records search of the California Historical Resources Information System, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The study shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If applicable, the specific requirements for inventory areas and documentation format required by certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), shall be adhered to.</p> <p>If the project site or adjacent properties are found to be eligible for listing on the California Register, the project shall be required to conform to the current <i>Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Restoring Historic Buildings</i>, which require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible altera-</p>	Pre-Construction	Developer	CDD	Prior to issuing building permit.	
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Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
tions to such structures.					

GREENHOUSE GAS EMISSIONS

Project shall be consistent with applicable General Plan polices aimed at reducing greenhouse gas emissions.	Pre-Construction	Developer	CDD	Prior to issuing building permit, the Project application shall clearly identify on the plans or in written documentation compliance with each applicable General Plan policy.	
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HAZARDS AND HAZARDOUS MATERIALS

<u>Mitigation Measure HAZ-1:</u> Prior to issuing building permits for residential development on potential housing Site 5 (Haven Avenue) the applicant shall assess exposure to hazardous materials through the preparation of a focused Phase 1 Environmental Site Assessment (ESA). The ESA shall include an initial screening level analysis followed by a detailed, quantitative human risk assessment analysis, if necessary, per the approval of the San Mateo County Environmental Health Services Division. The applicant shall also prepare and implement a Soil Management Plan and companion Sampling and Analysis Plan during and following soil excavation and compaction activities. As part of the Soil Management Plan, the applicant shall retain an experienced, independent environmental monitor to observe all significant earth-moving activities. The monitor shall observe the operations, remaining watchful for stained or discolored soil that could represent residual contamination. The monitor shall also be empowered to alert the City and regulatory agencies, when appropriate, and provide direction to the grading contractor.	Pre-Construction	Developer	CDD and SMCEHD	Complete ESA and removal of Covenant to Restrict Use of Property between the owner of record and the SMCEHD prior to issuance of building permit.	
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TRANSPORTATION AND TRAFFIC

<u>Mitigation Measure TR-1a:</u> At the intersection of Alpine Road/Santa Cruz Avenue and Junipero Serra Boulevard, the necessary mitigation measure is to re-stripe the north-				PWD The mitigation measure is infeasible due to right-of-way constraints.	
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Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>bound approach on Alpine Road from two through lanes and one right turn lane to one through lane, one shared through/right turn lane and one right turn lane. A bike lane is currently striped between the right-most thru lane and the right turn lane.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the Near-Term 2014 plus Plan Components conditions. However, the re-striping for the northbound approach may not be feasible since this may create a challenge by placing bicyclists between two right turn lanes and may, therefore, require further analysis for the existing bike lane.</p>					
<p><u>Mitigation Measure TR-1b:</u> At the intersection of Middlefield Road and Willow Road, the necessary mitigation measure is to re-stripe the northbound approach on Middlefield Road from one left turn lane, two through lanes and one right turn lane to one left turn lane, one through lane, one shared through right turn lane and one right turn lane.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour and improves to LOS E during the PM peak hour, under the Near-Term 2014 plus Plan Components conditions. According to the 1601 Willow Road Development Agreement for the Facebook East Campus Project (FECPPDA), Facebook is responsible for implementing this necessary mitigation measure.</p>	<p>Per terms of Facebook Campus Project Approvals</p>	<p>Facebook</p>	<p>PWD</p>		
<p><u>Mitigation Measure TR-1c:</u> At the intersection of Bohannon Drive/Florence Street and Marsh Road, the necessary mitigation measure is to add one exclusive westbound right turn lane on Marsh Road.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the Near-Term 2014 plus Plan Components conditions. Through the Development Agreement for the Menlo Gateway Project (MGDA), Bohannon Development Agreement is responsible for implementing the necessary</p>	<p>Per terms of Menlo Gateway Project Approvals Construction</p>	<p>Menlo Gateway Developer</p>	<p>PWD</p>	<p>Prior to project occupancy.</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
mitigation measure.					
<p><u>Mitigation Measure TR-1d:</u> At the intersection of Scott Drive/Rolison Road and Marsh Road, the necessary mitigation measure is to re-stripe the westbound approach on Marsh Road from two left turn lanes, one through lane and one shared through/right turn lane to one left turn lane, two through lanes and one right turn lane.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D while the average queue for the westbound left turn movement remains as one vehicle during the PM peak hour, under the Near-Term 2014 plus Plan Components conditions. The improvements may appear feasible in the existing right-of-way, but the intersection is under both City and Caltrans jurisdiction and coordination between the two jurisdictions would be required. As such, the City cannot guarantee implementation of the mitigation measure.</p>	<p>Add to 5-Year CIP to explore restriping Marsh Road within existing curb-to-curb</p>	<p>City</p>	<p>PWD and Caltrans</p>		
<p><u>Mitigation Measure TR-1e:</u> At the intersection of Newbridge Street and Willow Road, the necessary mitigation measure is to re-stripe the southbound approach on Newbridge Street from one left turn lane, one through lane and one right-turn lane to one shared left turn/through lane, one shared through/right turn lane and one right turn lane, and to add one additional receiving lane on the south leg on Newbridge Street accordingly.</p> <p>With the mitigation measure, the intersection still operates at LOS F during both the AM and PM peak hours, but the delay for the most critical movements are reduced to be less than under the Near-Term 2014 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints on the south leg of the intersection, which would impact private property in East Palo Alto. In addition, this intersection is under Caltrans jurisdiction, and the City cannot guarantee implementation of the mitigation measure.</p>	<p>Per terms of Facebook Campus Project Approvals</p>	<p>Facebook</p>	<p>PWD and Caltrans</p>		

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>It should be noted that FECFDA also suggests a mitigation measure for this intersection, which includes an additional eastbound left-turn lane, an additional northbound receiving lane for the eastbound left turning traffic, an additional westbound through/right-turn lane, and an additional receiving lane for the westbound through traffic. With this mitigation measure, the intersection still operates at LOS F during both the AM and PM peak hours. The delay for the most critical movements are reduced to be less than under the Near-Term condition during the PM peak hour; however, during the AM peak hour, the delay for the eastbound through critical movement is 70 seconds higher than under the Near-Term 2014 plus Plan Components condition even though the overall delay of the intersection was reduced. Therefore, this potential FPDA mitigation measure could be considered as a partial mitigation measure, under the Near-Term 2014 plus Plan Components conditions.</p>					
<p><u>Mitigation Measure TR-1f:</u> At the intersection of Bayfront Expressway and Willow Road, the necessary mitigation measure is to add a third right turn lane for the eastbound approach on Willow Road.</p> <p>With the mitigation measure, the intersection still operates at LOS F during the PM peak hour, but the delay for the most critical movements are reduced to be less than under 2014 plus Plan Components condition. According to the FECFDA, Facebook is responsible for implementing this mitigation measure. However, since this intersection is under Caltrans jurisdiction and the City cannot guarantee implementation of the mitigation measure.</p>	<p>Per terms of Facebook Campus Project Approvals</p>	<p>Facebook</p>	<p>PWD and Caltrans</p>		
<p><u>Mitigation Measure TR-1g:</u> At the intersection of Bayfront Expressway and Marsh Road, the necessary mitigation measure is to re-stripe the southbound approach on Bayfront Expressway/Haven Avenue from one shared left turn/through lane, one through lane and one right turn lane to one left turn/through lane, one through/right turn lane and one right turn lane and to add a third right turn lane for the eastbound approach on Marsh Road.</p>	<p>Pre-Construction/During Construction</p>	<p>PWD Developer</p>	<p>PWD and Caltrans</p>	<p>As a part of the Transportation Impact Fee (TIF) Program, the project would be required to pay fees toward the completion of the mitigation for the triple right from Marsh Road to Bayfront Expressway.</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>With the mitigation measure, the intersection operates at LOS D during both AM and PM peak hours, under the Near-Term 2014 plus Plan Components conditions. However, this intersection is included in the City's TIF Program and the improvements to each approach may appear feasible in the existing right-of-way. Since the intersection is under Caltrans jurisdiction, the City cannot guarantee implementation of the mitigation measure.</p>					
<p><u>Mitigation Measure TR-1h</u>: At the intersection of US 101 NB Ramps and Marsh Road, the necessary mitigation measure is to widen the northbound off-ramp on the western side of the approach and add an additional left-turn lane along with adding a second right-turn lane by restriping one of the existing left-turn lanes. This improvement will require relocation of existing traffic signal poles, utility relocation, and reconstruction of the curb ramp on the southwest corner of the intersection.</p> <p>With the mitigation measure, the intersection operates at LOS D during the AM peak hour, under the Near-Term 2014 plus Plan Components conditions. According to the FECFDA, Facebook is responsible for implementing this mitigation measure. However, since this intersection is under Caltrans jurisdiction, the City cannot guarantee implementation of the mitigation measure.</p>	<p>Per terms of Facebook Campus Project Approvals</p>	<p>Developer</p>	<p>PWD and Caltrans</p>		
<p><u>Mitigation Measure TR-2a</u>: At the intersection of Addison Wesley and Sand Hill Road, the necessary mitigation measure is to restripe the eastbound approach on Sand Hill Road from one left turn lane, two through lanes and one right turn lane to one left turn lane, two through lanes and one shared through/right turn lane. One additional receiving lane on Sand Hill Road is recommended to be added accordingly. A bike lane currently exists between the rightmost through lane and the right turn lane.</p> <p>With the mitigation measure, the intersection level of service improves to LOS B during the AM peak hour, under the 2035 plus Plan Components conditions. However, the</p>				<p>PWD The mitigation measure is infeasible due to right-of-way constraints.</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>improvements may not be feasible due to right-of-way constraints affecting private property. In addition, the re-striping for the eastbound approach is not be feasible since this could result in increased safety hazards to bicyclist by placing bicyclists between two through lanes.</p>					
<p>Mitigation Measure TR-2b: At the intersection of Sharon Park Drive and Sand Hill Road, the necessary mitigation measure is to add one exclusive westbound right turn lane on Sand Hill Road.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints and the presence of a dozen mature evergreen trees. Even though this impact remains <i>significant and unavoidable</i>, it should be noted that the width of the westbound bike lane of 10.5 feet enables this lane to function as a right turn lane in compliance with the California Manual on Uniform Traffic Control Devices (California MUTCD).</p>				<p>PWD The mitigation measure is infeasible due to right-of-way constraints</p>	
<p>Mitigation Measure TR-2c: At the intersection of Alpine Road/Santa Cruz Avenue and Junipero Serra Boulevard, the necessary mitigation measure is to re-stripe the northbound approach on Alpine Road from two through lanes and one right turn lane to one through lane, one shared through/right turn lane and one right turn lane. In addition, a second westbound right turn lane is recommended to be added on Junipero Serra Boulevard.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS E during PM peak hour, with the delay for the most critical movements reduced to be less than under the 2035 plus Plan Components conditions. However, the re-striping for the northbound approach may not be feasible since this may create a challenge by placing bicyclists between two right turn lanes and may, therefore, require further analysis for the existing bike lane.</p>				<p>PWD The mitigation measure is infeasible due to right-of-way constraints</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p><u>Mitigation Measure TR-2d</u>: At the intersection of Santa Cruz Avenue and Sand Hill Road, the necessary mitigation measure is to re-stripe both westbound and eastbound approaches on Sand Hill Road from two left turn lanes, two through lanes and one right turn lane to two left turn lanes, two through lanes and one shared through/right turn lane. One additional receiving lane is recommended to be added on Sand Hill Road for the westbound direction.</p> <p>With the mitigation measure, the intersection level of service remains LOS E during the AM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions; and improves to LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints, with the northwest corner of the intersection under the control of San Mateo County. Also, the re-striping for the eastbound and westbound approaches may not be feasible since this could result in increased safety hazards to bicyclist by placing bicyclists between two through lanes.</p>		PWD		The mitigation measure is infeasible due to right-of-way constraints	
<p><u>Mitigation Measure TR-2e</u>: At the intersection of Middlefield Road and Marsh Road, the necessary mitigation measure is to add a second southbound left turn lane on Middlefield Road and to add one receiving lane on Marsh Road accordingly.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour and LOS E during the PM peak hour, under the 2035 plus Plan Components conditions. However, this intersection is under the jurisdiction of Town of Atherton. Based on prior consultation with the Town of Atherton, the improvements may require covering Atherton Channel and removing numerous heritage trees.</p>		PWD		The mitigation measure is infeasible due to right-of-way constraints and impacts to heritage trees.	
<p><u>Mitigation Measure TR-2f</u>: At the intersection of Laurel Street and Ravenswood Avenue, the necessary mitigation measure is to add one exclusive eastbound right turn lane</p>	Prior to building permit issuance	PWD Developer	PWD	As a part of the Transportation Impact Fee (TIF) Program, the project would	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>on Ravenswood Avenue.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Component conditions.</p> <p>Both the City's TIF Program and the El Camino Real/Downtown Specific Plan project suggest the mitigation measures for this intersection, which are consistent with the necessary mitigation measure suggested for the Plan Components. However, the improvements may not be feasible due to right-of-way constraints.</p>				<p>be required to pay fees toward the completion of the mitigation.</p>	
<p><u>Mitigation Measure TR-2g:</u> At the intersection of Middlefield Road and Ravenswood Avenue, the necessary mitigation measure is to add one exclusive southbound right turn lane on Middlefield Road.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during both the AM and the PM peak hours, under the 2035 plus Plan Components conditions. However, this intersection is included in the City's TIF Program and could be constructed over the long term. However, the improvements may not be feasible due to right-of-way constraints affecting private property in Atherton and would involve coordination with the Town of Atherton.</p>	<p>Prior to building permit issuance</p>	<p>PWD Developer</p>	<p>PWD</p>	<p>As a part of the Transportation Impact Fee (TIF) Program, the project would be required to pay fees toward the completion of the mitigation.</p>	
<p><u>Mitigation Measure TR-2h:</u> At the intersection of Middlefield Road and Willow Road, the necessary mitigation measure is to re-stripe the northbound approach on Middlefield Road from one left turn lane, two through lanes and one right turn lane to one left turn lane, one through lane, one shared through/right turn lane and one right turn lane.</p> <p>With the mitigation measure, the intersection level of service remains LOS F during both the AM and the PM peak hours, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. According to the 1601 Willow Road Development Agreement for the Facebook East Campus</p>	<p>Construction Per terms of Facebook Campus Project Approvals</p>	<p>Developer</p>	<p>PWD</p>	<p>Prior to project occupancy.</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
Project (FECPPDA), Facebook is responsible for implementing this necessary mitigation measure.					
<p><u>Mitigation Measure TR-2i</u>: At the intersection of Gilbert Avenue and Willow Road, the necessary mitigation measure is to add one exclusive eastbound right turn lane and a second westbound left turn lane on Willow Road and to add one additional receiving lane on Gilbert Avenue accordingly.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS E during the AM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints due to impacts to private property.</p>				<p>PWD The mitigation measure is infeasible due to right-of-way constraints.</p>	
<p><u>Mitigation Measure TR-2j</u>: At the intersection of Coleman Avenue and Willow Road, the necessary mitigation measure is to add one exclusive southbound left turn lane on Coleman Avenue and a second eastbound through lane on Willow Road and to add one receiving lane on Willow Road accordingly.</p> <p>With the mitigation measure, the intersection level of service improves to LOS C during the AM peak hour and LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. The installation of one exclusive southbound left turn lane on Coleman Avenue may be accomplished in the existing right-of-way by re-striping work, but it may require the removal of one or two parking spaces.</p> <p>The other improvements to Willow Road do not appear feasible due to right-of-way constraints affecting private property. Although the restriping on Coleman would partially mitigate the impact, this impact remains <i>significant and unavoidable</i>.</p>	<p>Add to 5-Year CIP to explore restriping on Coleman Avenue approach within existing curb-to-curb</p>	<p>City</p>	<p>PWD</p>		
<p><u>Mitigation Measure TR-2k</u>: At the intersection of Durham Street/VA Driveway and Willow Road, the necessary miti-</p>				<p>PWD The mitigation measure is infeasible due to right-of-way constraints.</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>gation measure is to add one exclusive westbound right turn lane on Willow Road.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. The improvements does not appear feasible due to right-of-way constrains. Therefore, this impact remains <i>significant and unavoidable</i>.</p> <p>It should be noted that the El Camino Real/Downtown Specific Plan project also suggests a mitigation measure for this intersection, which includes adding a southbound left turn at the VA Driveway. With this mitigation measure, the intersection still operates at LOS E during the PM peak hour, with the delay for the southbound left turn and the westbound through critical movements about 11 seconds higher than under the 2035 plus Plan Components conditions. However, the average delay for the intersection, as well as the delay of the critical movements, is all reduced by about 1 to 3 seconds, compared to without any mitigation measures under the 2035 plus Plan Components conditions. Therefore, this potential El Camino Real/Downtown Specific Plan mitigation measure could be considered as a partial mitigation measure.</p>					
<p><u>Mitigation Measure TR-2f</u>: At the intersection of Bay Road and Marsh Road, the necessary mitigation measure is to add one exclusive eastbound right turn lane on Marsh Road.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions. However, the improvements are not feasible due to right-of-way constraints and would require the approval of the County of San Mateo and Town of Atherton.</p>				PWD The mitigation measure is infeasible due to right-of-way constraints.	
<p><u>Mitigation Measure TR-2m</u>: At the intersection of Bohannon Drive/Florence Street and Marsh Road, the necessary mitigation measure is to add one exclusive westbound right turn lane on Marsh Road.</p>	Construction Per the terms of the Menlo Gateway Project Approvals	Developer	PWD	Prior to project occupancy.	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour and LOS E during the PM peak hour, under the 2035 plus Plan Components conditions. Through the Development Agreement for the Menlo Gateway Project (MGDA), Bohannon Development Agreement is responsible for implementing the necessary mitigation measure.</p>	<p>Add to 5-Year CIP to explore restriping Marsh Road within existing curb-to-curb</p>	<p>City</p>	<p>PWD and Caltrans</p>		
<p><u>Mitigation Measure TR-2n:</u> At the intersection of Scott Drive/Rolison Road and Marsh Road, with the necessary mitigation measures suggested for the Near-Term 2014 plus Plan Components conditions (Mitigation Measure TR-1d), the intersection level of service remains LOS E during the AM peak hour and LOS F during the PM peak hours, and the delay for the critical movement was reduced to be lower than under the 2035 plus Plan Components conditions during the PM peak hour; however, during the AM peak hour, the westbound left turn critical movement delay is 54 seconds higher than under the Cumulative conditions. Therefore, such mitigation measures could only be considered as partial mitigation.</p> <p>Under the 2035 plus Plan Components condition, the necessary mitigation measure is to add one exclusive westbound right turn lane on Marsh Road.</p> <p>With the mitigation measure, the intersection level of service improves to LOS D during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS F during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. The improvements may appear feasible in the existing right-of-way, but the intersection is under both City and Caltrans jurisdiction and coordination between the two jurisdictions would be required. As such, the City cannot guarantee implementation of the mitigation measure.</p>					
<p><u>Mitigation Measure TR-2o:</u> At the intersection of I-280 NB Off Ramp/Sand Hill Circle and Sand Hill Road, the</p>		<p>PWDThe mitigation measure is infeasible due to right-of-way constraints.</p>	<p>PWD and Caltrans</p>		

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>necessary mitigation measure is to add one exclusive westbound left turn lane and a third eastbound through lane on Sand Hill Road. In addition, one additional receiving lane is recommended to be added on Sand Hill Road accordingly.</p> <p>With the mitigation measure, the intersection level of service improves to LOS C for the south part of the intersection of I-280 NB Off Ramp and Sand Hill Road, during the AM peak hour, under the 2035 plus Plan Components conditions; and remains LOS F for the north part of the intersection of Sand Hill Circle and Sand Hill Road during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constraints and would require the approval of Caltrans.</p>					
<p><u>Mitigation Measure TR-2p:</u> At the intersection of El Camino Real and Valparaiso Avenue/Glenwood Avenue, the necessary mitigation measure is to add one exclusive westbound right turn lane on Glenwood Avenue.</p> <p>With the mitigation measure, the intersection level of service remains LOS E during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. This intersection is included in the City's TIF program, and improvements could be constructed over time. However, the improvements may not be feasible in the short term due to right-of-way constraints. In addition, this intersection is under Caltrans jurisdiction.</p>	<p>Prior to building permit issuance</p>	<p>PWD/Developer</p>	<p>PWD and Caltrans</p>	<p>As a part of the Transportation Impact Fee (TIF) Program, the project would be required to pay fees toward the completion of the mitigation.</p>	
<p><u>Mitigation Measure TR-2q:</u> At the intersection of El Camino Real and Ravenswood Avenue/Menlo Avenue, the necessary mitigation measure is to add one exclusive eastbound right turn lane on Menlo Avenue.</p> <p>With the mitigation measure, the intersection level of service improves to LOS E during the A.M peak hour, under the 2035 plus Plan Components conditions; and remains</p>	<p>Prior to building permit issuance</p>	<p>Developer</p>	<p>PWD and Caltrans</p>	<p>As a part of the Transportation Impact Fee (TIF) Program, the project would be required to pay fees toward the completion of the mitigation.</p>	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>LOS F during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. This intersection is included in the City's TIF program and improvements could be constructed over time. However, the improvements may not be feasible in the short term due to right-of-way constraints. In addition, this intersection is under Caltrans jurisdiction.</p>					
<p><u>Mitigation Measure TR-2r:</u> At the intersection of El Camino Real and Middle Avenue, the necessary mitigation measure is to add one exclusive southbound right turn lane and a second northbound left turn lane on El Camino Real.</p> <p>With the mitigation measure, the intersection level of service remains LOS F during the PM peak hour, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. The City's TIF program includes this intersection and suggests the same intersection improvements. However, these improvements may not be feasible due to right-of-way constraints. In addition, this intersection is under Caltrans jurisdiction.</p>	<p>Prior to building permit issuance</p>	<p>PWD</p>	<p>PWD and Caltrans</p>	<p>As a part of the Transportation Impact Fee (TIF) Program, the project would be required to pay fees toward the completion of the mitigation.</p>	
<p><u>Mitigation Measure TR-2s:</u> At the intersection of Bay Road and Willow Road, the necessary mitigation measure is to re-stripe the southbound approach from one left turn lane and one right turn lane to one left turn lane and one shared left turn/right turn lane.</p> <p>With the mitigation measure, the intersection level of service improves to LOS C during the AM peak hour, under the 2035 plus Plan Components conditions. However, since this intersection is under Caltrans jurisdiction, this impact remains <i>significant and unavoidable</i>.</p>	<p>Add to 5-Year CIP to explore restriping on Bay Road approach within existing curb-to-curb</p>	<p>PWD</p>	<p>PWD and Caltrans</p>		
<p><u>Mitigation Measure TR-2t:</u> At the intersection of New-bridge Street and Willow Road, the necessary mitigation measure is to re-stripe the southbound approach on New-bridge Street from one left turn lane, one through lane and one right-turn lane to one shared left turn/through lane, one shared through/right turn lane and one right turn lane,</p>	<p>Per terms of Facebook Campus Project Approvals</p>	<p>Facebook</p>	<p>PWD and Caltrans</p>		

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>and to add one additional receiving lane on the south leg on Newbridge Street accordingly.</p> <p>With the mitigation measure, the intersection remains LOS F during both the AM and PM peak hours, with the delay for the most critical movement reduced to be less than under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way constrains on the south leg of the intersection, which would impact private property in East Palo Alto. In addition, this intersection is under Caltrans jurisdiction, and the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains <i>significant and unavoidable</i>.</p> <p>It should be noted that FPDA also suggests a mitigation measure for this intersection, which includes an additional eastbound left-turn lane, an additional northbound receiving lane for the eastbound left turning traffic, an additional westbound through/right-turn lane, and an additional receiving lane for the westbound through traffic. With this mitigation measure, the intersection still operates at LOS F during both the AM and PM peak hours. The delay for the most critical movements are reduced to be less than under the 2035 plus Plan Components conditions during the PM peak hour; however, during the AM peak hour, the delay for the eastbound through critical movement was over 100 seconds higher than under the Cumulative condition even though the overall delay of the intersection was reduced. Therefore, this potential Facebook mitigation measure could be considered as a partial mitigation measure, under the 2035 plus Plan Components conditions.</p>					
<p><u>Mitigation Measure TR-2u:</u> At the intersection of Hamilton Avenue and Willow Road, the necessary mitigation measure is to add one exclusive southbound right turn lane on Hamilton Avenue and a second eastbound left turn lane on Willow Road and to add one receiving lane on Hamilton Avenue.</p>	<p>Add to 5-Year CIP to explore restriping on Hamilton Avenue approach within existing curb-to-curb</p>	<p>City</p>	<p>PWD and Caltrans</p>		

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>With the mitigation measure, the intersection level of service improves to LOS C during both the AM and PM peak hours, under the 2035 plus Plan Components conditions. The installation of one exclusive southbound right turn lane on Hamilton Avenue may be done by re-striping work, but it would require the removal of on-street parking spaces. Since the other improvements along Willow Road may not be feasible due to right-of-way constraints and the intersection is under Caltrans jurisdiction, this impact remains <i>significant and unavoidable</i>.</p>	<p>Per the terms of the Facebook Campus Project Approvals</p>	<p>Facebook</p>	<p>PWD and Caltrans</p>		
<p>With the mitigation measure, the intersection still operates at LOS F, but the delay for the most critical movements are reduced to be less than under the 2035 plus Plan Components conditions. According to the FECPDA, Facebook is responsible for implementing this mitigation measure. However, since this intersection is under Caltrans jurisdiction and the City cannot guarantee implementation of the mitigation measure, this impact remains <i>significant and unavoidable</i>.</p>			<p>PWD See mitigation measure TR-1g.</p>		
<p><u>Mitigation Measure TR-2w:</u> At the intersection of Bayfront Expressway and Marsh Road, the necessary mitigation measure is to re-stripe the southbound approach on Bayfront Expressway from one shared left turn/through lane, one through lane and one right turn lane to one left turn/through lane, one through/right turn lane and one right turn lane and to add a third right turn lane for the eastbound approach on Marsh Road.</p>					
<p>With the mitigation measure, the intersection level of service improves to LOS E during both the AM and PM peak hours, under the 2035 plus Plan Components conditions. However, this intersection is included in the City's TIF Program and the improvements to each approach may appear feasible in the existing right-of-way. Since the inter-</p>					

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>section is under Caltrans jurisdiction, the City cannot guarantee implementation of the mitigation measure. Therefore, this impact remains <i>significant and unavoidable</i>.</p>					
<p><u>Mitigation Measure TR-2x</u>: At the intersection of US 101 SB Ramps and Marsh Road, the necessary mitigation measure is to add one southbound shared left turn/right turn lane on US 101 SB ramp and one additional receiving lane on Marsh Road accordingly.</p> <p>With both mitigation measures, the intersection level of service improves to LOS E during the AM peak hour and LOS D during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way requirements. In addition, this intersection is under Caltrans jurisdiction.</p>				<p>PWD and Caltrans The mitigation measure is infeasible due to right-of-way constraints.</p>	
<p><u>Mitigation Measure TR-2y</u>: At the intersection of US 101 NB Ramps and Marsh Road, the necessary mitigation measure is to widen the northbound off-ramp on the western side of the approach and add an additional left-turn lane along with adding a second right-turn lane by restriping one of the existing left-turn lanes. This improvement will require relocation of existing traffic signal poles, utility relocation, and reconstruction of the curb ramp on the southwest corner of the intersection.</p> <p>This mitigation measure is suggested for the Near-Term 2014 plus Plan Components conditions (Mitigation Measure TR-1h), which according to the FECPPDA, Facebook is responsible for implementing. With this mitigation measure, the intersection level of service remains LOS F during both the AM and PM peak hours, and the delay for the northbound left turn and the eastbound through critical movements is about 23 seconds and 14 seconds higher than under the Cumulative conditions, during the AM peak hour and PM peak hour, respectively. Therefore, such mitigation measures could only be considered as partial mitigation.</p>	<p>Per the terms of the Facebook Campus Project Approvals</p>	<p>Facebook</p>	<p>PWD and Caltrans</p>		

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	Standards for Compliance Monitoring Action	Verification of Compliance
<p>Under the 2035 plus Plan Components conditions, in addition to the mitigation measures suggested for the Near-Term 2014 plus Plan Components conditions, the additional necessary mitigation measure is to add a third east-bound through lane on Marsh Road and an additional receiving lane on Marsh Road would be necessary as well.</p> <p>With the mitigation measure, the intersection level of service improves to LOS C during the AM peak hour and LOS B during the PM peak hour, under the 2035 plus Plan Components conditions. However, the improvements may not be feasible due to right-of-way requirements. In addition, this intersection is under Caltrans jurisdiction and the City cannot guarantee implementation of the mitigation measure.</p>					
<p><u>Mitigation Measure TR-3:</u> Measures for roadway segment impacts under Near-Term 2014 plus Plan Components conditions would require reducing traffic volumes and improving quality of life and could include transportation demand management (TDM) measures. Such measures may include encouraging carpooling and vanpooling, promoting transit and bicycle/pedestrian mode shares, etc. Even though such TDM measures collectively have the potential to reduce added future development trip totals to less than significant levels, the City cannot guarantee that these measures may be implemented and may reduce the impacts to less than significant.</p>				PWD The mitigation measure is infeasible.	
<p><u>Mitigation Measure TR-4:</u> The mitigation measure for freeway segments under Near-Term 2014 plus Plan Components conditions normally requires adding additional travel lanes and increasing the capacity of the roadway, to accommodate the additional trips generated by the Plan Components. However, widening roadways/adding additional travel lanes would require right-of-way and may not be feasible. In addition, SR 84 is under Caltrans jurisdiction.</p>			PWD and Caltrans	The mitigation measure is infeasible due to right-of-way constraints.	
<p><u>Mitigation Measure TR-5:</u> The mitigation measures for roadway segment impacts under 2035 Plus Plan Compo-</p>				PWD The mitigation measure is infeasible.	

Mitigation Measures	Implementation Timing	Party Responsible for Implementation	Agency Responsible for Monitoring	<u>Standards for Compliance Monitoring Action</u>	Verification of Compliance
<p>nents conditions would require reducing traffic volumes and improving quality of life and could include TDM measures. Such measures may include encouraging car-pooling and vanpooling, promoting transit and bicycle/pedestrian mode shares, etc. Even though such TDM measures collectively have the potential to reduce added project trip totals to less than significant levels, the City cannot guarantee that these measures may be implemented and may reduce the impacts to less than significant.</p>					
<p><u>Mitigation Measure TR-6:</u> The mitigation measure for freeway segments under 2035 Plus Plan Components conditions normally requires adding additional travel lanes and increasing the capacity of the roadway, to accommodate the additional trips generated by the Plan Components. However, widening roadways/adding additional travel lanes would require right-of-way and may not be feasible. In addition, SR 84 is under Caltrans jurisdiction.</p>				<p><u>PWD and Caltrans</u> <u>The mitigation measure is infeasible due to right-of-way constraints.</u></p>	

RESOLUTION NO.**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE HOUSING ELEMENT UPDATE, GENERAL PLAN CONSISTENCY UPDATE AND ASSOCIATED ZONING ORDINANCE AMENDMENTS**

WHEREAS, in May 2012, Peninsula Interfaith Action, Urban Habitat Program and Youth United for Community Action (“Petitioners”) filed an action against the City of Menlo Park (“City”) for failure to timely update its Housing Element in accordance with State law and for failure to re-zone adequate sites to accommodate the City’s share of the region’s need for affordable housing; and

WHEREAS, the City and Petitioners entered into a Judgment Pursuant to Stipulation incorporating the Settlement Agreement in which the City agreed to update its Housing Element in accordance with State law and to re-zone adequate sites to accommodate the City’s share of the region’s need for affordable housing; and

WHEREAS, California Government Code Section 65759 provides that when a city is ordered by a court to bring its Housing Element into compliance, the city shall prepare an initial study and if it determines that the action may have a significant effect on the environment, the city shall prepare an Environmental Assessment, the content of which shall substantially conform to the required content of a Draft Environmental Impact Report (“EIR”); and

WHEREAS, the City prepared an Initial Study to determine the environmental topics for which potential future development associated with the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments (“Plan Components”) could result in potentially significant impacts; and

WHEREAS, the City prepared an Environmental Assessment dated April 4, 2013 that substantially conforms to the required content of a Draft EIR and addresses the significant or potentially significant impacts on the environment associated with the Plan Components; and

WHEREAS, a joint Planning Commission and City Council public hearing was held on April 9, 2013 to present information on the Environmental Assessment and members of the public and agencies were invited to provide comments; and

WHEREAS, the Planning Commission held public hearings on the Plan Components and Environmental Assessment on April 22, 2013 and April 29, 2013, whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council held a public hearing on the Plan Components and Environmental Assessment on May 21, 2013 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission voted affirmatively to recommend to the City Council and the City Council found that the Environmental Assessment substantially conforms to the required contents for a Draft EIR and adopted the Mitigation Monitoring and Reporting Program (“MMRP”).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby makes the following Statement of Overriding Considerations with respect to the significant effects on the environment as identified in the Environmental Assessment.

The City hereby finds, based upon substantial evidence in the record, that the following specific overriding economic, legal, social, technological, and other benefits of the Plan Components outweigh the significant and unavoidable impacts identified in the Environmental Assessment:

1. The Plan Components would bring the Housing Element, General Plan Update and Zoning into compliance with State Law.
2. The Plan Components would ensure overall community quality of life by developing a vision for Menlo Park that supports sustainable local, regional, and State housing, transportation, and environmental goals, while maintaining the high quality of life, small town feel, and village character of Menlo Park, which make it distinctive and enjoyable to its residents.
3. The Plan Components would address housing needs by assessing housing needs and provide a vision for housing within the City to satisfy the needs of a diverse population to comply with State law and provide the City’s regional fair share of land available for residential development.
4. The Plan Components would provide a variety of housing choices by providing a variety of housing opportunities proportionally by income to accommodate the needs of people who currently work or live in Menlo Park, such as teachers, young people just getting started, and seniors who want to down-size, who either cannot find homes or cannot afford market-rate housing in Menlo Park.
5. The Plan Components would address the City’s share of regional housing needs by ensuring the General Plan and Zoning capacity for an adequate number of new housing units to meet the Regional Housing Need Allocation at all income levels for the current (2007 to 2014) and prior (1999 to 2006) planning periods.
6. The Plan Components would ensure that development of new housing is sensitive to and compatible with adjacent neighborhoods.

7. The Plan Components would maintain the existing housing stock.
8. The Plan Components would provide effective housing policies and programs by continuing existing and develop new programs and policies to meet the projected affordable housing need, including the needs of persons living with disabilities and other special needs households at extremely low, very low, low, and moderate income levels.
9. The Plan Components would remove constraints that unduly impact housing development by evaluating potential constraints to housing development and encourage new housing in locations supported by existing or planned infrastructure, while maintaining existing neighborhood character.
10. The Plan Components would ensure appropriate zoning for special needs housing by providing housing for seniors, person living with disabilities, female-headed households, large families, homeless, and other persons with special housing needs, including zoning for emergency shelter, transitional, and supportive housing opportunities.
11. The Plan Components would provide design guidance for new development to fit with community character by implementing design guidelines or similar tools to ensure development of housing for all income levels while maintaining community character.
12. The Plan Components would provide adequate sites for higher density housing consistent with the City's RNHA requirements.
13. The Plan Components would present a Housing Element that meets the requirements of the Settlement Agreement.
14. The Plan Components would obtain certification of the City's Housing Element by the State's Department of Housing and Community Development as substantially in compliance with State Housing Element law.
15. The Plan Components would make all elements of the General Plan consistent with the Housing Element update.
16. The Plan Components would provide incentives to encourage affordable housing by establishing an Affordable Housing Overlay Zoning designation and other policies and programs to encourage affordable housing development.
17. The Plan Components would ensure implementation of Housing Element and General Plan programs by completing amendments to the Menlo Park Zoning Ordinance and other programs in a timely manner consistent with the Housing Element and the General Plan.

18. The Plan Components would implement policies and programs in the Housing Element in support of affordable housing, including the allocation of funds from the City's below market rate housing fund and support of developments determined by the City to be viable for Low Income Housing Tax Credit funding.

I, Margaret S. Roberts, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2013, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHERE OF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2013.

Margaret S. Roberts, MMC
City Clerk

RESOLUTION NO.**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING THE GENERAL PLAN TO UPDATE THE HOUSING ELEMENT IN COMPLIANCE WITH STATE LAW**

WHEREAS, the City of Menlo Park (“City”) is required by State Law to update its Housing Element and is under a judgment of the Court to timely complete the update in a manner that accommodates the Regional Housing Needs Allocation (“RHNA”) for the current planning period (2007 to 2014) and the previous planning period (1999 to 2006); and

WHEREAS, the City held numerous public meetings regarding the Housing Element update process between June 2012 and May 2013; and

WHEREAS, the City provided notice of each meeting to those who wished to receive notifications of upcoming meetings and/or follow the Housing Element process via subscription to the City’s electronic noticing system available on the City’s Housing Element Update webpage at www.menlopark.org/athome; and

WHEREAS, the Housing Element process was guided by a Steering Committee, comprised of members of the City Council, Housing Commission, and Planning Commission; and

WHEREAS, the Steering Committee meetings, subject to the Brown Act, met six times between June and January 2013; and

WHEREAS, on October 31, 2012, the City submitted its Draft Housing Element to the State Department of Housing and Community Development, which started the official 60-day review period by the State; and

WHEREAS, on October 31, 2012 the City made the Draft Housing Element available in digital format on the City’s website and provided printed copies for the public to review at the Community Development Office, Main Library, Belle Haven Library, Onetta Harris Community Center, and Senior Center; and

WHEREAS, during the month of December 2012, the City presented an overview and addressed questions about the Housing Element at public meetings of the Housing Commission, Environmental Quality Commission, Bicycle Commission, Transportation Commission, Planning Commission, and Parks & Recreation Commission; and

WHEREAS, members of the public were invited to submit comments on the Draft Housing Element in writing by close of business Friday, December 21, 2012; and

WHEREAS, an Environmental Assessment was conducted regarding the Housing Element in compliance with Government Code Section 65759; and

WHEREAS, the provisions of the Government Code, 65350, et. seq., have been complied with; and

WHEREAS, a joint Planning Commission and City Council public hearing was held on April 9, 2013 to present information on the final revised Housing Element and members of the public and agencies were invited to provide verbal comments; and

WHEREAS, the Planning Commission held duly noticed public hearings on April 22, 2013 and April 29, 2013 to review and consider the Housing Element, whereat all interested persons had the opportunity to appear and comment, and recommended the City Council approve the Housing Element; and

WHEREAS, the City Council held a duly noticed public hearing on May 21, 2013 to review and consider the Housing Element, whereat all interested persons had the opportunity to appear and comment.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park as follows:

1. The Housing Element is in compliance with Government Code Section 65580 et seq.
2. The Housing Element complies with all requirements of the Judgment Pursuant to Stipulation in Case No. CV-513882.
3. The Housing Element programs and policies are intended to guide the City's housing efforts through the current planning period (2007-2014).
4. The Housing Element addresses the RHNA for the current (2007-2014) and previous (1999-2006) planning periods.
5. The Housing Element update is incorporated in its entirety and replaces the existing Housing Element in the City's General Plan.

This resolution shall take effect upon approval.

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I, Margaret S. Roberts, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2013, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2013.

Margaret S. Roberts, MMC
City Clerk

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RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING THE GENERAL PLAN TO UPDATE THE OPEN SPACE AND CONSERVATION, NOISE AND SAFETY ELEMENTS, MODIFY THE LAND USE DESIGNATIONS OF MEDIUM DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL AND LIMITED INDUSTRY, TO DELETE THE LAND USE DESIGNATION OF EL CAMINO REAL PROFESSIONAL/RETAIL COMMERCIAL, TO MODIFY THE RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USE INTENSITY TABLES, AND TO CHANGE THE LAND USE DESIGNATION FOR PROPERTY LOCATED AT 1221-1275 AND 1317-1385 WILLOW ROAD, 631, 711-721, 735-763, 767, 771, 777-821, AND 831-851 HAMILTON AVENUE, AND 3605-3615, 3633-3639, AND 3645-3665 HAVEN AVENUE

WHEREAS, the Planning Commission held duly noticed public hearings on April 22, 2013 and April 29, 2013, whereat all interested persons had the opportunity to appear and comment; and

WHEREAS, the City Council held a duly noticed public hearing on May 21, 2013, whereat all interested persons had the opportunity to appear and comment; and

WHEREAS, the City Council of the City of Menlo Park considered the recommendation of the Planning Commission; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Open Space and Conservation Element, Noise and Safety Elements in order to provide consistency with the Housing Element and update the goals, policies and programs; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan land use designation of Medium Density Residential to allow up to 30 dwelling units per acre in designated areas around the El Camino Real/Downtown Specific Plan boundary; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan land use designation of High Density Residential to modify the residential intensity range of 20 to 40 dwelling units per acre for consistency with the R-4 and R-4-S zoning districts, and to clarify that the residential intensity of senior housing does not have a minimum density of 54 du/ac; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to delete the General Plan land use designation of El Camino Real Professional/Retail Commercial since no property

contains this land use designation given the adoption of the El Camino Real Downtown Specific Plan; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to modify the General Plan land use designation of Limited Industry given the elimination of the M-1 (Light Industrial) zoning; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Residential Use Intensity table (Table II-1) for consistency with changes to the Medium Density, High Density Residential and El Camino Real Professional/Retail Commercial land use designations, and to clarify that the floor area limit/ratio does not include bonuses that may be permitted through application of the State law or other provisions in the Zoning Ordinance; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Commercial Use Intensity table (Table II-2) for consistency with changes to the El Camino Real Professional/Retail Commercial land use designation; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Industrial Use Intensity table (Table II-3) for consistency with the elimination of the M-1 zoning district; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan to change the land use designation for certain property located at 1221-1275 and 1317-1385 Willow Road (Assessor's Parcel Numbers 062-103-610 and 055-383-560) from Medium Density Residential to High Density Residential; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan to change the land use designation for certain property located at 631, 711-721, 735-763, 767, 771, 777-821, and 831-851 Hamilton Avenue (Assessor's Parcel Numbers 055-374-120, 055-396-070, 055-396-040, 055-396-060, 055-397-010, 055-397-020, 055-397-030, 055-397-040, 055-397-050, 055-398-240, 055-398-010, 055-398-260, 055-398-030, 055-398-040, 055-398-050, 055-398-060, 055-398-070, 055-398-080, 055-398-090, 055-398-100 and 055-398-110) from Limited Industry to High Density Residential; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan to change the land use designation for certain property located at 3605-3615, 3633-3639, and 3645-3665 Haven Avenue (Assessor's Parcel Numbers 055-170-260, 055-170-200, 055-170-190,

055-170-270, 055-170-180, 055-170-320, 055-170-210, 055-170-220, 055-170-080, 055-170-070 and 055-170-060) from Limited Industry to High Density Residential; and

WHEREAS, the provisions of the Government Code, 65350, et. seq. have been complied with; and

WHEREAS, this resolution is not subject to the California Environmental Quality Act (“CEQA”). Pursuant to the court ordered Judgment Pursuant to Stipulation (“Judgment”) in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This resolution is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this resolution were subject to CEQA, this resolution is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This resolution is ministerial in that the Housing Element indicates that the City “will” take the actions identified in this resolution within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this resolution in response to environmental review. As a ministerial action, this resolution is not a project subject to CEQA.

Even if this resolution were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this resolution from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this resolution were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the resolution will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this resolution is exempt from CEQA.

WHEREAS, the City Council of the City of Menlo Park has considered the recommendation of the Planning Commission in regard to amending the General Plan;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the General Plan Amendment to:

1. Update the Open Space and Conservation Element, Noise and Safety Elements, particularly described in Exhibit A;
2. Modify the Medium Density Residential land use designation, particularly described in Exhibit B;
3. Modify the High Density Residential land use designation, particularly described in Exhibit C;
4. Delete the El Camino Real Professional/Retail Commercial land use designation, particularly described in Exhibit D;
5. Modify the Limited Industry land use designation, particularly described in Exhibit E;
6. Amend the Residential Use Intensity table (Table II-1), particularly described in Exhibit F;
7. Amend the Commercial Use Intensity table (Table II-2), particularly described in Exhibit G;
8. Amend the Industrial Use Intensity table (Table II-3), particularly described in Exhibit H;
9. Change the land use designation from Medium Density Residential to High Density Residential for certain property on Willow Road, particularly described in Exhibit I;
10. Change the land use designation from Limited Industry to High Density Residential for certain property on Hamilton Avenue, particularly described in Exhibit J; and
11. Change the land use designation from Limited Industry to High Density Residential for certain property on Haven Avenue, particularly described in Exhibit K, be adopted.

This resolution shall take effect upon approval.

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Plan Components, shall continue in full force and effect unless amended or modified by the City.

I, Margaret S. Roberts, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2013, by the following votes:

AYES:

NOES:

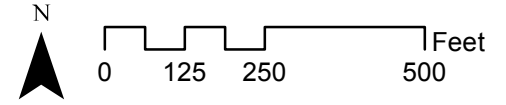
ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2013.

Margaret S. Roberts, MMC
City Clerk

CITY OF MENLO PARK



GENERAL PLAN AMENDMENT: Medium Density Residential
to High Density Residential

ADDRESSES: 1221-1275 & 1317-1385 Willow Road

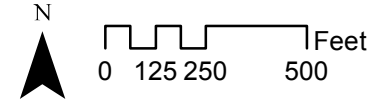
APNs: 062-103-610 & 055-383-560

Legend

- City Limits
- Subject Sites
- Parcels



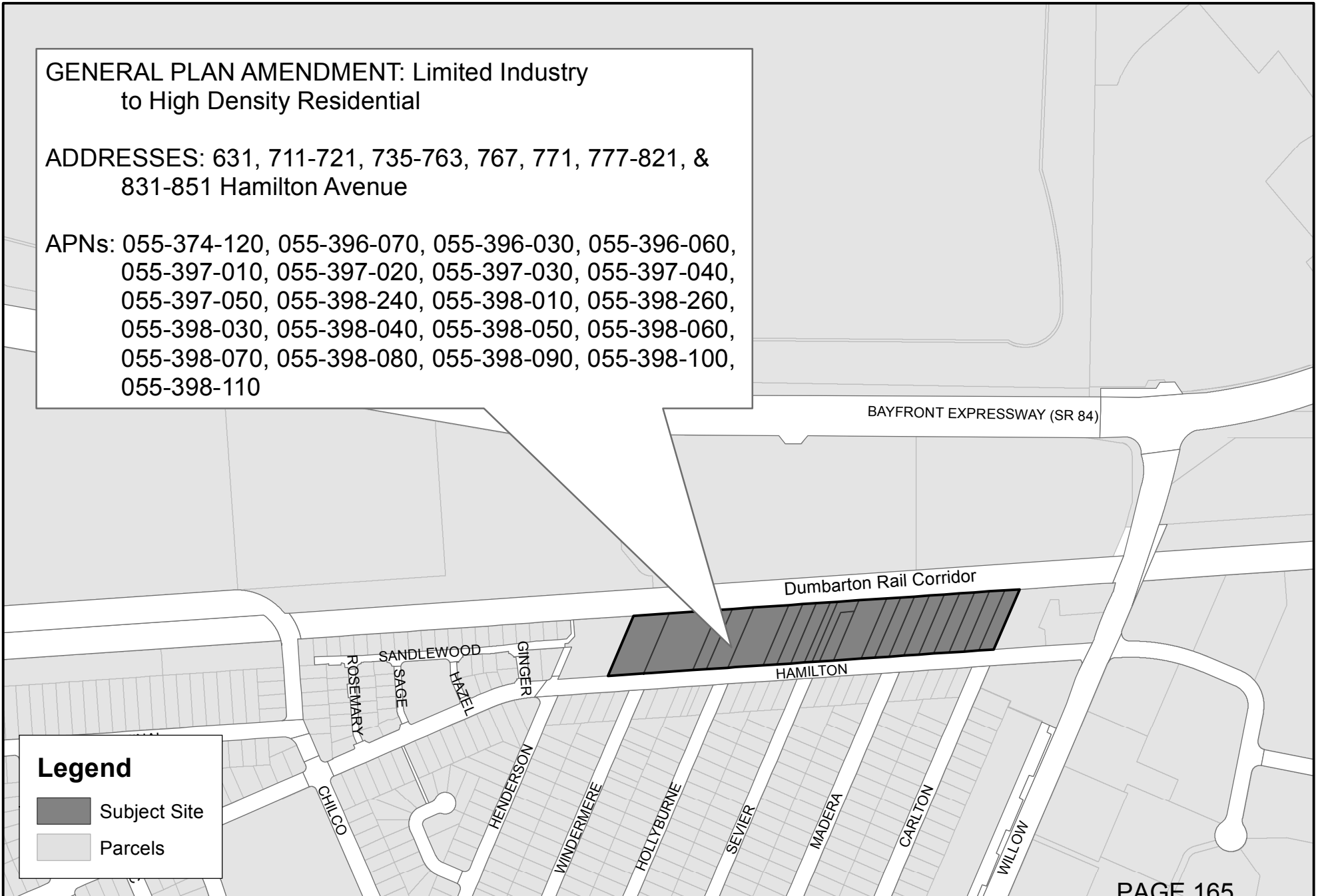
CITY OF MENLO PARK



GENERAL PLAN AMENDMENT: Limited Industry
to High Density Residential

ADDRESSES: 631, 711-721, 735-763, 767, 771, 777-821, &
831-851 Hamilton Avenue

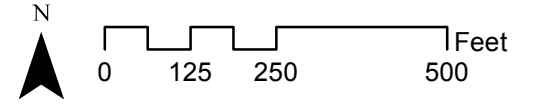
APNs: 055-374-120, 055-396-070, 055-396-030, 055-396-060,
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055-397-050, 055-398-240, 055-398-010, 055-398-260,
055-398-030, 055-398-040, 055-398-050, 055-398-060,
055-398-070, 055-398-080, 055-398-090, 055-398-100,
055-398-110



Legend

- Subject Site
- Parcels

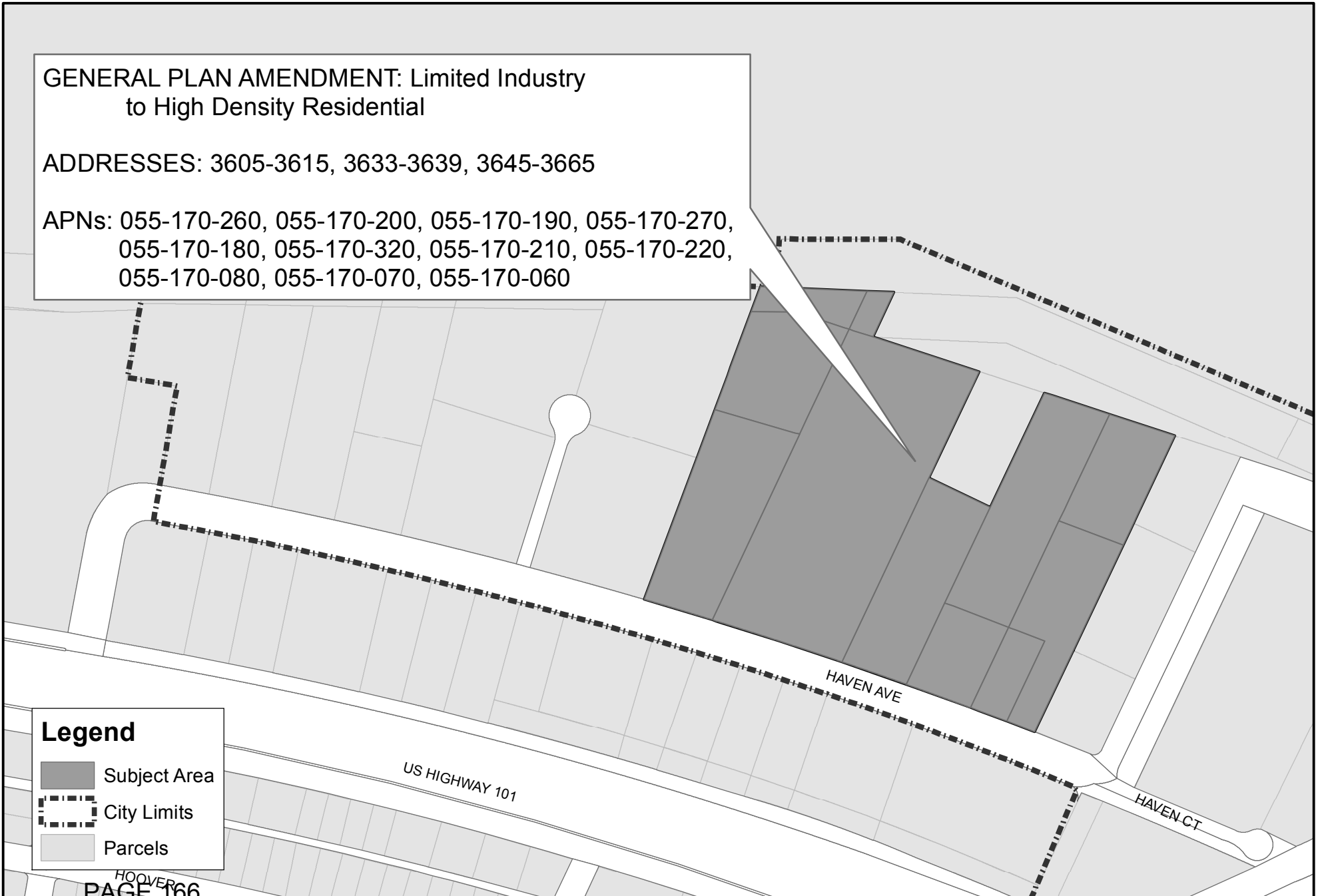
CITY OF MENLO PARK



GENERAL PLAN AMENDMENT: Limited Industry
to High Density Residential

ADDRESSES: 3605-3615, 3633-3639, 3645-3665

APNs: 055-170-260, 055-170-200, 055-170-190, 055-170-270,
055-170-180, 055-170-320, 055-170-210, 055-170-220,
055-170-080, 055-170-070, 055-170-060



Legend

- Subject Area
- City Limits
- Parcels

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING THE GENERAL PLAN TO UPDATE THE OPEN SPACE AND CONSERVATION, NOISE AND SAFETY ELEMENTS, MODIFY THE LAND USE DESIGNATIONS OF MEDIUM DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL AND LIMITED INDUSTRY, TO DELETE THE LAND USE DESIGNATION OF EL CAMINO REAL PROFESSIONAL/RETAIL COMMERCIAL, TO MODIFY THE RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USE INTENSITY TABLES, AND TO CHANGE THE LAND USE DESIGNATION FOR PROPERTY LOCATED AT 1221-1275 AND 1317-1385 WILLOW ROAD, 631, 711-721, 735-763, 767, 771, 777-821, AND 831-851 HAMILTON AVENUE, AND 3605-3665 HAVEN AVENUE

WHEREAS, the Planning Commission held duly noticed public hearings on April 22, 2013 and April 29, 2013, whereat all interested persons had the opportunity to appear and comment; and

WHEREAS, the City Council held a duly noticed public hearing on May 21, 2013, whereat all interested persons had the opportunity to appear and comment; and

WHEREAS, the City Council of the City of Menlo Park considered the recommendation of the Planning Commission; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Open Space and Conservation Element, Noise and Safety Elements in order to provide consistency with the Housing Element and update the goals, policies and programs; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan land use designation of Medium Density Residential to allow up to 30 dwelling units per acre in designated areas around the El Camino Real/Downtown Specific Plan boundary; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan land use designation of High Density Residential to modify the residential intensity range of 20 to 40 dwelling units per acre for consistency with the R-4 and R-4-S zoning districts, and to clarify that the residential intensity of senior housing does not have a minimum density of 54 du/ac; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to delete the General Plan land use designation of El Camino Real Professional/Retail Commercial since no property

contains this land use designation given the adoption of the El Camino Real Downtown Specific Plan; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to modify the General Plan land use designation of Limited Industry given the elimination of the M-1 (Light Industrial) zoning; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Residential Use Intensity table (Table II-1) for consistency with changes to the Medium Density, High Density Residential and El Camino Real Professional/Retail Commercial land use designations, and to clarify that the floor area limit/ratio does not include bonuses that may be permitted through application of the State law or other provisions in the Zoning Ordinance; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Commercial Use Intensity table (Table II-2) for consistency with changes to the El Camino Real Professional/Retail Commercial land use designation; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan Industrial Use Intensity table (Table II-3) for consistency with the elimination of the M-1 zoning district; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan to change the land use designation for certain property located at 1221-1275 and 1317-1385 Willow Road (Assessor's Parcel Numbers 062-103-610 and 055-383-560) from Medium Density Residential to High Density Residential; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan to change the land use designation for certain property located at 631, 711-721, 735-763, 767, 771, 777-821, and 831-851 Hamilton Avenue (Assessor's Parcel Numbers 055-374-120, 055-396-070, 055-396-040, 055-396-060, 055-397-010, 055-397-020, 055-397-030, 055-397-040, 055-397-050, 055-398-240, 055-398-010, 055-398-260, 055-398-030, 055-398-040, 055-398-050, 055-398-060, 055-398-070, 055-398-080, 055-398-090, 055-398-100 and 055-398-110) from Limited Industry to High Density Residential; and

WHEREAS, the Planning Commission and the City Council of the City of Menlo Park have considered the adoption of an amendment to the General Plan to change the land use designation for certain property located at 3605-3665 Haven Avenue (Assessor's Parcel Numbers 055-170-260, 055-170-200, 055-170-190, 055-170-270, 055-170-180,

055-170-330, 055-170-320, 055-170-210, 055-170-220, 055-170-080, 055-170-070 and 055-170-060) from Limited Industry to High Density Residential; and

WHEREAS, the provisions of the Government Code, 65350, et. seq. have been complied with; and

WHEREAS, this resolution is not subject to the California Environmental Quality Act (“CEQA”). Pursuant to the court ordered Judgment Pursuant to Stipulation (“Judgment”) in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This resolution is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this resolution were subject to CEQA, this resolution is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This resolution is ministerial in that the Housing Element indicates that the City “will” take the actions identified in this resolution within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this resolution in response to environmental review. As a ministerial action, this resolution is not a project subject to CEQA.

Even if this resolution were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this resolution from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this resolution were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the resolution will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this resolution is exempt from CEQA.

WHEREAS, the City Council of the City of Menlo Park has considered the recommendation of the Planning Commission in regard to amending the General Plan;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the General Plan Amendment to:

1. Update the Open Space and Conservation Element, Noise and Safety Elements, particularly described in Exhibit A;
2. Modify the Medium Density Residential land use designation, particularly described in Exhibit B;
3. Modify the High Density Residential land use designation, particularly described in Exhibit C;
4. Delete the El Camino Real Professional/Retail Commercial land use designation, particularly described in Exhibit D;
5. Modify the Limited Industry land use designation, particularly described in Exhibit E;
6. Amend the Residential Use Intensity table (Table II-1), particularly described in Exhibit F;
7. Amend the Commercial Use Intensity table (Table II-2), particularly described in Exhibit G;
8. Amend the Industrial Use Intensity table (Table II-3), particularly described in Exhibit H;
9. Change the land use designation from Medium Density Residential to High Density Residential for certain property on Willow Road, particularly described in Exhibit I;
10. Change the land use designation from Limited Industry to High Density Residential for certain property on Hamilton Avenue, particularly described in Exhibit J; and
11. Change the land use designation from Limited Industry to High Density Residential for certain property on Haven Avenue, particularly described in Exhibit K, be adopted.

This resolution shall take effect upon approval.

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Plan Components, shall continue in full force and effect unless amended or modified by the City.

I, Margaret S. Roberts, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2013, by the following votes:

AYES:

NOES:

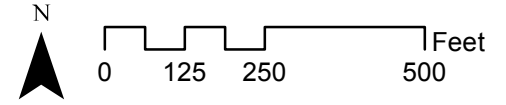
ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2013.

Margaret S. Roberts, MMC
City Clerk

CITY OF MENLO PARK



GENERAL PLAN AMENDMENT: Medium Density Residential
to High Density Residential

ADDRESSES: 1221-1275 & 1317-1385 Willow Road

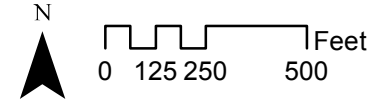
APNs: 062-103-610 & 055-383-560

Legend

- City Limits
- Subject Sites
- Parcels



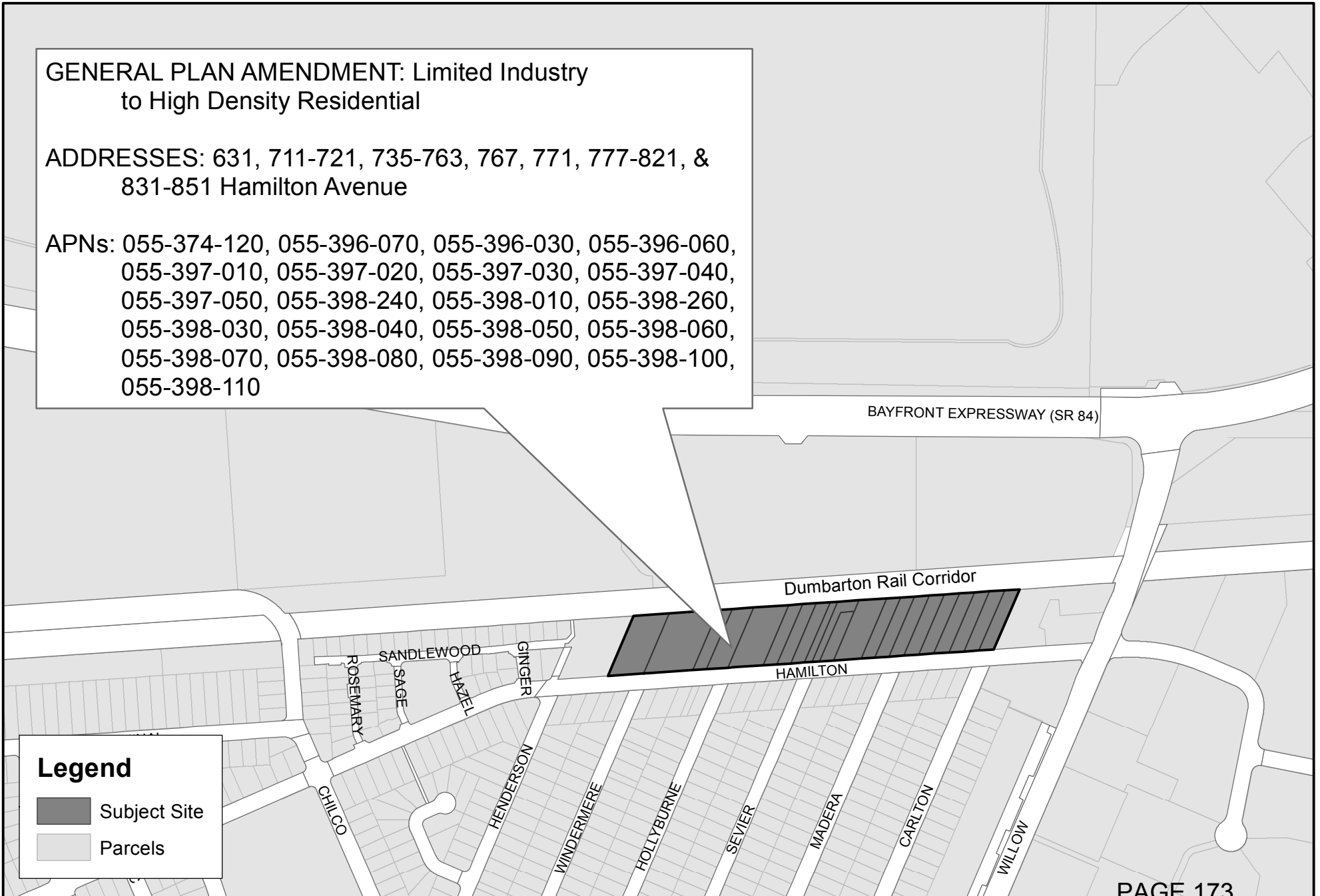
CITY OF MENLO PARK



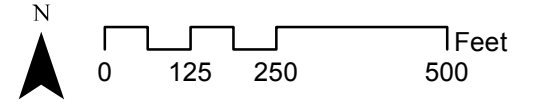
GENERAL PLAN AMENDMENT: Limited Industry
to High Density Residential

ADDRESSES: 631, 711-721, 735-763, 767, 771, 777-821, &
831-851 Hamilton Avenue

APNs: 055-374-120, 055-396-070, 055-396-030, 055-396-060,
055-397-010, 055-397-020, 055-397-030, 055-397-040,
055-397-050, 055-398-240, 055-398-010, 055-398-260,
055-398-030, 055-398-040, 055-398-050, 055-398-060,
055-398-070, 055-398-080, 055-398-090, 055-398-100,
055-398-110



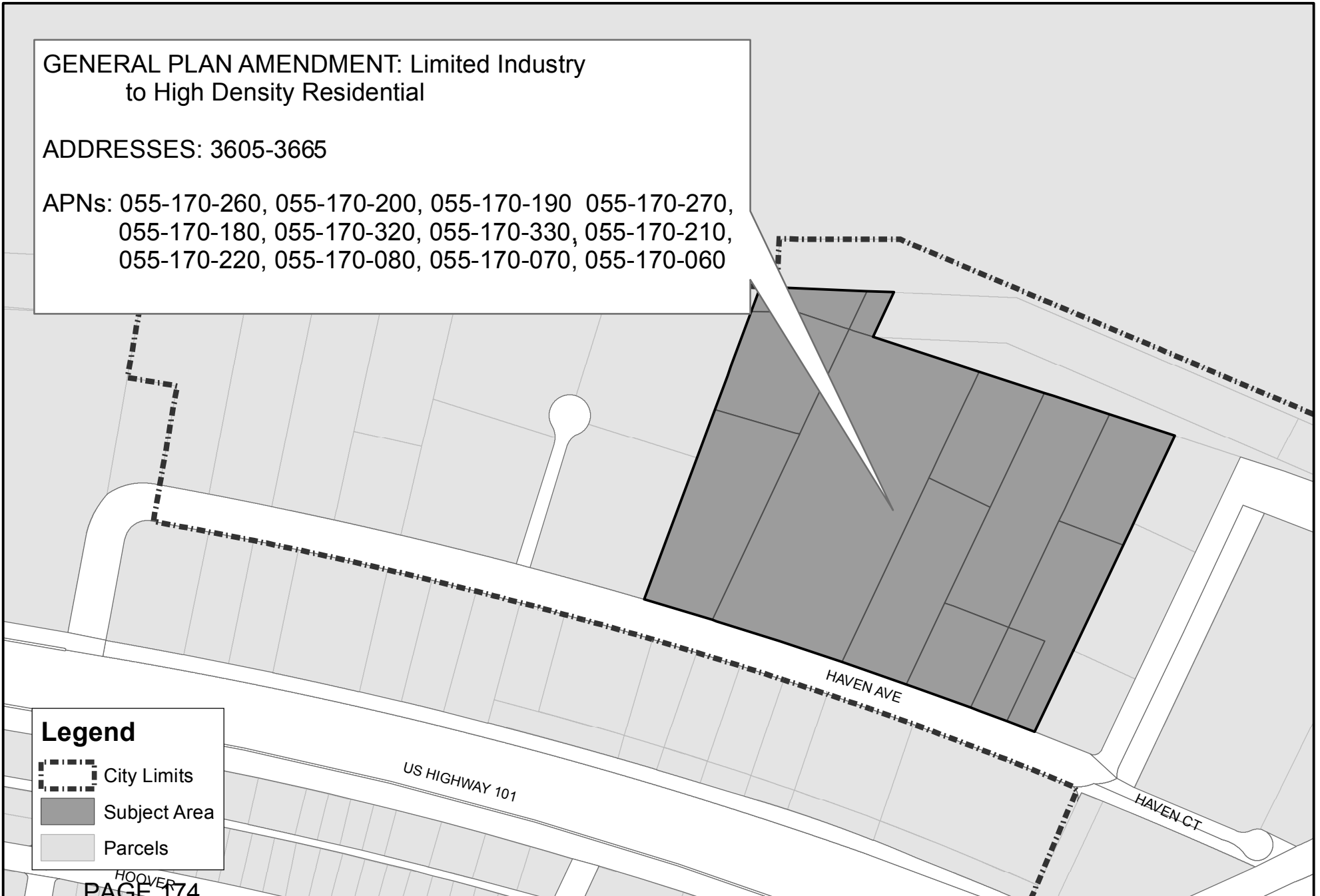
CITY OF MENLO PARK



GENERAL PLAN AMENDMENT: Limited Industry
to High Density Residential

ADDRESSES: 3605-3665

APNs: 055-170-260, 055-170-200, 055-170-190 055-170-270,
055-170-180, 055-170-320, 055-170-330, 055-170-210,
055-170-220, 055-170-080, 055-170-070, 055-170-060



Legend

- City Limits
- Subject Area
- Parcels

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING ~~CHAPTER 16.04 [DEFINITIONS]~~, CHAPTER 16.68 [BUILDINGS] AND CHAPTER 16.72 [OFF-STREET PARKING] AND ADDING CHAPTER 16.23 [R-4-S HIGH DENSITY RESIDENTIAL, SPECIAL] TO TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The City desires to add Chapter 16.23 (High Density Residential, Special) and amend Chapters 16.04 [Definition], 16.68 [Buildings], and 16.72 [Off-street Parking] of Title 16 [Zoning] to create consistency and opportunities for higher density housing in locations with development that is meant to blend with and enhance existing neighborhoods through application of the development regulations and design standards to help create attractive, hospitable and functionally useful multi-family housing.
- B. The Planning Commission held duly noticed public hearings on April 22, 2013 and April 29, 2013 to review and consider the proposed amendments to Chapters 16.04, 16.68 and 16.72, and the addition of Chapter 16.23 to Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- C. The City Council held duly noticed public hearings on April 22, 2013 and April 29, 2013 to review and consider the proposed amendments to Chapters 16.04, 16.68 and 16.72, and the addition of Chapter 16.23 to Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- D. After due consideration of the proposed amendments and addition to Title 16, public comments, the recommendation of the Planning Commission, and the staff report, the City Council finds that the proposed amendments and addition to Title 16 support the Housing Element and are appropriate.

SECTION 2. Chapter 16.04 [Definitions] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows:

~~16.04.335 Height of façade.~~

~~The height of the façade beyond which upper stories of a building step back from the main building plane.~~

~~16.04.299 Façade Height. See “Height of façade.”~~

SECTION 3. Chapter 16.23 [High Density Residential, Special] is hereby added to Chapter 16 [Zoning] of the Menlo Park Municipal Code to read as follows:

Chapter 16.23**R-4-S High Density Residential, Special****Sections:****16.23.010 Purpose****16.23.020 Permitted Uses****16.23.030 Conditional Uses****16.26.040 Nonconforming Uses****16.23.050 Development Regulations****16.23.060 Mitigation Monitoring****16.23.070 Development Standards and Guidelines****16.23.010 Purpose.**

The purpose of the R-4-S is to create opportunities for higher density housing in suitable locations deemed appropriate in Menlo Park. Development is intended to blend and enhance existing neighborhoods with application of site development regulations and design standards to minimize impacts to adjacent uses and provide a quality living environment for its residents. Permitted densities in the R-4-S district range from a minimum of 20 dwelling units per acre up to 30 dwelling units per acre.

16.23.020 Permitted Uses.

The only permitted use in the R-4-S zoning district is multiple dwellings.

16.23.030 Conditional Uses.

Conditional uses allowed in the R-4-S district, subject to obtaining a use permit are as follows:

- (1) Public utilities in accordance with Chapter 16.76;
- (2) Private schools and churches in accordance with Chapter 16.78;
- (3) Child day care centers in accordance with Chapter 16.78;
- (4) Home occupations in accordance with Section 16.04.340;
- (5) Foster homes;
- (6) Boardinghouses;

- (7) Convalescent homes;
- (8) Senior day care facilities.
- (9) Ancillary neighborhood serving commercial uses up to five (5) percent of the site area or 10,000 square feet, whichever is less, that is part of a mixed-use development and the number of dwelling units for the site is in accordance with the anticipated number of units identified in the Housing Element.

16.22.040 Nonconforming Uses.

No legal use of any parcel existing as of the effective date of adoption of an ordinance rezoning the parcel to R-4-S shall be required to obtain a use permit to continue operating such existing use on the parcel, which use became non-conforming solely as a result of such rezoning.

16.23.050 Development Regulations.

Development regulations are as follows in the R-4-S district:

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		Regulation ¹	Notes
Minimum Lot Area		20,000 sf	
Minimum Lot Width		100 ft.	See Zoning Ordinance Section 16.04.430 for definition.
Minimum Lot Depth		100 ft.	See Zoning Ordinance Section 16.04.420 for definition.
Density	minimum	20 du/ac	Densities may be increased with application of the State Density Bonus Law or Affordable Housing Overlay, if applicable
	maximum	30 du/ac	
Minimum Yards	Front	10 ft.	See Zoning Ordinance Section 16.04.720 for definition.
	Interior Side	10 ft., except may be reduced to 5 ft. abutting a private access easement	See Zoning Ordinance Section 16.04.740 for definition.
	Corner Side	10 ft.	
	Rear	10 ft.	See Zoning Ordinance Section 16.04.730 for definition.
Maximum Floor Area Ratio		Increase on an even gradient from 60% for 20 du/ac to 90% for 30 du/ac	See Zoning Ordinance Section 16.04.315 and 16.04.325 for definitions.
Maximum Building Coverage		40%	See Zoning Ordinance Section 16.04.120 for definition
Minimum Open Space (Landscaping)		25%	See Zoning Ordinance Section 16.04.500 for definition.
Height	Maximum building height	40 ft.	See Zoning Ordinance Section 16.04.330 for definition of height of structure.
	Maximum Façade Height²	25ft.	See new Zoning Ordinance Section 16.04.335 for definition of height of facade
Building Profile		Starting at the maximum façade height a height of <u>25 feet</u> , a 45-degree building profile shall be set at the minimum setback line contiguous with a public right-of-way or single-family zoned property.	
Parking	Vehicular	2 spaces for units w/ 2 or more bedrooms; 1.5 spaces for 1 bedroom unit; 1 space per studio. Spaces cannot be located in required front yard setbacks or in tandem.	
	Electric Vehicle	A minimum of 3 percent of the required number of parking spaces shall provide dedicated electric vehicle/plug-in hybrid electric charging stations and a minimum of 2 percent of the required number of parking spaces shall be pre-wired for such equipment.	

	Bicycle	<p>Long term – 1 space per unit where a private garage (per unit) is not provided</p> <p>Short term (visitor) – 1 space per every 10 units</p>	
<p>¹A development regulation, except for Floor Area Ratio and density, may be modified subject to a use permit established in Section 16.82.</p> <p>²Maximum façade height shall be applied where a property line is contiguous to a public right-of-way or single family zoned property.</p>			

16.23.060 Mitigation Monitoring.

All development within the R-4-S zoning district shall comply, at a minimum, with the Mitigation Monitoring and Report Program (MMRP) established through Resolution No.____ associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on twenty-first day of May, 2013.

16.23.070 Design standards and guidelines.

Construction of a new building, additions to an existing building, and exterior alterations of an existing building occurring within the R-4-S district shall adhere to the Development Standards and Guidelines.

The R-4-S zoning district establishes a combination of development standards and design guidelines to guide the development of higher density housing in a comprehensive and cohesive manner in appropriate locations. **Standards** are objective and measurable rules required for new development. **Guidelines** suggest means for enhancing building design, attractiveness and neighborhood fit, as well as residential comfort and usefulness.

Design standards are open to modification subject to Architectural Control established in Section 16.68.020.

(1) Building Setbacks and Projections within Setbacks

(a) Standards

1. Front, side and rear setback areas shall be developed with a variety of landscaping.
 - a. A minimum average of one (1) 15 gallon container grown tree per 20 linear feet for the length of the property frontage along a public right-of-way is required.

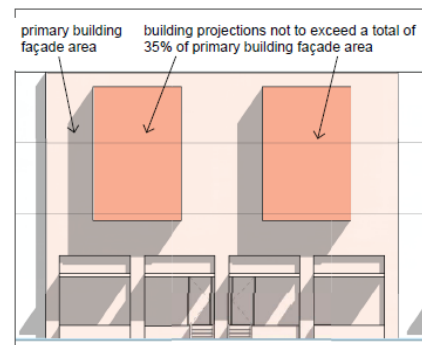


Figure 1



- b. Existing trees located in the public right-of-way along the property frontage shall count towards the minimum tree requirement for that property frontage.
 - c. For other setback areas not along a public right-of-way, a minimum average of one (1) 15 gallon container grown tree per 40 linear feet for the length of the property line is required.
2. Building projections, such as balconies and bay windows, at or above the second floor shall not project beyond a maximum of 5 feet ~~from the building face~~ into the setback area.
 3. Where a property is contiguous to a single-family zoned property, no projections into the setback are permitted for balconies or decks at or above the second floor.
 4. The total area of all horizontal and vertical building projections shall not exceed 35% of the ~~primary~~ building façade area, and no one projection shall exceed 15% of the ~~primary~~ façade area on which the projections are located. ~~Primary building façade is the façade built nearest to the setback line.~~ Where such projections enclose interior living space, 85 percent of the vertical surface of the projection shall be windows or glazed. (See Figure 1)

(2) Facade Modulation and Treatment

~~To avoid long stretches of continuous or monotonous street frontage and to provide visual interest, the R-4-S zoning district recommends a range of façade modulation and treatments depending on building façade length.~~

(a) Standards

1. Building façades facing public rights-of-way or public open spaces shall not exceed 50 feet in length without a minor building façade modulation. At a minimum of every 35 feet of façade length, the **minor vertical façade modulation** shall be a minimum 2 feet deep by 5 feet wide recess or a minimum 2 foot setback of the building plane from the primary building façade.
2. Building façades facing public rights-of-way or public open spaces shall not exceed 100 feet in length without a major building facade modulation. At a minimum of every 75 feet of façade length, a **major vertical façade modulation** shall be a minimum of 6 feet deep by 20 feet wide recess or a minimum 6 foot setback of building plane from primary building façade for the full height of the building.
3. In addition, the major building façade modulation shall be accompanied with a 4 foot minimum height modulation and a major change in fenestration pattern, material and/or color.

(b) Guidelines

1. Minor façade modulation may be accompanied with a change in fenestration pattern, and/or material, and/or color, and/or height.
2. Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping, additional architectural enhancement, or artistic intervention such as murals.
3. Entries should be prominent and visually distinctive from the rest of the façade with creative use of scale, materials, glazing, projecting or recessed forms, architectural details, color, and/or awnings.
4. The use of articulation, setbacks and varying materials are encouraged to minimize bulk and massing and provide visual interest.
5. Architectural details and elements such as reveals, score-lines, trim, and/or other architectural elements and features should be scaled appropriately based on viewing distance (i.e. finer grain details from pedestrian view points and large scale details from more distant view points).
6. Where a building intersects a street, consider providing a break in the building to provide view corridors.

(3) Building Profile

(a) Standards

1. The façade of a building ~~above the maximum façade height~~ shall be limited to one major step back. [\(See Figure 2\)](#)
2. Horizontal building and architectural projections, like balconies, bay windows, dormer windows beyond the 45-degree building profile shall comply with the standards for Building Setbacks & Projection within Setbacks [section](#) and shall be architecturally integrated into the design of the building. [\(See Figure 3\)](#)
3. Vertical building projections like parapets and balcony railings shall not extend more than 4 feet beyond the 45-degree building profile and shall be architecturally integrated into the design of the building.
4. Rooftop elements that may need to extend beyond the 45-degree building profile due to their function, such as stair and elevator towers, shall be architecturally integrated into the design of the building.

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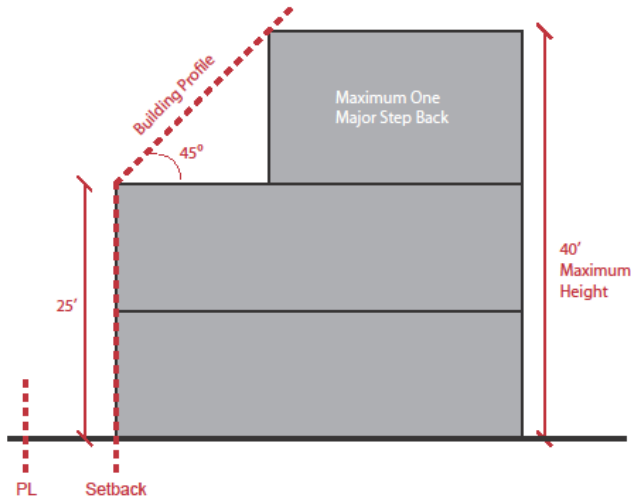


Figure 2

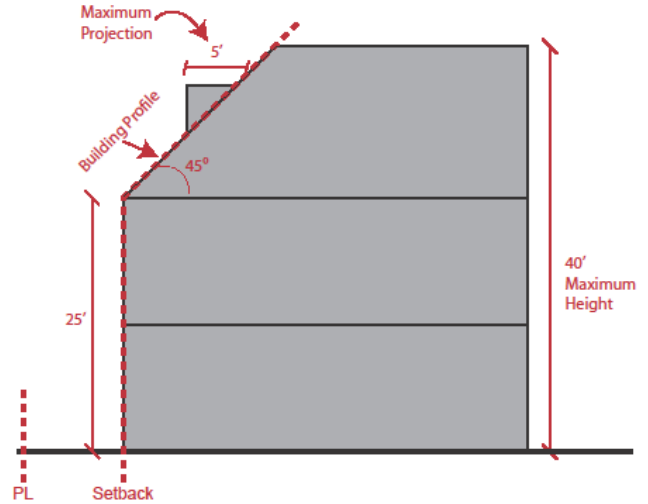


Figure 3

(4) Height

(a) Standards

1. Vertical building projections such as parapets and balcony railings may extend up to 4 feet beyond ~~the maximum façade height or~~ the maximum building height, and shall be architecturally integrated into the design of the building.
2. Rooftop elements that may need to exceed the maximum building height due to their function, such as stair and elevator towers, shall not exceed 14 feet beyond the maximum building height. Such rooftop elements shall be architecturally integrated into the design of the building.
3. Towers, cupolas, spires, chimneys, and other architectural features not exceeding 10 percent of the roof area may exceed the maximum building height limit by a maximum of 10 feet. Such rooftop elements shall be architecturally integrated into the design of the building.

(5) External Materials

(a) Standards

1. Buildings shall be designed and incorporate materials that discourage graffiti. Windows, doors, and small architectural features are exempt from this requirement.
2. All external stucco shall be completed in textures that are smooth, sanded, or fine-scraped. Heavy-figuring or rough cast stucco are not permitted.

3. Stucco on the external façade shall be limited to no more than 50% of the entire area of an elevation, inclusive of all windows and doors.
4. All external windows where in solid walls shall be inset by a minimum of 2 inches from the face of the external finishes.
5. When simulated divided light windows are included in a development, the windows shall include mullions on the exterior of the glazing and contain internal dividers (spacer bars) between the window panes.

(b) Guidelines

1. Materials should be selected to reinforce architectural character, building articulation and add visual interest.
2. Changes in material and/or color should be used to articulate building elements such as building entries; base, body and parapet caps; or bays and arcades.
3. Changes in material and/or colors should occur at appropriate façade locations to appear integral with the building massing.
4. High quality materials that are distinctive from the main external wall finish of the building, such as decorative concrete, masonry or tile, should be used at important locations to articulate the building facade, providing visual interest as well as durable performance.

(6) Building Entries

(a) Standards

1. Building entries shall be oriented towards a public street or other public space when adjacent to a public street or other public space. For larger residential buildings with shared entries, the main entry shall be through prominent entry lobbies or central courtyards facing the street. From the street, these entries provide additional orientation, visual interest, visual security, and sense of invitation.

(b) Guidelines

1. Building entries are allowed to be recessed from the primary façade.
2. Entries should be prominent and visually distinctive from the rest of the façade through creative use of materials, scale, glazing, projecting or recessed forms, architectural details, color and/or canopies.
3. Multiple entries at street level are encouraged where appropriate.
4. Ground floor residential units are encouraged to have their entry from the street.
5. Stoops and entry steps from the street are encouraged when compliant with applicable accessibility codes. Stoops associated with landscaping create

visually attractive, inviting and usable transitions from private spaces to the street.

(7) Open Space

(a) Standards

1. Residential developments shall have a minimum of 100 square feet of open space per unit created as common open space or a minimum of 80 square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of 6 feet by 6 feet. In case of a mix of private and common open space, such common open space shall be provided at a ratio equal to 1.25 square feet for each one square foot of private open space that is not provided.
2. Depending on the number of dwelling units, common open space shall be provided to meet the following criteria:
 - i. 10-50 units: Minimum of one space, 20 feet minimum dimension (400 sf total, minimum).
 - ii. 51-100 units: Minimum of one space, 30 feet minimum dimension (900 sf total, minimum).
 - iii. 101 or more units: Minimum of one space, 40 feet minimum dimension (1,600 sf total, minimum)

(b) Guidelines

1. Private and/or common open spaces are encouraged in all developments as part of building modulation and articulation to enhance building façade.
2. Private open space should be designed as an extension of the indoor living area, providing an area that is usable and has some degree of privacy.
3. Landscaping in setback areas should define and enhance pedestrian and open space areas. It should provide visual interest to streets and sidewalks, particularly where building façades are long.
4. Landscaping of open spaces should be attractive, durable and drought-resistant.
5. Common open space should be accessible and located convenient to residents.
6. Open space should be sited and designed to be appropriate for the size of the development and accommodate different activities, groups and both active and passive uses.

(8) Parking*(a) Standards – None**(b) Guidelines*

1. The location, number and width of parking should be limited to minimize breaks in building design, sidewalk curb cuts and potential conflicts with streetscape elements.
2. Surface parking should be visually attractive, address security and safety patterns, and provide landscaping and canopy trees for shade.
3. To minimize or eliminate their visibility and impact from the street and other significant public spaces, parking garages should be underground, wrapped by other uses and/or screened from view through architectural and/or landscape treatment.
4. Whether free-standing or incorporated into overall building design, garage facades should be designed with a modulated system of vertical openings and pilasters, with design attention to an overall building façade that fits comfortably and compatibility into the pattern, articulation, scale and massing of surrounding building character.

~~5. Surface parking lots should incorporate trees for shade.~~

~~6.5.~~ Introduce safe pedestrian pathways, connecting the parking lot to building entries and public sidewalks, using elements such as marked crossings, clear signage and supplementary lighting.

~~7.6.~~ To reduce water consumption and heat island effect, incorporate shade, use indigenous plant materials and use permeable materials, where appropriate.

~~8.7.~~ A mix of tree types should be incorporated into the planting palette, where at least 50 percent of the trees have a mature height of at least 30 feet.

~~9.8.~~ Trees should be appropriately spaced and installed to allow for growth and prevent root damage to parking lot surfaces.

~~10.9.~~ Parking lot lighting should not conflict with the location or growth of the trees.

~~11.10.~~ Parking lot light standards no greater than 16 feet in height are strongly encouraged.

(9) Bicycle Parking*(a) Standards*

1. Each long term bicycle parking space shall consist of a locker or locked enclosure, such as a secure room or controlled access area, providing protection for each bicycle from theft, vandalism and weather. A private locked storage unit may be considered as a private garage if a bicycle can fit in it. Within a residential building garage, bicycle parking should be located within 40 feet of common entry points.
2. Short-term bicycle parking shall consist of a bicycle rack or racks at street level and is meant to accommodate visitors.
3. Bicycle parking facilities shall not impede pedestrian or vehicular circulation.

(b) Guidelines

1. Visitor bicycle racks should be positioned in areas with active visual surveillance and night lighting, and protected from damage from nearby vehicles.
2. Bicycle racks for short term parking should be located in convenient locations to each building's main entries.
3. The location and design of required bicycle parking shall be of a quality, character and color that harmonize with adjoining land uses. Required bicycle parking shall be incorporated whenever possible into building design or street furniture.
4. Racks should be located with at least 30 inches of clearance in all directions from any obstruction, including but not limited to other racks, walls and landscaping.

(10) Shade and Shadow*(a) Standards*

1. Development shall be designed so that shadow impacts on adjacent shadow-sensitive uses (e.g. residential, recreational, churches, schools, outdoor restaurants, historic buildings, and pedestrian areas) are minimized to the best extent possible. Shadow-sensitive uses should not be shaded by project-related structure for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early April and late October).

(11) Lighting

(a) Standards

1. Exterior lighting fixtures shall use fixtures with low cut-off angles, appropriately positioned, to minimize glare into dwelling units and light pollution into the night sky.
2. Lighting in parking garages shall be screened and controlled so as not to disturb surrounding properties, but shall ensure adequate public security.

(b) Guidelines

1. Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.
2. Installation of high-efficiency lighting systems with advanced lighting control, including motion sensors tied to dimmable lighting controls or lighting controlled by timers set to turn off at the earliest practicable hour, are recommended.

16.23.060 Compliance Review Procedure.

Each development proposed under the R-4-S zoning requires review for compliance with Sections 16.23.040 and 16.23.050 prior to submittal of a building permit for any new structure containing residential dwelling units.

- (1) **Application.** Requests for compliance review shall be made in writing by the owner of the property, lessee, purchaser in escrow, or optionee with the consent of the owners, on a form prescribed by the City. The application shall be accompanied by a fee, set by the City Council, and plans showing the details of the proposal per submittal guidelines established by the Community Development Director.
- (2) **Noticing.** Upon receipt of an application, a notice shall be mailed to all property owners and building occupants within 300 feet of the exterior boundary of the property involved, using for this purpose the last known name and address of such owners as shown upon the current assessment roll maintained by the City. The notice shall include a description of the proposal, methods for providing comments, and date and time of a public meeting.
- (3) **Public meeting.** Prior to making a determination of compliance, the Planning Commission shall conduct a study session. The review by the Planning Commission shall be advisory and non-binding and shall be limited to the architectural design of the proposal relative to the Design Standards and Design Guidelines.
- (4) **Compliance Determination.** The Community Development Director or his or her designee shall make a determination of compliance in writing after reviewing the

project plans and considering any comments received. The determination of the Community Development Director is final and not subject to appeal.

SECTION 4. Section 16.68.020 [Architectural Control] of Chapter 16.68 [Buildings] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows:

16.68.020 Architectural control.

When an application is made for a building permit for the construction, alteration or remodeling of any building other than a single family dwelling, duplex and accessory building, or for any structure, dwelling or duplex on land designated as a historic landmark site, it shall be accompanied by architectural drawings showing elevations of the proposed building or structure, proposed landscaping or other treatment of the grounds around such building or structure, and proposed design of, and access to, required parking facilities. Such drawings shall be considered by the planning commission, architectural committee, or community development director which shall approve said application if the following findings are made:

- (1) That the general appearance of the structures is in keeping with character of the neighborhood;
- (1) That the development will not be detrimental to the harmonious and orderly growth of the city;
- (3) That the development will not impair the desirability of investment or occupation in the neighborhood;
- (4) That the development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking;
- (5) That the development is consistent with any applicable Specific Plan.

The community development director shall be limited to approving minor modifications to buildings located in the M-2 General Industrial District. For purposes of this Section, a minor modification is considered one in which there is no increase in gross floor area.

Each request to alter a site or area and each application for a building permit to do work on a historic landmark site shall include plans and specifications showing the proposed landscaping or planting changes, exterior appearance, color and texture of materials, and architectural design and detail; drawings or photographs showing the property or site in the context of its surroundings may also be required. The application shall be considered by the planning commission or architectural committee which shall approve said application if the following findings are made:

- (1) That the proposed work is appropriate to and consistent with the purposes of Chapter 16.54, historic landmark site district;
- (2) That the proposed work will preserve, enhance or restore, and shall not damage or destroy (a) the exterior architectural features of the landmark, and (b) the major interior architectural features of a publicly owned landmark.

No building permit shall be issued in any case herein above mentioned until such findings have been made by the planning commission. All buildings, structures, alterations and other improvements shall be constructed in accordance with the approved drawings.

Notwithstanding the foregoing, this section shall not apply to building permits for the construction of multiple dwelling units in the R-4-S zoning district and no architectural control findings shall be required for any such permit, unless an applicant seeks to modify one or more of the design standards set forth in Section 16.23.050.

SECTION 5. Section 16.68.030 [Accessory Buildings and/or Structures] of Chapter 16.68 [Buildings] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows:

16.68.030 Accessory buildings and/or structures.

- (a) Accessory buildings and/or structures may be constructed with, or subsequent to the construction of the main building. Where an accessory building and/or structure is attached to the main building, it shall be made structurally a part of the main building, and shall comply in all respects with the requirements of this chapter which are applicable to the main building; provided, however, that garage or carport entrances on a dwelling or dwellings, fronting on any lot line shall be located not less than twenty feet from such line. Unless so attached, an accessory building and/or structure in an R district other than R-4-S shall be located on the rear one-half of the lot and at least ten feet from any dwelling building existing or under construction on the same lot, or any adjacent lot. In the R-4-S district, an accessory building may encroach into the front half of the lot, but the accessory building shall maintain a minimum setback for 50 feet from the front property line unless a use permit is obtained therefor from the planning commission. Such accessory building shall not be located within five feet of any alley; or within thirty-six inches of any property line. In the case of a corner lot, an accessory building may not project beyond the setback required on the adjacent lot. Overall height of an accessory building and/or structure shall not exceed fourteen feet; wall height shall not exceed nine feet.

SECTION 6. Chapter 16.72 [Off-street Parking] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows:

16.72.020 R district uses.

R district parking uses are as follows:

- (1) Dwellings: Two spaces per unit, not in any required front or side yard, at least one of which shall be in a garage or carport, unless otherwise specified;
- (2) Retirement living units: Adequate parking for the character of the occupancy but not less than one garage space per three units;
- (3) Boardinghouses: One space per two occupants, not in any required front or side yard. At least half of the required spaces shall be in a garage or carport;

- (4) Rest home, convalescent home: One space per four beds, not in any required front or side yard;
- (5) Churches: One space per five seats, not in any required front or side yard;
- (6) Offices: One space per two hundred square feet of gross floor area, not in any required yard abutting a street.
- (7) R-4 District. Units with two or more bedrooms require two off-street parking spaces per unit; one bedroom units require one and one-half off-street parking spaces per unit; studio units require one off-street parking space per unit; required off-street parking spaces cannot be located in any required front or side yard setback; each unit shall have at least one covered off-street parking space; one guest off-street parking space for every three units shall be provided on the site.

SECTION 7. This ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to the court ordered Judgment Pursuant to Stipulation ("Judgment") in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City "will" take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for "by-right" development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the "common sense exemption" which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th

372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 8. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 9. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

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ORDINANCE NO.**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADDING CHAPTER 16.98 [AFFORDABLE HOUSING OVERLAY] TO
TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE**

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The Affordable Housing Overlay encourages development of affordable housing by providing incentives to developers who agree to provide low, very-low and extremely low income housing that addresses the affordable housing need in the City of Menlo Park.
- B. The Housing Element included implementing program H4.C to adopt standards and incentives for an affordable housing overlay zone within 60 days of the adoption of the Housing Element.

SECTION 2. Chapter 16.98 [Affordable Housing Overlay] is hereby added to Title 16 [Zoning] of the Menlo Park Municipal Code to read as follows:

Section 16.98.010 Purpose and Goal**Section 16.95.015 Applicability****Section 16.98.020 Affordable Housing Requirement****Section 16.98.030 Density Bonus****Section 16.98.040 Incentives****Section 16.98.050 Fee Waivers****Section 16.98.060 Continued Affordability****Section 16.98.070 Design****Section 16.98.010 Purpose and Goal.**

The purpose of the Affordable Housing Overlay (“AHO”) zone established by this Chapter is to encourage the development of affordable housing for low, very-low and extremely-low income households. The AHO serves to implement the Housing Element goal of providing new housing that addresses affordable housing needs in the City of Menlo Park by establishing development regulations for designated housing opportunity sites. The AHO is also intended to address those housing projects which provide a greater percentage of low and very-low income units than identified in Government Code Section 65915.

Section 16.95.015 Applicability.

This Chapter shall apply to the Menlo Park El Camino Real and Downtown Specific Plan area and those properties zoned R-4-S(AHO) (High Density Residential, Special - Affordable Housing Overlay).

Section 16.98.020 Affordable Housing Requirement.

- A. For smaller projects that propose more than five, but less than 100 residential dwelling units, to qualify for the AHO and the density bonus and incentives provided pursuant to this Chapter, a residential development project shall provide a minimum of 21 percent low income units or 12 percent very-low income units. If a smaller project proposes to provide both low and very-low income units, the minimum percentage of units to qualify for the AHO shall be more than the additive amount necessary to achieve a 35 percent density bonus as described in Government Code Section 65915. For example, a project that proposes to provide 10 percent low (20 percent density bonus) and five percent very-low (20 percent density bonus) would qualify for the AHO because the total additive density bonus under Government Code Section 65915 would be a 40 percent density bonus.
- B. For larger projects that propose 100 or more residential dwelling units, to qualify for the AHO and the density bonus and incentives provided pursuant to this Chapter, a residential development project shall provide a minimum of 21 percent low income units or 12 percent very-low income units. If a larger project proposes to provide both low and very-low income units, the minimum percentage of units to qualify for the AHO shall be the additive amount necessary to achieve more than a 35 percent density bonus. For purposes of this section 16.98.020.B, to determine the additive percent density bonus required to qualify for the AHO, the density bonus percentages shall be as described in Government Code Section 65915 and as described in Table 1 below. For example, a project that proposes to provide 10 percent low (20 percent density bonus pursuant to Government Code Section 65915) and four percent very-low income (17.5 percent density bonus pursuant to Table 1) would qualify for the AHO because the total additive density bonus pursuant to Government Code Section 65915 and Table 1 would be a 37.5 percent density bonus.

Table 1

Low Income (%)	Density Bonus (%)
5	12.5
6	14
7	15.5
8	17
9	18.5
Very-Low Income (%)	Density Bonus (%)
2	12.5
3	15
4	17.5

- C. The percentage of low or very-low income units shall be calculated as a percentage of the maximum base unit density of the property, not including any public benefit density. The low or very-low income percentage required to qualify for the AHO

shall not include the below market rate units required to be provided by for-sale residential development projects and commercial development projects pursuant to the City's Below Market Rate Housing Program, Chapter 16.96.

- D. Those projects located in the Menlo Park El Camino Real and Downtown Specific Plan area that qualify for the AHO shall be eligible for the density bonus and incentives identified in this Chapter. The density bonus applies only to the residential component of a project in the Menlo Park El Camino Real and Downtown Specific Plan area and does not act to entitle a project to more office, retail or other non-residential density.
- E. To qualify for the AHO, a project must accommodate a full range of income levels. At least 25 percent of the affordable units in a project must be very-low and/or extremely-low income units or at least 15 percent of the affordable units in a project must be extremely-low income.

Section 16.98.030 Density Bonus.

- A. Low Income. A project that provides 21 percent low income units shall be entitled to a 36.5 percent density bonus. For each additional percentage of low income units above 21 percent or above the percentage of low income units provided to qualify for the AHO where a mix of low and very-low income units is provided, the project shall be entitled to an additional 1.5 percent density bonus, up to the maximum density bonus identified in subsection C.
- B. Very Low Income. A project that provides 12 percent very-low income units shall be entitled to a 37.5 percent density bonus. For each additional percentage very-low income units above 12 percent or above the percentage of very-low income units provided to qualify for the AHO where a mix of low and very-low income units is provided, the project shall be entitled to an additional 2.5 percent density bonus, up to the maximum density bonus identified in subsection C.
- C. The maximum density bonus available pursuant to this Chapter, whether achieved by provision of low, very-low or a mix of low and very-low income units, is 60 percent. The density bonus percentages used to calculate the total additive density bonus for a project that proposes a mix of low and very-low income units shall be calculated pursuant to section 16.98.020 and this section 16.98.030. The density bonus provided pursuant to the AHO is not additive with and shall not be combined with the density bonus provided pursuant to State Density Bonus Law, Government Code Section 65915.
- D. For purposes of this Chapter, any decimal fraction of less than 0.5 shall be rounded down to the nearest whole number and any decimal fraction of 0.5 or more shall be rounded up to the nearest whole number.

Section 16.98.040 Incentives.

- A. Floor Area Ratio. A project shall be permitted to increase the floor area ratio by an amount that corresponds to the increase in allowable density identified in section 16.98.030 above and an additional five percent or other increase reasonably sufficient to make development of low and very-low income multiple-bedroom units and family housing feasible.
- B. Stories/Height. A project that is entitled to up to a 45 percent density bonus under this AHO shall be entitled to a maximum height of four stories, but not more than 48 feet. A project that is entitled to a density bonus above 45 percent under this AHO and in which at least 50 percent of the affordable units are very-low and extremely-low income or at least 25 percent of the affordable units are extremely-low income, shall be entitled to a maximum of five stories, but not more than 60 feet.
- C. Parking. Unless modified herein, the parking requirements in the underlying zoning designation of the property shall apply. The parking requirements in the AHO shall be modified for each affordable unit as follows:
1. Number of spaces:
 - a. A studio requires 0.8 parking spaces.
 - b. A one-bedroom requires one parking space.
 - c. A two-bedroom or larger unit requires 1.5 parking spaces.
 - d. For projects located in the Station Area or Station Area Sphere of Influence each affordable unit shall be granted a reduction of 0.2 parking spaces from ~~what~~ the minimum that would otherwise be required
 2. In the Menlo Park El Camino Real and Downtown Specific Plan area, projects qualifying for the AHO shall ~~not~~ be required to provide ~~more parking than required by either the number of spaces per C.1., above, or as specified in the Menlo Park El Camino Real and Downtown Specific Plan, whichever is less.~~
 3. A senior citizen housing project as defined in Sections 51.3 and 51.12 of the Civil Code shall be required to provide no more than 0.8 parking spaces per dwelling unit.
 4. The spaces required for the affordable units need not be covered or located in a garage or carport.
 5. If two spaces are being provided for any one affordable dwelling unit, the spaces may be in tandem.
 6. Long-term bicycle parking shall be required at no more than 0.5 spaces per unit.
 7. Any requirement for electric vehicle parking or plug in hybrid recharging stations shall be reduced by 50 percent or may be met by providing an equivalent number of car sharing spaces.
- D. Contiguous parcels that touch or contiguous parcels in the same zone that are in close proximity may calculate density, floor area ratio, building coverage, paving, landscaping and required parking across the parcels, provided that there is a

recorded agreement among the owner(s) of the parcels to transfer development rights between the parcels such that the maximum overall density of the combined parcels is not exceeded.

- E. Coverage. In addition to the amount necessary to physically accommodate the increased density provided for by this Chapter, any applicable maximum building coverage and/or allowable paving requirement shall be increased by five percent and the minimum open space/landscaping requirement reduced by 10 percent from the underlying zoning designation.
- F. Setbacks. In addition to the amount necessary to physically accommodate the increased density provided for by this Chapter, required setbacks shall be reduced to five feet, except when the parcel subject to the AHO abuts a parcel zoned single-family residential, in which case the setbacks identified in underlying zoning shall control.
- G. Open Space. In addition to the amount necessary to physically accommodate the increased density provided for by this Chapter, any common and/or private open space may be reduced by up to 50 percent from the underlying zoning.
- H. Maximum Façade Height. Where an increase in the overall height is permitted to be above 40 feet, the ~~maximum façade height~~ building profile shall be set at a height of 32 feet and the maximum number of major step backs ~~above the façade height~~ shall be one.
- I. The incentives provided pursuant to the AHO are not additive with and shall not be combined with the incentives provided pursuant to State Density Bonus Law, Government Code Section 65915.
- J. Specific Plan Exemptions. Notwithstanding the foregoing, certain requirements in the Menlo Park El Camino Real Downtown Specific Plan area shall not be modified pursuant to this Section 16.98.040:
 1. The maximum FAR shall be limited to the public benefit levels.
 2. The front and side setbacks facing a public right-of-way.
 3. Building façade height.
 4. Massing and modulation standards including, major portions of a building facing a street should be parallel to the street, building breaks, building façade modulation and building profile, and upper story façade length.

Section 16.98.050 Fee Waivers.

- A. Processing Fees. Those projects that provide at least 50 percent of the units in the base project for low income households or 20 percent for very-low income households shall be entitled to a fee waiver for all the processing fees associated with the various applications for development.

- B. Other Fees. Projects qualifying for the AHO shall be entitled to a reduction in all other fees in an amount that corresponds to the increase in allowable density identified in section 16.98.030 above. Any project requesting a reduction or waiver of the traffic impact fee, park dedication fee, building construction street impact fee, Menlo Park El Camino Real Downtown Specific Plan preparation fee, or other fee(s) in excess of that percentage reduction shall apply for the requested reduction or waiver, which shall be subject to a discretionary review and approval process. The City Council shall be the final decision maker regarding any such request.

Section 16.98.060 Continued Affordability.

Prior to issuance of building permits, the applicant shall execute an agreement with the City, to be executed by the City Manager without review by the Housing Commission, Planning Commission or City Council, in a form acceptable to the City Attorney ensuring the continued affordability of the affordable dwelling units for a period of not less than 55 years.

Section 16.98.070 Design.

Development utilizing the AHO shall be subject to ~~design~~ compliance review relative to adopted objective design standards and such compliance shall be determined by the Community Development Director or his/her designee. Development in the Menlo Park El Camino Real Downtown Specific Plan area shall be subject to the architectural control process identified in the Menlo Park El Camino Real Downtown Specific Plan. No other discretionary action shall be required, unless the applicant requests a variance from the requirements of the AHO or requests architectural control for modification of the objective design standards. Low and very-low income units must be constructed concurrently with market-rate units and shall be integrated into the project and be comparable in construction quality and exterior design to any market rate units. The low and very-low income units may be smaller in size and have different interior finishes and features than market rate units so long as the features are durable, of good quality and consistent with contemporary standards for new housing as determined by the Community Development Director in his/her sole and absolute discretion. Notwithstanding the foregoing, the number of bedrooms in the low and very-low income units shall at minimum be consistent with the mix of market rate units. For example if the market rate units consist of 50 percent one-bedroom, 25 percent two-bedroom and 25 percent three-bedroom units, the low and very-low income units must match this breakdown. Applicants may elect to include a higher percentage of units with more bedrooms.

SECTION 3. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or enforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 4. This ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to the court ordered Judgment Pursuant to Stipulation

("Judgment") in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City "will" take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for "by-right" development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the "common sense exemption" which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 5. This ordinance shall take effect 30 days after its passage and adoption. Within 15 days of its adoption this ordinance shall be posted in three public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

ORDINANCE NO.

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADDING CHAPTER 16.97 [STATE DENSITY BONUS LAW] TO TITLE
16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE**

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. California Government Code Section 65915 (“State Density Bonus Law”) requires all cities to adopt an ordinance that specifies how compliance with State Density Bonus Law will be implemented.
- B. The Housing Element included implementing program H4.D to adopt standards to implement State Density Bonus Law within 60 days of the adoption of the Housing Element.

SECTION 2. Chapter 16.97 [State Density Bonus Law] is hereby added to Title 16 [Zoning] of the Menlo Park Municipal Code to read as follows:

- Section 16.97.010 Purpose**
- Section 16.97.020 Definitions**
- Section 16.97.030 Applicability**
- Section 16.97.040 Application Requirements**
- Section 16.97.050 Density Bonus**
- Section 16.97.060 Incentives**
- Section 16.97.070 Discretionary Approval Authority Retained**
- Section 16.97.080 Waivers**
- Section 16.97.085 Specific Plan Exemptions**
- Section 16.97.090 Affordable Housing Agreement**
- Section 16.97.100 Design and Quality**

Section 16.97.010 Purpose.

The purpose of this Chapter is to adopt an ordinance that specifies how compliance with Government Code Section 65915 (“State Density Bonus Law”) will be implemented in an effort to encourage the production of low income housing units in developments proposed within the City.

Section 16.97.020 Definitions.

Unless otherwise specified in this Chapter, the definitions found in State Density Bonus Law shall apply to the terms contained herein.

Section 16.97.030 Applicability.

This Chapter shall apply to all zoning districts, including mixed use zoning districts, where residential developments of five or more dwelling units are proposed and where the applicant seeks and agrees to provide low, very-low, senior or moderate income housing units in the threshold amounts specified in State Density Bonus Law such that the resulting density is beyond that which is permitted by the applicable zoning. This Chapter and State Density Bonus Law shall apply only to the residential component of a mixed use project and shall not operate to increase the allowable density of the non-residential component of any proposed project.

Section 16.97.040 Application Requirements.

- A. Any applicant requesting a density bonus, incentive(s) and/or waiver(s) pursuant to State Density Bonus Law shall provide the City with a written proposal. The proposal shall be submitted prior to or concurrently with the filing the planning application for the housing development and shall be processed in conjunction with the underlying application.
- B. The proposal for a density bonus, incentive(s) and/or waiver(s) pursuant to State Density Bonus Law shall include the following information:
 1. Requested density bonus. The specific requested density bonus proposal shall evidence that the project meets the thresholds for State Density Bonus Law. The proposal shall also include calculations showing the maximum base density, the number/percentage of affordable units and identification of the income level at which such units will be restricted, additional market rate units resulting from the density bonus allowable under State Density Bonus Law and the resulting unit per acre density. The density bonus units shall not be included in determining the percentage of base units that qualify a project for a density bonus pursuant to State Density Bonus Law.
 2. Requested incentive(s). The request for particular incentive(s) shall include a pro forma or other report evidencing that the requested incentive(s) results in identifiable, financially sufficient and actual cost reductions that are necessary to make the housing units economically feasible. The report shall be sufficiently detailed to allow the City to verify its conclusions. If the City requires the services of specialized financial consultants to review and corroborate the analysis, the applicant will be liable for all costs incurred in reviewing the documentation.
 3. Requested Waiver(s). The written proposal shall include an explanation of the waiver(s) of development standards requested and why they are

necessary to make the construction of the project physically possible. Any requested waiver(s) shall not exceed the limitations provided by Section 16.97.080 and to the extent such limitations are exceeded will be considered as a request for an incentive.

4. Fee. Payment of the fee in an amount set by resolution of the City Council to reimburse the City for staff time spent reviewing and processing the State Density Bonus Law application submitted pursuant to this Chapter.

Section 16.97.050 Density Bonus.

- A. A density bonus for a housing development means a density increase over the otherwise maximum allowable residential density under the applicable zoning and land use designation on the date the application is deemed complete. The amount of the allowable density bonus shall be calculated as provided in State Density Bonus Law. The applicant may select from only one of the income categories identified in State Density Bonus Law and may not combine density bonuses from different income categories to achieve a larger density bonus.
- B. In the sole discretion of the City Council, the City Council may approve a density bonus and/or incentive(s) in accordance with State Density Bonus Law for a project that does not maximize the underlying base zoning density. Additionally, nothing herein prevents the City from granting a greater density bonus and additional incentives or waivers than that provided for herein, or from providing a lesser density bonus and fewer incentives and waivers than that provided for herein, when the housing development does not meet the minimum thresholds.
- C. The density bonus provided pursuant to State Density Bonus Law is not additive with and shall not be combined with the density bonus provided pursuant to Chapter 16.98 [Affordable Housing Overlay].

Section 16.97.060 Incentives

- A. The number of incentives granted shall be based upon the number the applicant is entitled to pursuant to State Density Bonus Law.
- B. An incentive includes a reduction in site development standards or a modification of zoning code requirements or architectural requirements that result in identifiable, financially sufficient and actual cost reductions. An incentive may be the approval of mixed use zoning (e.g. commercial) in conjunction with a housing project if the mixed use will reduce the cost of the housing development and is compatible with the housing project. An incentive may, but need not be, the provision of a direct financial incentive, such as the waiver of fees.

- C. The City has specifically approved the following incentive for properties not located within the El Camino Real/Downtown Specific Plan boundary:
1. If the applicant proposes to put 50 percent of the required parking in a parking structure, then the applicant shall be eligible for a 10 percent increase in the base density for purposes of the calculations of maximum base density and percentage of affordable units required to apply State Density Bonus Law.
- D. A requested incentive may be denied only for those reasons provided in State Density Bonus Law. Denial of an incentive is a separate and distinct act from a decision to deny or approve the entirety of the project.

Section 16.97.070 Discretionary Approval Authority Retained.

The granting of a density bonus or incentive(s) shall not be interpreted in and of itself to require a general plan amendment, zoning change or other discretionary approval. If an incentive would otherwise trigger one of these approvals, when it is granted as an incentive, no general plan amendment, zoning change or other discretionary approval is required. However, if the base project without the incentive requires a general plan amendment, zoning change or other discretionary approval, the City retains discretion to make or not make the required findings for approval of the base project.

Section 16.97.080 Waivers.

A waiver is a modification to a development standard such that construction at the increased density would be physically possible. Modifications to floor area ratio in an amount equivalent to the percentage density bonus utilized shall be allowable as a waiver. Requests for an increase floor area ratio above that equivalent percentage shall be considered a request for an incentive. Other development standards, include, but are not limited to, a height limitation, a setback requirement, an onsite open space requirement, or a parking ratio that applies to a residential development. An applicant may request a waiver of any development standard to make the project physically possible to construct at the increased density. To be entitled to the requested waiver, the applicant must show that without the waiver, the project would be physically impossible to construct. There is no limit on the number of waivers.

Section 16.97.085 Specific Plan Exemptions.

The following requirements in the Menlo Park El Camino Real Downtown Specific Plan area shall not be modified as either an incentive or waiver pursuant to this Chapter:

- A. The maximum FAR shall be limited to the public benefit levels.
- B. The front and side setbacks facing a public right-of-way.

C. Building façade height.

D. Massing and modulation standards including, major portions of a building facing a street should be parallel to the street, building breaks, building façade modulation and building profile, and upper story façade length.

Section 16.97.090 Affordable Housing Agreement.

Prior to project approval, the applicant shall enter into an Affordable Housing Agreement with the City, to be executed by the City Manager without review by the Housing Commission, Planning Commission or City Council if the underlying application does not require review and/or approval by those bodies, to the satisfaction of the City Attorney guaranteeing the affordability of the rental or ownership units for a minimum of 30 years and identifying the type, size and location of each affordable unit. Such Affordable Housing Agreement shall be recorded in the San Mateo County Recorder's Office.

Section 16.97.100 Design and Quality.

A. Affordable units must be constructed concurrently with market-rate units and shall be integrated into the project. Affordable units shall be of equal design and quality as the market rate units. Exteriors, including architecture and elevations, and floor plans of the affordable units shall be similar to the market rate units. Interior finishes and amenities may differ from those provided in the market rate units, but neither the workmanship nor the products may be of substandard or inferior quality as determined by the building official. The number of bedrooms in the affordable units shall be consistent with the mix of market rate units.

B. Parking standards shall be modified as allowable under State Density Bonus Law and anything beyond those standards shall be considered a request for an incentive.

SECTION 3. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or enforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 4. This ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to the court ordered Judgment Pursuant to Stipulation ("Judgment") in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan

or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City “will” take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 5. This ordinance shall take effect 30 days after its passage and adoption. Within 15 days of its adoption this ordinance shall be posted in three public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

** REMAINDER OF PAGE LEFT BLANK INTENTIONALLY **

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ___ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING CHAPTER 16.20, R-3 [APARTMENT DISTRICT] AND CHAPTER 16.72 [OFF-STREET PARKING] OF TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The City desires to amend Chapter 16.20 [Apartment] and 16.72 [Off-street Parking] to create opportunities for higher density housing in infill locations around the El Camino Real/Downtown Specific Plan area where proximity to services and transit is available.
- B. The Planning Commission held duly noticed public hearings on April 22, 2013 and April 29, 2013 to review and consider the proposed amendments to Chapters 16.20 and 16.72 of Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- C. The City Council held duly noticed public hearings on May 21, 2013 to review and consider the proposed amendments to Chapters 16.20 and 16.72 of Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- D. After due consideration of the proposed amendments to Title 16, public comments, the Planning Commission recommendation, and the staff report, the City Council finds that the proposed amendments to Title 16 support the Housing Element and are appropriate.

SECTION 2. Chapter 16.20 [Apartment] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows:

Chapter 16.20

R-3 APARTMENT DISTRICT

Sections:

- 16.20.010 Permitted uses**
- 16.20.020 Conditional uses**
- 16.20.030 Development regulations**
- 16.20.040 Mitigation monitoring**

16.20.010 Permitted uses.

The following uses are permitted in the R-3 (Apartment) district:

- (1) Single-family dwellings;
- (2) Duplexes;
- (3) Three or more units on lots 10,000 square feet or more;
- (4) Accessory buildings.

16.20.020 Conditional Uses.

Conditional uses allowed in the R-3 district, subject to obtaining a use permit or, in the case of home occupations, a home occupation permit, are as follows:

- (1) Three or more dwelling units on lots less than 10,000 square feet;
- (2) Public utilities in accordance with Chapter 16.76;
- (3) Private schools and churches in accordance with Chapter 16.78;
- (4) Child day care centers in accordance with Chapter 16.78;
- (5) Home occupations in accordance with Section 16.04.340;
- (6) Foster homes;
- (7) Boardinghouses;
- (8) Convalescent homes;
- (9) Senior day care facilities.

16.20.030 Development regulations.

Development regulations are as follows in the R-3 district:

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Table 1

Ordinance No.

		All R-3 zoned Properties Except for Lots 10,000 sq. ft. or More in the Area Around the El Camino Real/Downtown Specific Plan Area	Lot Area of 10,000 sq. ft. or More for Property Around the El Camino Real/Downtown Specific Plan Area ¹	
Minimum Lot Area		7,000 sq. ft.	10,000 sq. ft.	
Minimum Lot Dimensions		70 ft. wide by 100 ft. deep (lots < 10,000 sq. ft. in area) 80 ft. wide by 100 ft. deep (lots ≥ 10,000 sf. ft. in area)	80 ft. wide by 100 ft. deep	
Land Area Required Per Dwelling Unit		See Table 2 below	Minimum	3,333 sq. ft.
			Maximum	1,452 sq. ft.
Minimum Yards	Front	15% of lot width; min. 20 ft.	20 ft.	
	Interior Side	10 ft.	10 ft.	
	Corner Side	15 ft.	15 ft.	
	Rear	15% of lot width; min. 15 ft.	15 ft.	
	Distance between main buildings on same lot	1/2 sum of the height of the buildings, 20 ft. min.	N/A	
	Distance between main buildings located on one property and adjacent property	20 ft.	N/A	
Maximum Floor Area Ratio		45%	Floor area ratio shall decrease on an even gradient from 75% for 30 du/ac to 35% for 13.1 du/ac	
Maximum Building Coverage		30%	40%	
Maximum Driveways and Open Parking Areas (Paving)²		20%	35%	
Minimum Open Space (Landscaping)		50%	25%	
Height		35 ft.	13.1 du/ac	35 ft.
			20 du/ac or greater	40 ft.
Maximum Façade Height		N/A	28 ft.	
Building Profile		None	<u>Starting at a height of 28 feet, a</u> 45-degree building profile shall be set at the minimum setback line contiguous with a public right-of-way or single-family zoned property or public park.	
Parking		2 spaces per unit, one of which must be covered, and not located in a required front or side yard	2 or more bedrooms per unit	2 spaces
			Up to 1 bedroom per unit	1.5 spaces
			Each unit must have at least one covered space. Parking spaces cannot be located in the required front yard	

¹For the purposes of Chapter 16.20.030, the area around the Downtown/El Camino Real is defined in three distinct areas as follows, and is only applicable to properties zoned R-3 that are 10,000 sq. Ft. Or more.

Area 1: Area bounded by University Avenue, Valparaiso Avenue, El Camino Real and Oak Grove Avenue.

Area 2: Area bounded by Arbor Road, Santa Cruz Avenue, El Camino Real and Middle Avenue.

Area 3: Area generally bounded by San Antonio Street and Alma Street, Encinal Avenue, Marcussen Drive and Ravenswood Avenue.

² Permeable pavers may count as 50 percent towards the paving requirement, except for on lots 10,000 sq. ft. or more located around the El Camino Real/Downtown Specific Plan Area.

Table 2

TOTAL LOT AREA	LAND AREA REQUIRED PER DWELLING UNIT
7,000 - 19,999 sq. ft.	3,333 sq. ft.
20,000 - 29,999 sq. ft.	3,100 sq. ft.
30,000 - 39,999 sq. ft.	2,900 sq. ft.
40,000 - 59,999 sq. ft.	2,700 sq. ft.
60,000 - 69,999 sq. ft.	2,600 sq. ft.
70,000 - 79,999 sq. ft.	2,500 sq. ft.
80,000 - 89,999 sq. ft.	2,400 sq. ft.
90,000 sq. ft. or more	2,350 sq. ft.

- (1) Notwithstanding the provisions of Table 1 herein, any given lot in excess of five thousand square feet in area shall be permitted a minimum of two units;
- (2) Any development containing twenty or more units, or encompassing one acre or more, may be expected to include a quantity of moderate and/or low cost units, ranging from five percent to twenty percent of the total units, depending on the specific development;
- (3) In the case of conditional uses, additional regulations may be required by the planning commission.

16.20.040 Mitigation Monitoring.

All development on lots 10,000 square feet or more and located within the identified areas around the El Camino Real/Downtown Specific Plan area shall comply, at a minimum, with the Mitigation Monitoring and Report Program (MMRP) established through Resolution No.____ associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013.

SECTION 3. Chapter 16.72 [Off-Street Parking] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows:

16.72.020 R district uses. R district parking uses are as follows:

- (1) Dwellings: Two spaces per unit, not in any required front or side yard, at least one of which shall be in a garage or carport, unless otherwise specified.

SECTION 4. This ordinance is not subject to the California Environmental Quality Act (“CEQA”). Pursuant to the court ordered Judgment Pursuant to Stipulation (“Judgment”) in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City “will” take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 5. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 6. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of the City Council of the City of Menlo Park on the __ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK, AMENDING CHAPTER 16.79 [SECONDARY DWELLING UNITS] OF TITLE 16 [ZONING] OF THE MENLO PARK MUNICIPAL CODE

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The City desires to amend Chapter 16.79 [Secondary Dwelling Unit] to provide the ability to create additional housing throughout the City to accommodate varying housing needs.
- B. The Planning Commission held duly noticed public hearings on April 22, 2013 and April 29, 2013 to review and consider the proposed amendments to Chapters 16.79 of Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- C. The City Council held duly noticed public hearings on May 21, 2013 to review and consider the proposed amendments to Chapters 16.79 of Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- D. After due consideration of the proposed amendment to Title 16, public comments, the Planning Commission recommendation, and the staff report, the City Council finds that the proposed amendment to Title 16 support the Housing Element and are appropriate.

SECTION 2. Chapter 16.79 [Secondary Dwelling Units] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows:

Chapter 16.79

SECONDARY DWELLING UNITS

Sections:

- 16.79.010 Purpose**
- 16.79.020 Permitted use**
- 16.79.030 Conditional use**
- 16.79.040 Development regulations**
- 16.79.050 Mitigation monitoring**

16.79.010 Purpose.

The purpose of this chapter is to set forth criteria and regulations to control the development of secondary dwelling units within the single-family residential zoning districts.

16.79.020 Permitted use.

A secondary dwelling unit developed within the main dwelling or structurally attached to the main dwelling as defined in Section 16.04.145 Buildings, structurally attached, or a secondary dwelling unit detached from the main dwelling, are permitted in a single-family residential zoning district, subject to the provisions set forth in Section 16.79.040.

16.79.030 Conditional use.

A secondary dwelling unit that is either attached or detached and requesting modification to the development regulations, except for items (1) density, (2) subdivision, and (10) tenancy, as established in Chapter 16.79.040.

16.79.040 Development regulations.

Development regulations for a secondary dwelling unit are as follows:

- (1) Minimum lot area: 6,000 square feet;
- (2) Density: No more than one (1) secondary dwelling unit may be allowed on any one (1) lot;
- (3) Subdivision: A lot having a secondary dwelling unit may not be subdivided in a manner that would allow for the main dwelling and secondary dwelling unit to be located on separate lots or that would result in a lot of less than 7,000 square feet of area or less width and/or depth than required by the single-family zoning district in which the lot is located;
- (4) Minimum yards:
 - (a) Structurally attached secondary dwelling units: Secondary dwelling units developed within the main dwelling or structurally attached to the main dwelling as defined in Section 16.04.145 Buildings, structurally attached, shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located;
 - (b) Detached secondary dwelling units: Detached secondary dwelling units shall comply with all minimum yard requirements for the main dwelling established by the single-family zoning district in which the lot is located, with the exception that the minimum rear yard and interior side yard is five (5) feet.
- (5) Unit size:
 - (a) The habitable square footage of all levels of the secondary dwelling unit shall not exceed 640 square feet;
 - (b) Secondary dwelling units shall be limited to studio or one-bedroom units and one bathroom.

- (6) Height: The maximum wall height of a detached secondary dwelling unit is nine (9) feet and the maximum total height is 17 feet;
- (7) Parking: One (1) covered or uncovered off-street parking space that may be provided in the following configurations and areas in addition to the areas allowed for the main dwelling:
 - (a) In tandem, meaning one car located directly behind another car;
 - (b) Within required interior side yards;
 - (c) Within required front yards if no more than 500 square feet of the required front yard is paved for motor vehicle use and a minimum setback of 18 inches from the side property lines is maintained.
- (8) Consistency: All secondary dwelling units shall comply with all applicable development regulations for the single-family zoning district in which the lot is located and building code requirements set forth in Title 12 Building and Construction of the Municipal Code unless otherwise provided for in this section;
- (9) Aesthetics: The secondary dwelling unit shall have colors, materials, textures and architecture similar to the main dwelling;
- (10) Tenancy: Either the main dwelling or the secondary dwelling unit shall be occupied by the property owner.

16.79.050 Mitigation Monitoring.

All second unit development shall comply, at a minimum, with the Mitigation Monitoring and Report Program (MMRP) established through Resolution No.____ associated with the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments Environmental Assessment prepared for the Housing Element adopted on May 21, 2013.

SECTION 3. This ordinance is not subject to the California Environmental Quality Act (“CEQA”). Pursuant to the court ordered Judgment Pursuant to Stipulation (“Judgment”) in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City “will” take the actions identified in this ordinance within 60 days of adoption of

the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 4. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 5. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

** REMAINDER OF PAGE LEFT BLANK INTENTIONALLY **

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of the City Council of the City of Menlo Park on the twenty-first day of May, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

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ORDINANCE NO.**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK REZONING PROPERTIES LOCATED AT 1221-1275 AND 1317-
1385 WILLOW ROAD**

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The rezoning of properties located at 1221-1275 and 1317-1385 Willow Road would provide the opportunity to develop higher density housing to accommodate the housing need in the City of Menlo Park.
- B. The rezoning of properties located at 1221-1275 and 1317-1385 Willow Road is consistent with the intent of the Housing Element to use available land resources as efficiently as possible while addressing local housing needs.

SECTION 2. The zoning map of the City of Menlo Park is hereby amended such that certain real properties with the addresses of 1221-1275 and 1317-1385 Willow Road (Assessor's Parcel Numbers 062-103-610 and 055-383-560) are rezoned from R-3 (Apartment District) to R-4-S (AHO) (High Density Residential, Special - Affordable Housing Overlay) as more particularly described and shown in Exhibit "A." This rezoning is consistent with the General Plan land use designation of High Density Residential for the property.

SECTION 3. This ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to the court ordered Judgment Pursuant to Stipulation ("Judgment") in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City "will" take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174

Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); Muzzy Ranch Co. v. Solano County Airport Land Use Commission (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 4. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

** REMAINDER OF PAGE LEFT BLANK INTENTIONALLY **

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of ____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

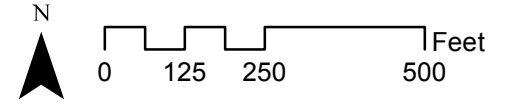
ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

CITY OF MENLO PARK



REZONING: R-3 (Apartment) to R-4-S (High Density Residential)

ADDRESSES: 1221-1275 & 1317-1385 Willow Road

APNs: 062-103-610 & 055-383-560

Legend

- City Limits
- Subject Sites
- Parcels



ORDINANCE NO.**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK REZONING PROPERTIES LOCATED AT 631, 711-721, 735-763,
767, 771, 777-821 AND 831-851 HAMILTON AVENUE**

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The rezoning of properties located at 631, 711-721, 735-763, 767, 771, 777-821 and 831-851 Hamilton Avenue would provide the opportunity to develop higher density housing to accommodate the housing need in the City of Menlo Park.
- B. The rezoning of properties located at 631, 711-721, 735-763, 767, 771, 777-821 and 831-851 Hamilton Avenue is consistent with the intent of the Housing Element to use available land resources as efficiently as possible while addressing local housing needs.

SECTION 2. The zoning map of the City of Menlo Park is hereby amended such that certain real properties with the addresses of 631, 711-721, 735-763, 767, 771, 777-821 and 831-851 Hamilton Avenue (Assessor's Parcel Numbers 055-374-120, 055-396-070, 055-396-040, 055-396-060, 055-397-010, 055-397-020, 055-397-030, 055-397-040, 055-397-050, 055-398-240, 055-398-010, 055-398-260, 055-398-030, 055-398-040, 055-398-050, 055-398-060, 055-398-070, 055-398-080, 055-398-090, 055-398-100 and 055-398-110) are rezoned from M-1 (Light Industrial District) to R-4-S (High Density Residential, Special) as more particularly described and shown in Exhibit "A." This rezoning is consistent with the General Plan land use designation of High Density Residential for the property.

SECTION 3. This ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to the court ordered Judgment Pursuant to Stipulation ("Judgment") in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that

the City “will” take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 4. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

** REMAINDER OF PAGE LEFT BLANK INTENTIONALLY **

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the _____ day of _____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

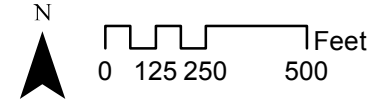
ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

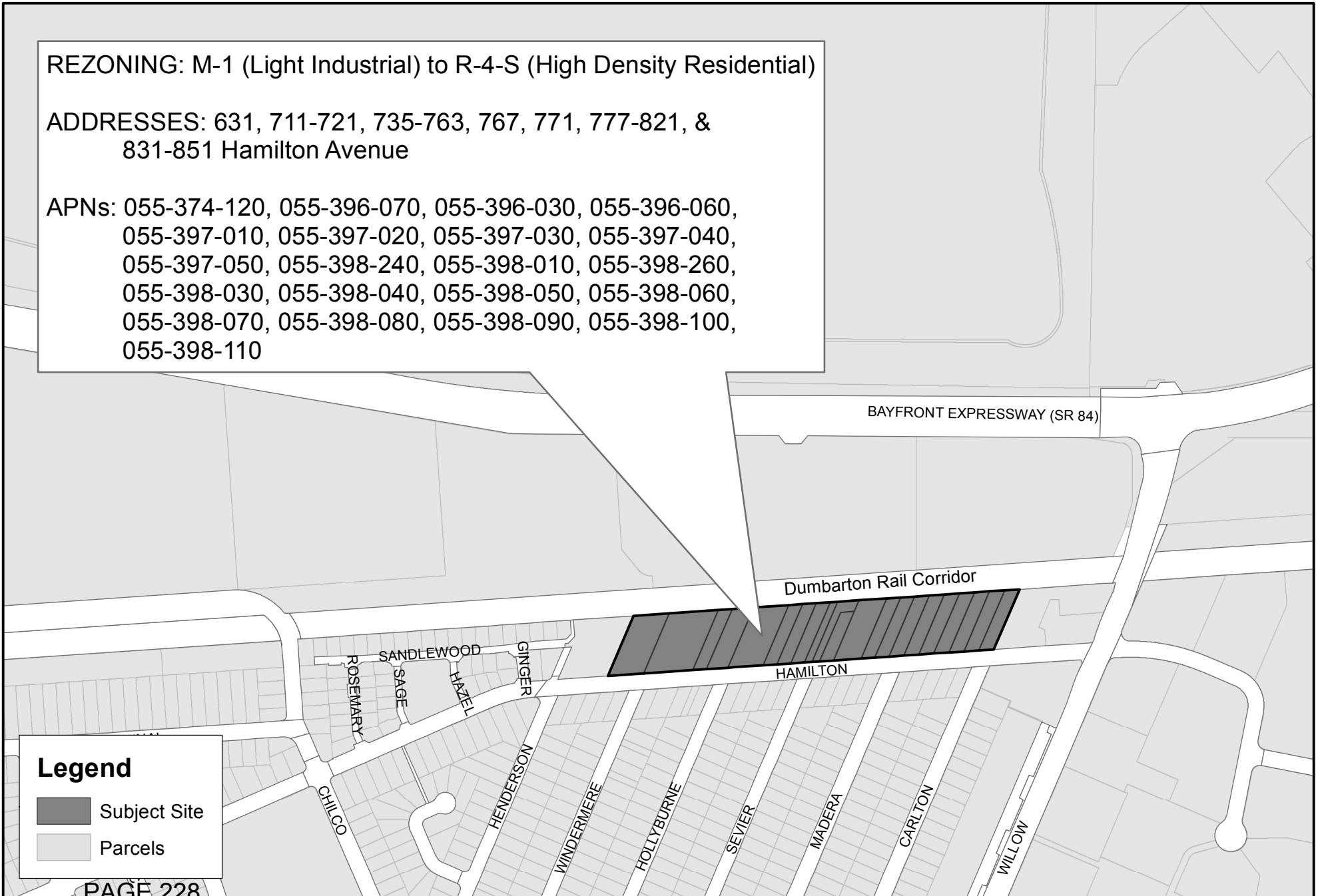
CITY OF MENLO PARK



REZONING: M-1 (Light Industrial) to R-4-S (High Density Residential)

ADDRESSES: 631, 711-721, 735-763, 767, 771, 777-821, &
831-851 Hamilton Avenue

APNs: 055-374-120, 055-396-070, 055-396-030, 055-396-060,
055-397-010, 055-397-020, 055-397-030, 055-397-040,
055-397-050, 055-398-240, 055-398-010, 055-398-260,
055-398-030, 055-398-040, 055-398-050, 055-398-060,
055-398-070, 055-398-080, 055-398-090, 055-398-100,
055-398-110



Legend

- Subject Site
- Parcels

ORDINANCE NO.**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK REZONING PROPERTIES LOCATED AT 3605-3615, 3633-3639,
AND 3645-3665 HAVEN AVENUE**

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The rezoning of properties located at 3605-3615, 3633-3639, and 3645-3665 Haven Avenue would provide the opportunity to develop higher density housing to accommodate the housing need in the City of Menlo Park.
- B. The rezoning of properties located at 3605-3615, 3633-3639, and 3645-3665 Haven Avenue is consistent with the intent of the Housing Element to use available land resources as efficiently as possible while addressing local housing needs.

SECTION 2. The zoning map of the City of Menlo Park is hereby amended such that certain real properties with the addresses of 3605-3615, 3633-3639, 3645-3665 Haven Avenue (Assessor's Parcel Numbers 055-170-260, 055-170-200, 055-170-190, 055-170-270, 055-170-180, 055-170-320, 055-170-210, 055-170-220, 055-170-080, 055-170-070 and 055-170-060) are rezoned from M-2 (General Industrial District) to R-4-S (AHO) (High Density Residential, Special - Affordable Housing Overlay) as more particularly described and shown in Exhibit "A." This rezoning is consistent with the General Plan land use designation of High Density Residential for the property.

SECTION 3. This ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to the court ordered Judgment Pursuant to Stipulation ("Judgment") in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City "will" take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of

compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 4. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

** REMAINDER OF PAGE LEFT BLANK INTENTIONALLY **

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of ____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

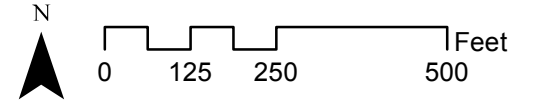
ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

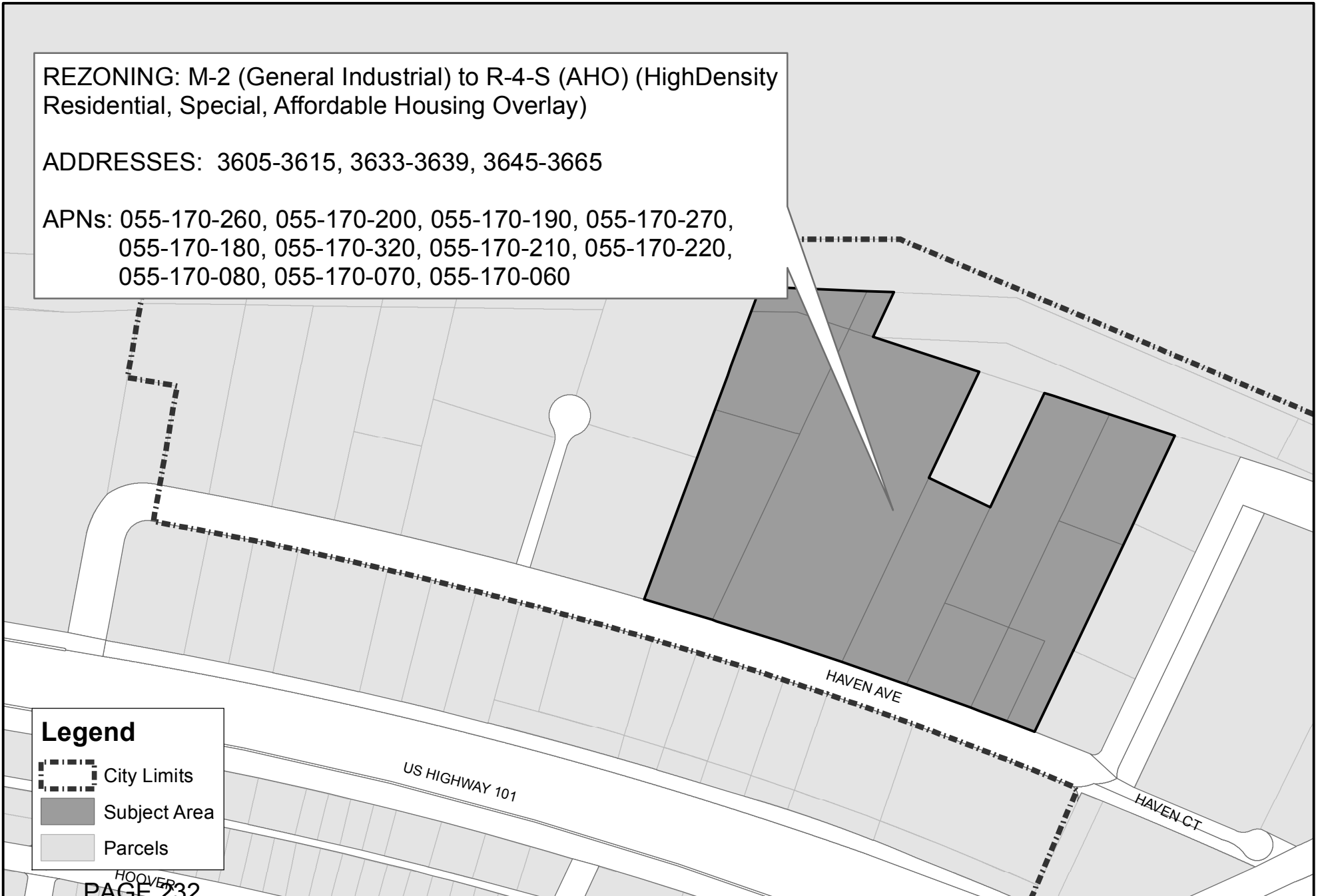
CITY OF MENLO PARK



REZONING: M-2 (General Industrial) to R-4-S (AHO) (High Density Residential, Special, Affordable Housing Overlay)

ADDRESSES: 3605-3615, 3633-3639, 3645-3665

APNs: 055-170-260, 055-170-200, 055-170-190, 055-170-270,
055-170-180, 055-170-320, 055-170-210, 055-170-220,
055-170-080, 055-170-070, 055-170-060



Legend

- City Limits
- Subject Area
- Parcels

ORDINANCE NO.**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK REZONING PROPERTIES LOCATED AT 3605-3665 HAVEN AVENUE**

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The rezoning of properties located at 3605-3665 Haven Avenue would provide the opportunity to develop higher density housing to accommodate the housing need in the City of Menlo Park.
- B. The rezoning of properties located at 3605-3665 Haven Avenue is consistent with the intent of the Housing Element to use available land resources as efficiently as possible while addressing local housing needs.

SECTION 2. The zoning map of the City of Menlo Park is hereby amended such that certain real properties with the addresses of 3605-3665 Haven Avenue (Assessor's Parcel Numbers 055-170-260, 055-170-200, 055-170-190, 055-170-270, 055-170-180, 055-170-320, 055-170-330, 055-170-210, 055-170-220, 055-170-080, 055-170-070 and 055-170-060) are rezoned from M-2 (General Industrial District) to R-4-S (AHO) (High Density Residential, Special - Affordable Housing Overlay) as more particularly described and shown in Exhibit "A." This rezoning is consistent with the General Plan land use designation of High Density Residential for the property.

SECTION 3. This ordinance is not subject to the California Environmental Quality Act ("CEQA"). Pursuant to the court ordered Judgment Pursuant to Stipulation ("Judgment") in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City "will" take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of

compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 4. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

** REMAINDER OF PAGE LEFT BLANK INTENTIONALLY **

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of ____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

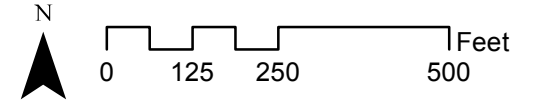
ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

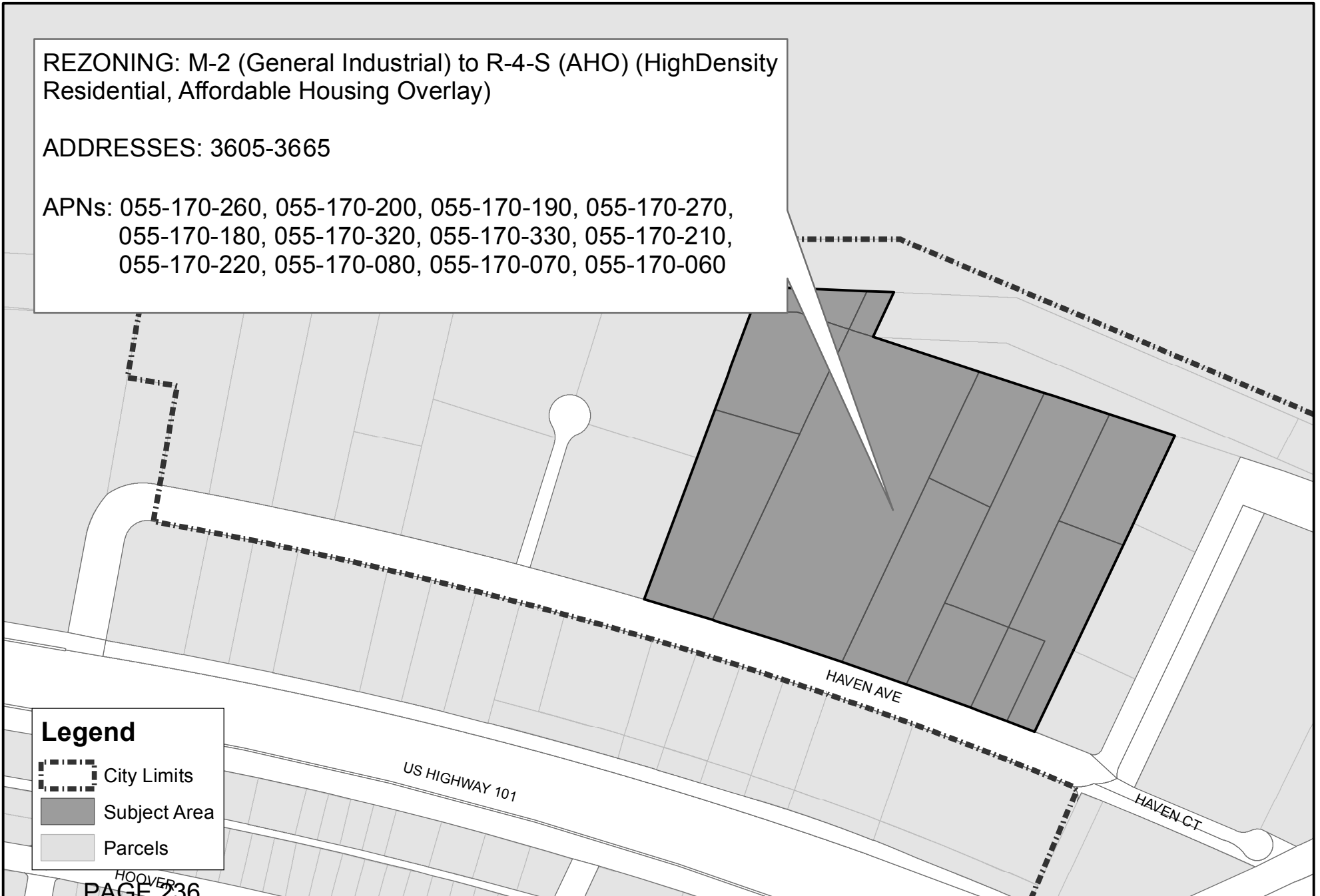
CITY OF MENLO PARK



REZONING: M-2 (General Industrial) to R-4-S (AHO) (HighDensity Residential, Affordable Housing Overlay)

ADDRESSES: 3605-3665

APNs: 055-170-260, 055-170-200, 055-170-190, 055-170-270,
055-170-180, 055-170-320, 055-170-330, 055-170-210,
055-170-220, 055-170-080, 055-170-070, 055-170-060



Legend

- City Limits
- Subject Area
- Parcels

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MENLO PARK AMENDING CHAPTER 16.43 [C-4 GENERAL COMMERCIAL DISTRICT (APPLICABLE TO EL CAMINO REAL)], CHAPTER 16.44 [M-1 LIGHT INDUSTRIAL DISTRICT] AND CHAPTER 16.57 [P-D DISTRICT] OF TITLE 16 [ZONING] THE MENLO PARK MUNICIPAL CODE

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The City desires to delete Chapter 16.43 [C-4 General Commercial (applicable To El Camino Real), Chapter 16.44 [M-1 Light Industrial], and Chapter 16.57 [P-D] of Title 16 [Zoning] to eliminate zoning districts for which no properties are zoned.
- B. The Planning Commission held duly noticed public hearings on April 22, 2013 and April 29, 2013 to review and consider the proposed deletions, whereat all interested persons had the opportunity to appear and comment.
- C. The City Council held duly noticed public hearings on May 21, 2013 to review and consider the proposed deletions, whereat all interested persons had the opportunity to appear and comment.
- D. After due consideration of the proposed deletions, public comments, the recommendation of the Planning Commission, and the staff report, the City Council finds that the proposed deletions are appropriate.

SECTION 2. Chapter 16.43 [C-4 General Commercial (applicable To El Camino Real), Chapter 16.44 [M-1 Light Industrial], and Chapter 16.57 [P-D] of Title 16 [Zoning] of the Menlo Park Municipal Code are hereby deleted in their entirety.

SECTION 3. Title 16, Zoning, of the Menlo Park Municipal Code is hereby amended to delete any and all Sections and references related to the deleted zoning districts identified in Section 2 above.

SECTION 4. Title 16, Zoning, of the Menlo Park Municipal Code is hereby amended to delete any and all references to the phrase “other than El Camino Real” associated with Chapter 16.42 C-4 General Commercial District.

SECTION 5. This ordinance is not subject to the California Environmental Quality Act (“CEQA”). Pursuant to the court ordered Judgment Pursuant to Stipulation (“Judgment”) in Peninsula Interfaith Action, et al. v. City of Menlo Park, Case No

CIV513882, the City is required to bring its Housing Element and related elements of the General Plan into compliance with state law and the terms of the Settlement Agreement that was incorporated into the Judgment. The Judgment incorporates Government Code Section 65759, which provides that CEQA does not apply to any action necessary to bring the General Plan or relevant mandatory elements into compliance with any court order. This ordinance is required to bring the General Plan or relevant mandatory elements into compliance with State law and the court ordered Judgment. It is, therefore, not subject to CEQA.

If this ordinance were subject to CEQA, this ordinance is not a project pursuant to Public Resources Code Section 21080(a) and CEQA Guidelines Section 15002(i), which indicate that CEQA applies to discretionary projects carried out or approved by public agencies. This ordinance is ministerial in that the Housing Element indicates that the City “will” take the actions identified in this ordinance within 60 days of adoption of the Housing Element. When an initial approval (in this case the Housing Element) is sufficiently specific that any follow-up approval is limited to a determination of compliance with conditions or provisions set forth in the initial approval, then the follow-up approval is ministerial. *Health First v. March Joint Powers Auth.* (2009) 174 Cal.App.4th 1135. Finally, the rezoning for “by-right” development at higher densities is required pursuant to state law. Government Code Sections 65583 and 65583.2. For all of the foregoing reasons, there is no judgment or deliberation on the part of the decision makers and decision makers have no power to shape or change the actions identified in this ordinance in response to environmental review. As a ministerial action, this ordinance is not a project subject to CEQA.

Even if this ordinance were determined to be a discretionary project subject to CEQA, the “common sense exemption” which indicates CEQA applies only to projects that have the potential for causing a significant effect on the environment applies to exempt this ordinance from needless environmental review. CEQA Guidelines 15601(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372. The environmental impacts of this ordinance were reviewed in the Environmental Assessment, which is the equivalent of a Draft Environmental Impact Report, conducted for the Housing Element and related General Plan elements which was adopted by the City Council on May 21, 2013. It can be seen with certainty that there is no possibility that the action identified in the ordinance will have a significant effect on the environment beyond what was analyzed in the Environmental Assessment. Therefore, this ordinance is exempt from CEQA.

SECTION 6. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 7. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the

ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the twenty-first day of May, 2013.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of the City Council of the City of Menlo Park on the __ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Margaret S. Roberts, MMC
City Clerk

Peter Ohtaki
Mayor

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ERRATA #1

City of Menlo Park Final Draft Housing Element (Dated April 4, 2013)

Errata prepared for the April 22, 2013 Menlo Park Planning Commission Meeting

Page 43

Modify Policy H4.2 to specifically identify the needs of extremely low-income persons, lower income families with children and lower income seniors. This modification expands the need groups targeted for affordable housing and complies with the Settlement Agreement.

“H4.2 **Housing to Address Local Housing Needs.** The City will strive to provide opportunities for new housing development to meet the City’s fair share of its Regional Housing Needs Allocation (RHNA). In doing so, it is the City’s intent to provide an adequate supply and variety of housing opportunities to meet the needs of Menlo Park’s workforce and special needs populations, striving to match housing types, affordability and location, with household income, and addressing the housing needs of extremely low income persons, lower income families with children and lower income seniors.”

Page 48

Modify Program H4.D to add specificity to the evaluation of the BMR program and the update of the City’s BMR fee nexus study and to identify dates for implementation. This modification also complies with the Settlement Agreement.

“H4.D **Implement Inclusionary Housing Regulations and Adopt Standards to Implement State Density Bonus Law.** Continue to administer the Below Market Rate (BMR) Housing Program for Commercial and Industrial Developments and the Below Market Rate (BMR) Housing Program for Residential Developments. Review and amend the Zoning Ordinance as follows:

- a. Amend the Zoning Ordinance to be consistent with State Density Bonus Law requirements.
- b. Re-evaluate BMR program requirements to reduce the cost of providing BMR units and to encourage new BMR units to be built and to identify ways to construct housing affordable to lower income households, including family housing. As part of the BMR program evaluation the City will establish clear policy and criteria for the allocation of funds from the City’s BMR housing fund that prioritizes non-profit development of workforce rental housing affordable to low and very-low income households on sites the City has determined to be viable for LIHTC funding by setting aside a substantial portion of the uncommitted BMR fund balance and of future BMR fees received by the City for such development.

- c. Update the BMR fee nexus study. If possible, coordinate the update of the BMR nexus fee study with other jurisdictions in San Mateo County as part of the countywide 21 Elements project, which is a collaborative effort among all 21 jurisdictions in San Mateo County to provide assistance and collaborate on housing element implementation.
- d. Modify provisions regarding rental housing to be consistent with the Costa-Hawkins Act.

Responsibility: Planning Division; City Attorney; City Commissions; City Council
Financing: General Fund
Objectives: Amend the Zoning Ordinance to require affordable units in market rate developments and establish State Density Bonus Law incentives.
Timeframe: Amend the Zoning Ordinance to be consistent with State Density Bonus Law within 60 days of Housing Element adoption. Re-evaluate the BMR program and update the BMR nexus study by 2014.”

Page 98

Modify the discussion of potential units for consistency.

“The City’s *starting point* for providing the capacity to address its RNHA for the last two Housing Element planning periods is 1,975 units. The table below shows the City’s “adjusted” RHNA that accounts for units that can be credited to the City based on past construction activity, current zoning and the expectations from implementation of the programs contained in the Housing Element.

City of Menlo Park’s Ability to Address Its Regional Housing Needs Allocation (RHNA for 1999-2006 and 2007-2014)

Category	Units Built/Approved, Provided Through Housing Element Programs or Existing Zoning, and Remaining Need that Must be Made Available Through Rezoning of Sites to Higher Density Residential Use					Total
	Very Low Income	Low Income	Available for Lower Income SUBTOTAL*	Available for Moderate Income	Available for Above Moderate Income	
1999-2006 RHNA	184	90	274	245	463	982
Units Built (1999-2006)	0	0	0	11	82	93
Second Units Built (1999-2006)	1	1	2	0	0	2
Available Sites Under Existing Zoning (1999-2006)	0	0	0	117	261	378
<i>Subtotal</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>128</i>	<i>343</i>	<i>473</i>
Carryover Need from 1999-2006 RHNA	183	89	272	117	120	509
2007-2014 RHNA	226	163	389	192	412	993
Units Built or Approved (2007-2012)	0	3	3	25	174	202
Second Units Built or Approved (2007-2012)	2	2	4	2	0	6
El Camino Real/Downtown Specific Plan Zoning			200	230	250	680
Available Sites Under Existing Zoning (2007-2014)	0	0	0	95	127	222
<i>Subtotal</i>			<i>207</i>	<i>352</i>	<i>551</i>	<i>1,110</i>
Residual Need from 2007-2014 RHNA			182	-160	-139	-117
Adjusted 2007-2014 RHNA with 1999-2006 RHNA Carryover			454	-43	-19	392
New Housing on Infill Sites**	0	0	0	50	20	70
New Second Units (through July 2014)**	3	4	7	3	0	10
Second Unit Amnesty Program (Prior to July 2014)**	10	15	25	10	0	35
<i>Subtotal</i>	<i>13</i>	<i>19</i>	<i>32</i>	<i>63</i>	<i>20</i>	<i>115</i>
Remaining Adjusted RHNA			422	-106	-39	277
Rezoned Sites						
Sites to be Rezoned at 30+ Units/Acre***			886	0	0	886
<i>Amount ABOVE the Remaining Adjusted RHNA</i>			<i>+464</i>	<i>****</i>	<i>****</i>	<i>+464</i>

*The "Available for Lower Income SUBTOTAL" adds together the very low and low income units required under RHNA
 **Assumes full implementation of Housing Element programs
 ***Includes the following sites: Veterans Affairs, both of MidPen’s Gateway Apartments sites, Hamilton Avenue and Haven Avenue (see map)
 ****Moderate income units can be considered affordable for Above Moderate Income households

Calculation shows the anticipated number of Lower Income Units (the distribution of Very Low and Low Income units will depend on specific projects)

The table shows the number of units required on sites rezoned to higher density residential use. The analysis concludes the City must rezone sites to accommodate 500 will provide up to 886 “net new” housing units on sites zoned at 30 or more units per acre, which is 464 units above the “Remaining Adjusted RHNA” for the City. Overall, the conclusions of the Housing Element are that there are sufficient sites for housing in Menlo Park to accommodate the City’s RHNA at the very low, low, moderate and above moderate-income affordability levels.”

Page 100-101

Modify the bottom paragraph and list of sites (pages 100 and 101) for consistency.

“Higher density housing sites located outside of the El Camino Real/Downtown Specific Plan and surrounding infill areas have the potential for a total 886 units on almost 30 acres of land. These sites include:

- (1) **Veterans Affairs Clinic** located in the 700 block of Willow Road (1.87 acres; 60 units at 32 units/acre; single owner).
- (2) **MidPen’s Gateway Apartments** located in the 1200 block of Willow Road (2.27 acres; net increase of 42 units at up to 40 units/acre; single owner).
- (3) **MidPen’s Gateway Apartments** located in the 1300 block of Willow Road (2.97 acres; net increase of 36 units at up to 40 units/acre; single owner).
- (4) **Hamilton Avenue** located in the 700-800 blocks of Hamilton Avenue (7.20 acres; net increase of 208 units at 30 units/acre; four owners).
- (5) **Haven Avenue** located in the 3600 block of Haven Avenue (15.50 acres; 540 units at 35 units/acre; three owners).”

Page 105

Modify the discussion of the “Composite of Housing Element Approach to Housing Sites” to describe the base density, realistic development potential, density bonus opportunities and the feasibility of developing the rezoned sites for housing.

“Composite of Housing Element Approach to Housing Sites

The sites analysis must cover potential zoning, environmental, infrastructure and other potential development constraints to determine whether there are barriers to development. The Housing Element must also establish a realistic development potential for rezoned sites. Higher density sites covered under the El Camino Real/Downtown Specific Plan have appropriate zoning, as described on the previous page. Infill opportunities around the Downtown will also have zoning to enable development of housing at 30 or more units per acre. The El Camino Real/Downtown Specific Plan sites and sites located in the infill area around the downtown are listed in Appendix A of the Housing Element. These areas provide the opportunity for up to 750 units of higher density housing to be built. The Specific Plan area is limited to a 680-unit cap on additional development, but bonuses would apply to individual sites as they are proposed. However, the overall development potential of 680 additional housing units under the Specific Plan cannot be exceeded.

The areas identified for higher density zoning located outside of the downtown have a realistic potential under base R-4-S zoning to accommodate 756 “net new” dwelling units. However, it is desirable under Housing Element goals and policies that these sites accommodate 886 “net new” dwelling units. The breakdown of “net new” multiple family dwelling units at 30 or more units per acre desired to be located east and west of Highway 101 would be as follows: North of Highway 101 — 826 units; (2) South of Highway 101 — 810 units. This calculation does not consider the location of new second units, however.

The sites rezoned to R-4-S are all relatively flat and have minimal development constraints. There has also been a significant degree of property owner and developer interest in the rezoning and development of these sites for multiple family housing. Further, with developer interest and both rents and sales pricing now increasing significantly, the development of these sites with the significant number of incentives provided by the City appears feasible and realistic. Also, the base density should be considered the realistic development potential for these sites since it requires no discretionary review.

In addition to the base density and realistic development potential established based on 30 units per acre, the City is establishing an Affordable Housing Overlay Zone for some of the higher density housing sites to provide incentives to achieve more affordable units as part of new development. State Density Bonus Law could also apply to these sites. The tables below illustrate the base density under the R-4-S zoning (realistic development potential), desired development potential under the Housing Element, and potential density bonuses under State Density Bonus Law and the Affordable Housing Overlay Zone.

Rezoned Housing Sites — Base Density, Realistic Potential, Desired Potential and Bonus Density Potential Under State Density Bonus Law and Affordable Housing Overlay Zone

Site	Site Size (Acres)	Base Density Under R-4-S Zoning (Units/Acre)	Realistic Potential "Net New" Dwelling Units Under Base R-4-S Zoning	Desired "Net New" Dwelling Units Potential Under the Housing Element (Dwelling Units/Acre)	Additional Potential "Net New" Dwelling Units Above Realistic Potential with Maximum 35% Bonus (45 units/acre) Under STATE DENSITY BONUS LAW***	Additional Potential "Net New" Dwelling Units Above Realistic Potential with Maximum 60% Bonus (48 units/acre) under AFFORDABLE HOUSING OVERLAY ZONE
Haven Avenue Sites	15.50 ac	30 units/ac	465	540 units (35 units/ac)	+226	+279
Hamilton Avenue Sites*	7.20 ac	30 units/ac	208	208 units (30 units/ac)	+113	*
MidPen's Gateway Apartments (1200 block of Willow Avenue)	2.27 ac	30 units/ac	20	42 units (40 units/ac)	+33	+41
MidPen's Gateway Apartments (1300 block of Willow Avenue)	2.97 ac	30 units/ac	7	36 units (40 units/ac)	+43	+54
Veteran's Administration (VA) Site**	1.87 ac	30 units/ac	56	60 units (32 units/ac)	**	**
Total	29.81 ac	30 units/ac	756	886	+415	+374

Source: City of Menlo Park, 2013

* Hamilton Avenue not rezoned to the Affordable Housing Overlay Zone (currently 8 units on these sites)

** Veteran's Administration site does not require rezoning since it is located on Federally-owned land

*** The City offers a 10% bonus for structured parking that could bring the effective bonus to 49% under State Density Bonus Law, although this would be more of a theoretical maximum since it would probably only be feasible with larger projects, such as the Haven Avenue and Hamilton Avenue sites.

Detailed Listing of Sites Included Under "Haven Avenue" and "Hamilton Avenue" Rezoning to R-4-S Zoning

Site	Site Size (Acres)	Existing Units	REALISTIC POTENTIAL of "Net New" Dwelling Units Under Base R-4-S Zoning	DESIRED "Net New" Dwelling Units Potential Under the Housing Element (Dwelling Units/Acre)	ADDITIONAL POTENTIAL for "Net New" Dwelling Units ABOVE Base R-4-S Zoning Realistic Potential — Maximum 35% Bonus (45 units/acre) — with STATE DENSITY BONUS LAW	ADDITIONAL POTENTIAL for "Net New" Dwelling Units ABOVE Base R-4-S Zoning Realistic Potential — Maximum 60% Bonus (48 units/acre) with AFFORDABLE HOUSING OVERLAY ZONE
Haven Avenue Sites (30 units/ac)	15.50 ac	0	465	540 units (35 units/ac)	+226	+279
<i>St. Anton</i>	<i>9.70</i>	<i>0</i>	<i>291</i>		<i>+141</i>	<i>+174</i>
<i>Scarlett</i>	<i>0.91</i>	<i>0</i>	<i>27</i>		<i>+14</i>	<i>+17</i>
<i>Butler/Greystar</i>	<i>4.89</i>	<i>0</i>	<i>147</i>		<i>+71</i>	<i>+88</i>
Hamilton Avenue Sites (30 units/ac)*	7.20 ac	8	208	208 units (30 units/ac)	+113	*
<i>Mt. Olive</i>	<i>0.67</i>	<i>8</i>	<i>12</i>		<i>+18</i>	<i>*</i>
<i>Greenheart</i>	<i>5.31</i>	<i>0</i>	<i>159</i>		<i>+78</i>	<i>*</i>
<i>Calhoun</i>	<i>0.39</i>	<i>0</i>	<i>12</i>		<i>+5</i>	<i>*</i>
<i>Angelo</i>	<i>0.84</i>	<i>0</i>	<i>25</i>		<i>+12</i>	<i>*</i>

Source: City of Menlo Park, 2013

* Hamilton Avenue not rezoned to the Affordable Housing Overlay Zone

The map on the next page shows a composite of the City’s approach to providing adequate sites for a variety of housing types and needs. Specifically, these include sites rezoned for higher density housing, lots around the downtown area that have additional development potential, second units and the El Camino Real/Downtown Specific Plan area. At least 50% of the City’s lower income need must be accommodated on sites designated for residential use with only ancillary commercial or other uses to support the development and reduce trips. Following the composite map are pages showing higher density housing sites located outside of the El Camino Real/Downtown Specific Plan and the surrounding infill areas.”



ERRATA #2

City of Menlo Park Final Draft Housing Element (Dated April 4, 2013)

Errata prepared for the April 29, 2013 Menlo Park Planning Commission Meeting

Page 45

Add new policy to describe the intent of the modifications to the R-3 (Apartment) zoning designation for the infill area around the downtown and to support program H4.A.

“H4.14 Infill Housing Adjacent to Downtown. Create opportunities for a limited number of new housing units in areas adjacent to the El Camino Real/Downtown Specific Plan area to meet the City’s fair share of its Regional Housing Needs Allocation (RHNA), support downtown retail activities, and to locate new housing near jobs and transit. New housing opportunities are not intended to significantly change the character of these areas but would allow larger properties to redevelop at higher densities with design review to assure a fit of new housing with the character of the area and adjacent uses.”

Modify Program H4.A to establish a maximum number of units to be built in the near-term as follows:

- H4.A **Modify Development Standards to Encourage Additional Infill Housing.** Review and modify the following development standards based on the most up-to-date empirical studies to allow exceptions and incentives for infill housing located close to transit and services. This program will focus first on lots 10,000 square feet or greater around the El Camino Real/Downtown Specific Plan area, with a maximum of 70 new units possible in the near-term. The design character, community vision and potential for additional development in these areas will be considered as part of the City’s comprehensive General Plan update. Housing Element policy and program actions should also ~~should then be considered for~~ consider possible expansion to smaller lots ~~at a later date.~~
- a. **Variable Density Standards.** Establish unit densities for studio and one-bedroom units based on “density unit equivalents” or the size of the unit. In addition, develop standards for single-room occupancy (SRO) units.
 - b. **Zoning Standards and Development Requirements.** Review Zoning standards and requirements, including Floor Area Ratio (FAR), parking, density and other standards to encourage infill housing. Provide reduced parking standards to support affordable and senior housing development. Modify the R-3 and R-4 districts requirements and/or create new zoning that would be appropriate for high-density housing. Provide for more flexible parking requirements that help to facilitate infill, affordable, transit-oriented and mixed-use

development, while at the same time avoiding off-site parking impacts. Examples include joint use parking, off-site parking (currently allowed), allowances for reduced standards depending upon location (such as near transit), parking stall dimensions, “grandfathering” non-compliant buildings and uses, etc.

- c. **Expedite the Review Process and Consider Fee Waivers or Reductions.** In developing requirements for infill development, identify and implement ways to shorten the review process (such as Program H4.I implementation to “Refine Multi-Family and Residential Mixed Use Design Guidelines”) and develop criteria for possible waivers or reductions of development fees where feasible.
- d. **Parcel Consolidation.** Promote parcel consolidation for the assembly of new housing sites to ensure minimum densities are achieved and integrated site planning occurs by (1) identifying priority sites for lot consolidation where common ownership occurs, (2) contacting property owners of contiguous vacant and underutilized sites, (3) conducting outreach to affordable housing developers, and (4) offering the incentives listed above to promote lot consolidation.
- e. **Work with Property Owners.** Conduct outreach with property owners to identify specific incentives for property owners to develop their properties with housing.

Responsibility: Planning Division; City Attorney; Planning Commission; City Council
Financing: General Fund
Objectives: Amend the Zoning Ordinance Provide flexibility to encourage smaller units and infill housing.
Timeframe: Within 60 days of Housing Element adoption.

Page 50

Modify Program H4.H to be more specific as to actions related to housing opportunity sites, including lot consolidation.

H4.H Work with Non-Profits and Property Owners on ~~High Potential~~ Housing Opportunity Sites.

Work with non-profits and property owners to seek opportunities for an affordable housing development. Undertake the following actions on ~~selected sites (to be identified)~~ zoned R-4-S and/or AHO to encourage development of multi-family, affordable housing:

- a. Work closely with non-profit housing developers and property owners to identify housing development opportunities, issues and needs.
- b. ~~Select the most viable site or sites.~~ On larger sites with multiple properties the City will strive to identify opportunities for parcel consolidation to ensure a minimum density of 20 units/acre is achieved and integrated site planning occurs by (1) identifying sites where common ownership occurs, (2) contacting property owners of contiguous vacant and underutilized sites, (3) conducting outreach to affordable housing developers, and (4) offering the incentives contained in the R-4-S and AHO zoning to promote lot consolidation.
- c. Undertake community outreach as part of the rezoning and, as appropriate, in coordination with the potential developer and property owner.
- d. Use the affordable housing overlay zone (when adopted — see Program H4.C) to incentivize affordable housing and lot consolidation on specific sites.
- e. Complete site-planning studies, continue community outreach, and undertake regulatory approvals in coordination with the development application.

- f. Facilitate development through regulatory incentives, including the establishment of housing as a “permitted use,” the reduction or waiver of City fees, enable the processing of affordable housing development proposals to, as best as possible, fit with the varied financing requirements for the affordable units, use of affordable housing funds, implementation of other Housing Element Programs, and other assistance by City Planning staff in development review.
- g. Target sites in Downtown and surrounding infill areas and, especially properties where lot consolidation is possible and provide incentives for lot consolidation and property redevelopment with housing.
- h. Investigate the potential for development of new housing on underutilized commercial and industrial sites, including the creation of residential overlay zoning, to allow for residential development in selected, underutilized industrial areas.
- i. Establish specific mechanisms to expedite processing of permits for housing projects that include on-site residential units affordable to persons of lower or moderate income. This may include granting priority in scheduling such proposals for public review and priority in plan check and subsequent issuance of building permits.
- j. Encourage the use of funding techniques such as mortgage revenue bonds, mortgage credit certificates, and low-income housing tax credits to facilitate the development of affordable housing.

Responsibility: City Commissions; Planning Division; City Attorney; City Council

Financing: General Fund

Objectives: Develop incentives and procedures to facilitate development of affordable housing on higher density housing sites.

Timeframe: Undertake items a-d, above, during 2013

Page 53

Add two new programs — (1) new program to cover tenant selection, property management, maintenance and other issues for BMR and other affordable housing development; and (2) new program to review overnight parking requirements for the new R-4-S zoning district for consistency with other residential zoning districts.

“H4.R **Achieve Long-Term Viability of Affordable Housing.** Work with non-profits and other project sponsors to implement the City’s Preferences for Affordable Housing policy (Policy H4.13), as appropriate, and to assure a fair tenant selection process, appropriate project management, high level of project maintenance and upkeep, and coordination with the City departments (such as Planning, Public Works, Police, etc.) and other agencies on an ongoing basis as needed. The City will also encourage project sponsors to conduct outreach with the neighborhood and City decision-makers to identify project design and other concerns.”

Responsibility: Planning Division; City Attorney; Public Works; Police; Fire District

Financing: General Fund

Objectives: Establish project management and other ongoing project coordination needs.

Timeframe: As developments are proposed and ongoing thereafter.”

"H4.S Review Overnight Parking Requirements for the R-4-S Zoning District. Work with other City staff and the City Attorney to review and modify Section 11.24.050 [Night Parking Prohibited] of the Municipal Code to incorporate the R-4-S Zoning District as needed.

Responsibility: Planning Division; City Attorney; Police Department; Public Works; Police

Financing: General Fund

Objectives: Modify Section 11.24.050 [Night Parking Prohibited] of the Municipal Code as needed.

Timeframe: 2014"

Page 94

Replace the table on page 94 (Assisted Affordable Housing Developments in Menlo Park) to change the number of units at Willow Terrace from 23 to 26.

Potential "At-Risk" Affordable Housing Developments in Menlo Park (2012)

Name of Development	Address	Year Built	Tenure	Sponsor	Number of Units	Target Group(s)	Waiting List	Expiration
Crane Place	1331 Crane Street	1979	Rental	Peninsula Volunteers	93	Low and Moderate Income Seniors and Disabled	1-3 years (List is closed)	Affordability through 100% non-profit ownership
Gateway Apartments	1200-1300 Willow Road	1988	Rental	MidPen Housing	130	Very Low Income Families	5 years (List is closed)	2034
Partridge Kennedy Apartments	817 Partridge Avenue	1961	Rental	Peninsula Volunteers	30	Seniors	9 years (List is closed)	Affordability through 100% non-profit ownership
Willow Court	1105 and 1141 Willow Road	1992	Rental	MidPen Housing	6	Very Low and Low Income Families	2 years (List is closed)	2047
Willow Terrace	1115, 1121, 1123, 1125 and 1139 Willow Road	1995	Rental	MidPen Housing	26	Very Low Income Families	1 year (List is closed)	2050
1143 Willow Road (managed as part of Willow Terrace)	1143 Willow Road	2000	Rental	MidPen Housing	5	Very Low Income Families	1 year (List is closed)	2050
Habitat for Humanity	Carlton Avenue	1999	Ownership	Habitat for Humanity	1	Low Income Families	NA	NA
Habitat for Humanity	Madera Avenue	1999	Ownership	Habitat for Humanity	1	Low Income Families	NA	NA
Haven Family House	260 Van Buren Road	2000	Transitional Housing	Shelter Network of San Mateo County	23	Transitional Housing for Homeless Families	60 people (15 families)	NA

Source: City of Menlo Park, Mid-Pen Housing and Peninsula Volunteers, Inc., 2012

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The double underlined sections below are additional changes to the single underlined changes to the Final Draft Element as contained in Errata #1 prepared for the April 22, 2013 Planning Commission meeting.

“Composite of Housing Element Approach to Housing Sites

The sites analysis must cover potential zoning, environmental, infrastructure and other potential development constraints to determine whether there are barriers to development. The Housing Element must also establish a realistic development potential for rezoned sites. Higher density sites covered under the El Camino Real/Downtown Specific Plan have appropriate zoning, as described on the previous page. Infill opportunities around the Downtown will also have zoning to enable development of housing at 30 or more units per acre. The El Camino Real/Downtown Specific Plan sites and sites located in the infill area around the downtown are listed in Appendix A of the Housing Element. These areas provide the opportunity for up to 750 units of higher density housing to be built. The Specific Plan area is limited to a 680-unit cap on additional development, but bonuses would apply to individual sites as they are proposed. However, the overall development potential of 680 additional housing units under the Specific Plan cannot be exceeded.

The areas identified for higher density zoning located outside of the downtown have a realistic potential under base R-4-S zoning to accommodate 756 “net new” dwelling units. However, it is desirable under Housing Element goals and policies that these sites accommodate 886 “net new” dwelling units. The breakdown of “net new” multiple family dwelling units at 30 or more units per acre desired to be located east and west of Highway 101 would be as follows: East of Highway 101 — 826 units; (2) West of Highway 101 — 810 units. This calculation does not consider the location of new second units, however.

The sites rezoned to R-4-S are all relatively flat and have minimal development constraints. There has also been a significant degree of property owner and developer interest in the rezoning and development of these sites for multiple family housing. Further, with developer interest and both rents and sales pricing now increasing significantly, the development of these sites with the significant number of incentives provided by the City appears feasible and realistic. Also, the base density should be considered the realistic development potential for these sites since it requires no discretionary review.

In addition to the base density and realistic development potential established based on 30 units per acre, the City is establishing an Affordable Housing Overlay Zone for some of the higher density housing sites to provide incentives to achieve more affordable units as part of new development. State Density Bonus Law could also apply to these sites. The tables below illustrate the base density under the R-4-S zoning (realistic development potential), desired development potential under the Housing Element, and potential density bonuses under State Density Bonus Law and the Affordable Housing Overlay Zone.

Rezoned Housing Sites — Base Density, Realistic Potential, Desired Potential and Bonus Density Potential Under State Density Bonus Law and Affordable Housing Overlay Zone

Site	Site Size (Acres)	Base Density Under R-4-S Zoning (Units/Acre)*	Realistic Potential "Net New" Dwelling Units Under Base R-4-S Zoning	Desired "Net New" Dwelling Units Potential Under the Housing Element (Dwelling Units/Acre)	Additional Potential "Net New" Dwelling Units Above Realistic Potential with Maximum 35% Bonus (45 units/acre) Under STATE DENSITY BONUS LAW****	Additional Potential "Net New" Dwelling Units Above Realistic Potential with Maximum 60% Bonus (48 units/acre) under AFFORDABLE HOUSING OVERLAY ZONE
Haven Avenue Sites	15.50 ac	30 units/ac	465	540 units (35 units/ac)	+226	+279
Hamilton Avenue Sites**	7.20 ac	30 units/ac	208	208 units (30 units/ac)	+113	*
MidPen's Gateway Apartments (1200 block of Willow Avenue)	2.27 ac	30 units/ac	20	42 units (40 units/ac)	+33	+41
MidPen's Gateway Apartments (1300 block of Willow Avenue)	2.97 ac	30 units/ac	7	36 units (40 units/ac)	+43	+54
Veteran's Administration (VA) Site***	1.87 ac	30 units/ac	56	60 units (32 units/ac)	**	**
Total	29.81 ac	30 units/ac	756	886	+415	+374

Source: City of Menlo Park, 2013

* The minimum density on these sites is 20 units/acre and the maximum base density is 30 units/acre

** Hamilton Avenue not rezoned to the Affordable Housing Overlay Zone (currently 8 units on these sites)

*** Veteran's Administration site does not require rezoning since it is located on Federally-owned land

**** The City offers a 10% bonus for structured parking that could bring the effective bonus to 49% under State Density Bonus Law, although this would be more of a theoretical maximum since it would probably only be feasible with larger projects, such as the Haven Avenue and Hamilton Avenue sites.

The minimum density in the R-4-S zone is 20 units/acre. The Haven Avenue sites, Hamilton Avenue sites and the two MidPen Gateway Apartments sites comprise a total of 27.94 acres and would result in a minimum of 559 units. By including the VA site (60 units), the minimum total number of units is 619 units, which still enables the City to provide adequate sites for lower income housing consistent with the City's Regional Housing Needs Allocation.

Overall market trends, such as significant recent increases in rents and local job growth, have created a high demand for housing on these sites. There is also developer interest to construct housing. The Haven Avenue sites include current uses such as outside storage, warehousing, mulching, etc. that would not impede redevelopment of the site to residential use. The Hamilton Avenue sites are in much the same condition, with sites either being vacant or having light industrial uses. There is one parcel included with the Hamilton Avenue sites that contains 8 residential units (Mt. Olive). Lot consolidation is preferred by the City to achieve more coordinated site planning. The Hamilton Avenue sites are also located near to the Facebook campus. Table 1 in Appendix A lists

all the separate properties for the VA site, MidPen sites, Haven Avenue sites and Hamilton Avenue sites by Assessor’s Parcel umber and provides information on current uses, zoning, development potential, etc. Below is a more detailed listing of the properties included in the Haven Avenue sites and Hamilton Avenue sites and their development potential under the base zoning and development under State Density Bonus Law and, for the Haven Avenue sites, under the new Affordable Housing Overlay Zone.

Detailed Listing of Sites Included Under "Haven Avenue" and "Hamilton Avenue" Rezoning to R-4-S Zoning

Site	Site Size (Acres)	Existing Units	REALISTIC POTENTIAL of "Net New" Dwelling Units Under Base R-4-S Zoning	DESIRED "Net New" Dwelling Units Potential Under the Housing Element (Dwelling Units/Acre)	ADDITIONAL POTENTIAL for "Net New" Dwelling Units ABOVE Base R-4-S Zoning Realistic Potential — Maximum 35% Bonus (45 units/acre) — with STATE DENSITY BONUS LAW	ADDITIONAL POTENTIAL for "Net New" Dwelling Units ABOVE Base R-4-S Zoning Realistic Potential — Maximum 60% Bonus (48 units/acre) with AFFORDABLE HOUSING OVERLAY ZONE
Haven Avenue Sites (30 units/ac)	15.50 ac	0	465	540 units (35 units/ac)	+226	+279
<i>St. Anton</i>	9.70	0	291		+141	+174
<i>Scarlett</i>	0.91	0	27		+14	+17
<i>Butler/Greystar</i>	4.89	0	147		+71	+88
Hamilton Avenue Sites (30 units/ac)*	7.20 ac	8	208	208 units (30 units/ac)	+113	*
<i>Mt. Olive</i>	0.67	8	12		+18	*
<i>Greenheart</i>	5.31	0	159		+78	*
<i>Calhoun</i>	0.39	0	12		+5	*
<i>Angelo</i>	0.84	0	25		+12	*

Source: City of Menlo Park, 2013

* Hamilton Avenue not rezoned to the Affordable Housing Overlay Zone

The MidPen and VA sites are different from Haven Avenue and Hamilton Avenue due to ownership and site conditions. Even though the MidPen sites are developed with multi-family residential uses, the owner (MidPen) is seeking funding to redevelop the site at a higher density. All of the units proposed would be affordable to lower income households. For the VA/Core site, the VA has selected Core Affordable Housing, which is pursuing a development for very low income veterans.

The map on the next page shows a composite of the City’s approach to providing adequate sites for a variety of housing types and needs. Specifically, these include sites rezoned for higher density housing, lots around the downtown area that have additional development potential, second units and the El Camino Real/Downtown Specific Plan area. At least 50% of the City’s lower income need must be accommodated on sites designated for residential use with only ancillary commercial or other uses to support the development and reduce trips. Following the composite map are pages showing higher density housing sites located outside of the El Camino Real/Downtown Specific Plan and the surrounding infill areas.”

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ERRATA #3

City of Menlo Park Final Draft Housing Element (Dated April 4, 2013)

Errata prepared for the May 21, 2013 Menlo Park City Council Meeting

Global

Prior to submitting the adopted Housing Element to the State Housing and Community Development Department for certification, update the document to address any inadvertent internal inconsistencies provided that the updates do not modify the intent of any policy or program.

Global

Update references to the land area of the housing opportunity site on the Veterans Affairs campus to 2.01 acres, not 1.87 acres.

Global

Update references to the land area of the housing opportunity site on Haven Avenue based on whether or not the Scarlett property is rezoned.

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Modify Program H3.A to update the number of beds necessary to address unsheltered homeless need based on the recently completed census in January 2013.

"H3.A **Zone for Emergency Shelter for the Homeless.** The City will establish an overlay zone to allow emergency shelters for the homeless to address the City's need for providing ~~7216~~ beds to address homeless needs in the community. Appropriate locations for the overlay zoning will be evaluated based on land availability, physical or environmental constraints (e.g., flooding, chemical contamination, slope instability), location (e.g., proximity to services, jobs, and transit), available acreage (i.e., vacant or non-vacant sites), compatibility with surrounding uses and the realistic capacity for emergency shelters. In reviewing potential non-vacant sites, the potential for reuse or conversion of existing buildings to emergency shelters will be considered. Based on review of other facilities in the Bay Area, it is estimated that about one-quarter to one-half acre of land would be needed to address Menlo Park's homeless needs. The overlay zone designation will cover between ~~51~~ to ~~403~~ acres of land to provide a choice of potential sites if and when a facility or multiple, smaller facilities are proposed. The City will also investigate the use of local churches providing temporary shelter for the homeless. In addition, the City will establish written and objective standards in the Zoning Ordinance covering:

- a. Maximum number of beds;
- b. Off-street parking based upon demonstrated need;
- c. Size and location of on-site waiting and intake areas;
- d. Provision of on-site management;
- e. Proximity to other shelters;
- f. Length of stay;
- g. Lighting; and
- h. Security during hours when the shelter is open.

Responsibility: Planning Division; City Attorney; City Commissions; City Council
Financing: General Fund
Objectives: Amend the Zoning Ordinance.¹
Timeframe: 2014”

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Add two new programs — (1) new program to explore the creation of a Transportation Management Association; and (2) new program to explore the potential for bike and pedestrian overpass of Highway 101 north of Marsh Road.

“H4.T Transportation Management Association. Explore the creation of a Transportation Management Association focused on the Haven Avenue/Bayfront Expressway area to coordinate grants, shuttles and other forms of transportation to the area as part of the City’s comprehensive General Plan update.

Responsibility: City Commissions; Public Works, Planning Division; City Attorney; City Council
Financing: General Fund
Objectives: Explore creation of a Transportation Management Association
Timeframe: 2014”

“H4.U Pedestrian and Bicycle Improvements. Coordinate with the City of Redwood City to explore a pedestrian and bicycle overpass over Highway 101 between Marsh Road and 5th Avenue in Redwood City as part of the City’s comprehensive General Plan update.

Responsibility: City Manager; Public Works, City Attorney; City Council, Outside Agency
Financing: General Fund, Outside Funding Source
Objectives: Coordinate with Redwood City on potential pedestrian and bicycle improvements
Timeframe: 2014”

¹ There must be a realistic potential for redevelopment or reuse within the proposed zone and it must be an appropriate location for a shelter, with access to transportation and services. Within this zone, shelters must be permitted without a conditional use permit or other discretionary action and shelters must be subject to the same development and management standards as other residential or commercial uses within the same zone.

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Update information regarding the homeless population in Menlo Park.

“Homeless Count and Demographics

Every other year, San Mateo County along with many other stakeholders, conducts a homeless count. Conducted on January ~~26, 2011~~24, 2013, they found ~~7216~~ (unsheltered) homeless people living in Menlo Park as well as ~~168~~142 homeless residents in shelters, institutions, motel voucher programs, etc.

Homeless Population in Menlo Park (~~2011~~2013)

<u>Shelter Condition</u>	<u>Number</u>
Unsheltered	7216
Sheltered	168 <u>142</u>

Source: San Mateo County Homeless County conducted January ~~26, 2011~~24, 2013”

Appendix A

Update the reference to the new Table 1 (See Errata #2) and include a brief explanation of how the tables relate to the Regional Housing Needs Allocation table on page 89.

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PLANNING COMMISSION DRAFT MINUTES

Regular Meeting
April 22, 2013 at 7:00 p.m.
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:03 p.m.

ROLL CALL – Bressler (arrived 7:06 p.m.), Eiref, Ferrick (Chair), Kadvany (Vice Chair), O'Malley, Onken, Riggs

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Bill McClure, City Attorney; Justin Murphy, Development Services Manager; Leigh Prince, City Attorney

A. REPORTS AND ANNOUNCEMENTS

A1. Update on Pending Planning Items

- a. 401 Pierce Road – City Council – April 16, 2013

Development Services Manager Murphy said the 401 Pierce Road permit request was approved by the City Council on April 16, 2013.

- b. 500 El Camino Real – City Council – April 16, 2013

Development Services Manager Murphy said a Council subcommittee of Council Members Carlton and Keith was formed for the 500 El Camino Real Project at the April 16, 2013 meeting.

- c. 1273-1281 Laurel Street – City Council – May 7, 2013

Development Services Manager Murphy said the Council would consider the 1273-1281 Laurel Street subdivision at their May 7, 2013 meeting.

Commissioner Onken asked about the process for the 500 El Camino Real project.

City Attorney McClure said the application needed to be finalized and it determined what Stanford wanted to proceed with for the project. He said the City Council's intent was to look at the scope of the traffic study and to have discussions with Stanford with input from Allied Arts neighbors after which the project would come to the Planning Commission.

Commissioner Kadvany asked if the Council subcommittee meetings were publicly noticed. City Attorney McClure said the subcommittee meetings were scheduled at the

convenience of the members of the subcommittee and whomever they would meet with. He said it's a non-Brown Act body.

Commissioner Bressler arrived.

B. PUBLIC COMMENTS

There were none.

C. CONSENT

C1. Approval of minutes from the March 4, 2013 Planning Commission meeting

Commission Action: M/S Riggs/Ferrick to approve the minutes with the following modifications.

- Page 15, 3rd paragraph from bottom, 2nd line: Change "Mr. S" to "Mr. Sarboraria"
- Page 22, 2nd paragraph from bottom, 6th line: Replace "path" with "bike lane"

Motion carried 7-0.

C2. Approval of minutes from the March 18, 2013 Planning Commission meeting

Commission Action: M/S Riggs/Ferrick to approve the minutes as submitted.

Motion carried 7-0.

D. PUBLIC HEARING

D1. Housing Element Update, Open Space, Conservation, Noise and Safety Element Update General Plan Land Use Element Amendment, Zoning Ordinance Amendment, Rezoning, Environmental Review:

The Planning Commission will consider and make recommendations on the following components of the project:

- **General Plan Amendments** -- Incorporate the updated Housing Element into the General Plan; update the Open Space and Conservation, Noise and Safety Elements for consistency with the Housing Element and State law; modify the Land Use and Circulation Element for consistency; and change the land use designation of four sites (1200 and 1300 blocks of Willow Road, 700-800 blocks of Hamilton Avenue and 3600 block of Haven Avenue) for higher density housing.

- **Zoning Ordinance Amendments** -- Create new zoning district and design standards for higher density housing on key sites that could result in up to net new 894 dwelling units; create an Affordable Housing Overlay Zone for key sites and the El Camino Real/Downtown Specific Plan area to establish density bonuses and other incentives for affordable housing; create an implementing ordinance for the State Density Bonus Law and consider certain incentives such as increases to the base density in exchange for structured parking; modify the R-3 zoning district to provide greater opportunities for infill housing in designated areas around the El Camino Real/Downtown Specific Plan area by increasing the maximum density to 30 dwelling units per acre on lots 10,000 square feet or greater; modify the secondary dwelling unit development standards pertaining to single-family residential lots 6,000 square feet or greater in size throughout the City to encourage the creation of more units; and modify other provisions of the Zoning Ordinance relating to definitions, parking, non-conforming provisions, accessory buildings, etc., as necessary for consistency with other changes to the Zoning Ordinance.
- **Rezoning** -- Rezone four sites (1200 and 1300 blocks of Willow Road, 700-800 blocks of Hamilton Avenue and 3600 block of Haven Avenue) for higher density housing
- **Environmental Review** -- Review of the Environmental Assessment prepared for the project.

Development Services Manager Murphy said some of the material presented would be the same as that presented at the Joint City Council and Planning Commission meeting but there would be new information, some of which would respond to questions raised at that previous meeting. He said the first presentation would be made by Mr. Jeff Baird, Baird Fiscal Community Planning, and the second by Mr. Chip Taylor, the City's Public Works Director. He said he would make the final presentation. He said various staff and consultants would be available to answer questions.

Mr. Baird noted the process graphic on the screen, that they were approaching the conclusion of the Housing Element project, and the various activities since May 2012 when the project began. He said tonight was a public hearing after which the Commission would make recommendations to the City Council. He said the City Council would hold a public hearing on this item on May 21, 2013 with a follow up meeting on June 4, 2013 for the second reading of the Ordinances introduced at the May 21 meeting.

Mr. Baird said tonight the Commission would review and make recommendations on the General Plan Amendments, the Zoning Ordinance Amendments, and the Rezoning. He said they would also make recommendations to the City Council on the environmental assessment, the Final Draft Housing Element and the General Plan Consistency Update that include the open space conservation noise and safety element, land use,

text amendments, land use map amendments, zoning modifications, state density bonus law (Density Bonus), affordable housing overlay zoning (Overlay), and some other zoning ordinance cleanup as well as the new R4S High Density Housing Zone and rezoning of areas and sites some of which might be rezoned to the Overlay and then amendments to the R-3 apartment district and the secondary dwelling unit (Second Unit) ordinance.

Mr. Baird said there was a considerable amount of backup material much of which was available on the City's website such as the environmental assessment document and the fiscal impact analysis as well as numerous summaries of the comments and correspondences received on the Housing Element Update as well as community information and other feedback. He said the Commission would be making recommendations on the Final Draft Housing Element. He said they had included errata that incorporated some of the comments that arose during the April 9 meeting related to putting a little more emphasis on family housing as well as changes made to ensure they were in compliance with the settlement agreement. He said regarding the Housing Element there was a comment at the April 9 meeting concerned about regional need housing "creep." He said they looked at the Regional Need Allocation historically for Menlo Park. For the 1988 to 1998 period, the allocation was for 1,618 units; for the 1999 to 2006 period that was 982 units; for the 2007 to 2014 period, it was 993 units; and finally the project for the 2014 to 2022 period was for 655 housing units. He said the trend for Menlo Park and most of the inter-Bay area was for the Regional Housing Need Allocation numbers to decrease. He said for this Element they were meeting the housing needs for two planning periods so there were a number of units that had to be accommodated on the higher density housing sites. He said these numbers were not cumulative unless a Housing Element was not adopted and the necessary zoning amendments made. He said there would be a new number for the planning period starting in 2014 noting rezoning and secondary dwelling units would be important for the new round of planning.

Mr. Baird said there has been discussion about the requirement for creating a zoning designation to allow for a homeless facility. He said that was an implementation program in the Housing Element that would take place over the next year. He said that change would need to be adopted within one year of the adoption of the Housing Element.

Mr. Baird said in terms of the regional housing numbers one trend was that there was a greater number of the lower income units, the low and very low. He said part of this was to serve the real housing needs in the community for lower income housing for local workers, families, seniors, and families/persons with special needs.

Mr. Baird said the packet for the General Plan Amendments included the Final Draft Housing Element, the errata, the consistency of the text edits to the land use element and modifications to the land use map, and consistency update in a major update to the open space conservation and noise and safety element. He said they were basically

bringing the entire General Plan up to date and consistent among all of the elements, noting the City would begin a comprehensive update of the General Plan later this year.

Mr. Baird said there were zoning ordinance amendments for the Commission's consideration including recommendations to make changes to the R-3 zone, create the R4S High Density residential zoning, rezone properties, amend the secondary dwelling unit ordinance, and applying Density Bonus and Overlay.

Mr. Baird said comments were received on the geographical distribution of potential units under the Housing Element and the other recommended changes. He showed a visual of the affected area including the downtown and the infill area around the downtown and the VA site through which accounted for 850 housing units. He said Second Units were located throughout the community. He said in terms of geographical distribution that the Steering Committee discussions found that Second Units besides meeting housing needs would also be able to fit in visually with the community and was a fair share way to address housing needs throughout the community. He said the other number of housing units for the Mid-Pen, Hamilton and d Haven sites accounted for about 826 units.

Mr. Baird said long range community outreach and engagement activities were something to consider as well as opportunities to relook at some issues moving forward into the future. He said also there was an opportunity to address traffic, infrastructure, services, coordination of schools, designs, and water supply. He said currently the Belle Haven Neighborhood Visioning process was underway and that would feed into the update of the General Plan. He said Mid-Peninsula Housing would be conducting neighborhood outreach and there was also the Haven Avenue Planning Study that was underway.

Mr. Chip Taylor, the City's Director of Public Works, said he would review the transportation portion of the analysis noting that most of this had been presented at the Commission's joint meeting with the City Council. He said he would then focus on the areas more toward the east end of the City where a lot of the top five housing sites were located and would discuss mitigation measures and some of the issues with potentially implementing some of those mitigation measures.

Mr. Taylor said they looked at the existing, near term and long term conditions at 52 intersections in the City that were analyzed at both a.m. and p.m. peak hours. He said the City has 15 roadway segments and the City has criteria on how much traffic can be added to a roadway segment. He said the highways or routes of regional significance were analyzed as well as any program or planned transportation facility improvements including any already funded. He said they also looked at public transit and bicycle facilities. He showed a visual describing the roadways studied including Hwy. 101, Willow Road, Bay and Marsh Roads, and Hwy. 280 to Sand Hill Road. He said they found less than significant impacts to transit and bicycle facilities in near term with the project; that eight intersections were impacted with six of those being significant and

unavoidable, 12 roadway segments were impacted, and one route of regional significance was impacted. He said for the long term there were 25 intersections impacted with 23 intersections impacted significantly and unavoidably; 15 roadway segments and one route of regional significance impacted.

Mr. Taylor said related to mitigations that there were some intersection improvements that could be accomplished. He said it was easier if the intersection was completely in the City but there were areas of shared jurisdiction. He said mitigation measures within Caltrans' jurisdiction would have to be approved by that entity and as there was no guarantee of that those impacts were found to be significant and unavoidable. He said however the projects themselves would pay Transportation Impact Fees (TIF) and any other fees related to transportation. He said within the El Camino Real Downtown Specific Plan (Plan) here might be a fee associated with some of the mitigation measures for those projects as well. He said there might be some transportation demand management as part of the projects particularly the larger ones to encourage other modes of transportation.

Mr. Taylor said regarding near term impacts he showed a visual with those grouped into four different categories. He said no impact was lack; significant and unavoidable impacts were red, impacts that could be mitigated but under another agency's jurisdiction were yellow, and less than significant impacts were green. He showed a map of areas for which mitigation could occur and areas outside of the City's control even though the proposed mitigation would mitigate the impact. He said at the west end of the City there was one intersection of Junipero Serra and Alpine Road for which there was significant and unavoidable impact.

Mr. Taylor said the next diagram showed the street segments that were analyzed as to whether there was an impact from the volume of traffic added. He said the red indicated impacts related to the near term and that would carry over to long term. He said the green indicated segments that would experience impacts in the long term.

Mr. Taylor said for the intersection of Bay and Marsh Roads that one mitigation would be to add an east bound right hand turn lane but it was Atherton property to the right which would make it difficult to accomplish that mitigation which made the impact on that intersection significant and unavoidable. He said for the Florence Avenue and Bohannon Drive intersection, they were working with the City of Redwood City to add a right turn lane onto Florence Avenue making this mitigation feasible. He said for the intersections of Marsh Road and Scott Drive that there were two mitigation measures one for the near term and one for the long term involving restriping to remove one of the left turn lanes and add right turn lane. He said the long term scenario required an additional right turn lane but because of the Creek and right of way issues that was deemed unfeasible. He said the Marsh Road and Hwy. 101 southbound ramp would require an additional left turn lane to mitigate impacts but there was not enough room for a receiving lane and as it also was within Caltrans' jurisdiction it was deemed not feasible. He said regarding the Hwy. 101 northbound exit ramp onto Marsh Road that

Facebook was discussing with Caltrans to add a right turn lane. He said an additional eastern through lane to the bridge structure was not feasible. He said for the Bayfront Expressway and Marsh Road, and the Haven Avenue intersections that restriping of the approach could be done and monitored over time but providing additional capacity in right lane was also within Caltrans' jurisdiction. He said for the Willow Road and Bayfront Expressway intersection that a third right turn lane from Willow Road to the Dumbarton Bridge had been studied for both the Facebook and Gateway projects. He said Facebook was developing plans and a submittal for Caltrans for that work. He said for the intersection at Bayfront Expressway and Hamilton Avenue it seemed feasible to accommodate a right turn lane for the southbound approach. He said to add an eastbound left turn lane onto Hamilton would need additional property along Willow Road and that was not deemed feasible. He said for the intersection of Willow Road and Newbridge Street they looked at restriping the southbound approach to create an additional through lane using the existing right turn lane to be both through and right turn but there was not enough width for the receiving lane and it was determined not feasible. He said Facebook was pursuing the addition of a lane west bound toward northbound Hwy.101 and were submitting plans to Caltrans. He said another mitigation studied was to restripe at Willow and Bay Roads to allow a left and right turn with a receiving lane, but that was partially within Caltrans jurisdiction.

Development Services Manager Murphy said he would focus on the zoning changes. He said the Housing Element identified five sites for higher density residential, four of which would require rezoning. He said the fifth site was the VA land and as federal land would not require the City to rezone. He said the four sites to be rezoned were Haven, Hamilton, and the two Mid-Pen sites on Willow Road. He said the Haven site and Mid-Pen sites in addition to the new R4S zoning district would have the Overlay zone but the Hamilton site would not. He said with the base zoning district of R4S there were three basic components of development regulations, which for the most part were presented to the City Council and Planning Commission on April 9. He said since then design standards and design guidelines were newly released last week as part of the report for this meeting. He said they were looking for feedback from the Commission on those. He said there could be some flexibility with the development regulations if a developer pursued a use permit. He said the design standards needed to be objective and clearly identified as being met. He said those have the possibility of flexibility through architectural control. He said the design guidelines were more advisory and effectively voluntary but would encourage items. He said within R4S with the need to rezone the sites that those projects would effectively be nondiscretionary if a project met all of the requirements.

Development Services Manager Murphy noted a table in the errata section that summarized all of the opportunities across the five sites such as the base number of units and the expected number of units if there were affordable units included. He said the last two columns explained the provisions of the Density Bonus law and the Overlay. He said property owners could either pursue Density Bonus or Overlay for the Haven and Mid-Pen sites but not both.

Development Services Manager Murphy said other changes related to the R3 zoning district for properties around the boundaries of the Plan and focused on properties 10,000 square feet or greater in size to allow for up to 30 dwelling units per acre. He said most of the setbacks were very similar to what the existing R3 requirements were but differences in terms of separation from buildings on adjacent properties. He said if the adjacent property distance was conforming, there was no change but if not conforming, there was a change in the requirement. He said there was an allowance for Floor Area Ratio (FAR) that was tied to density and not to a few number of larger residences. He said changes to the paving and landscaping requirements were proposed. He said Table 1 of the ordinance relates to building coverage, paving and landscaping requirements and that the provision regarding permeable pavers applicable to the current R3 standards would not be applicable under the proposed and why there was an increase in maximum driveway allocation. He said a slight increase in building height would be allowed above the 35 to 40 feet for projects of 20 dwelling units per acre or more. He said there was a new provision related to façade height and building profile as well as a parking change to allow parking in the required side yard. He said parking requirement would be based upon the number of bedrooms and not units. He said these changes would make the desired density feasible.

Development Services Manager Murphy said the other change to the zoning ordinance related to Second Units. He showed a map depicting all of the properties in Menlo Park that are 6,000 square feet or greater. He said one change proposed was to reduce the minimum lot size from 7,000 square feet to 6,000 square feet that would enable eligibility for a Second Unit. He said another change was to increase the allowable size of the Second Unit noting however the square footage of a Second Unit would still apply to the floor area limit (FAL). He said if a property was maxed out in terms of FAL, the only recourse for a Second Unit would be to convert existing space within the main structure. He said changes to parking location were refined since the Joint Session where they discussed parking in a required side setback. He said there had been feedback since then that with typical arrangement the only possible location for added parking was in front of an existing garage. He said the Commission was asked to consider an allowance for parking in a required front yard setback. He said there was a provision to reduce the required side setback with neighbor approval. He said if that could not be agreed upon there was a provision for a use permit application to get relief from side setback requirements. He said the last change proposed was to increase the overall height and wall heights to accommodate more second units. He said these related to a longer term strategy to implement in the new Housing Element for future planning cycles.

Questions of Staff: Commissioner Onken asked for clarification on the Second Unit amendment in terms of height. Development Services Manager Murphy said the changes were tied to both wall heights and overall heights. He said the 12-foot six inch height had to do with daylight plane being measured and serves as a wall height. He said the Steering Committee discussed last year wall heights and daylight plane and 17-

foot height noting there was a part of the existing ordinance where single story floor area begins to be counted twice. He said the Committee wanted to give people a little more flexibility in how they accommodate the floor area for a Second Unit without having impacts greater than what was currently allowed for the main dwelling.

Commissioner Onken said for the mitigation measures specifically along Marsh Road that there were comments about the Haven site that it would exacerbate pedestrian and bicycle crossing of Marsh Road and asked how that could be mitigated. Director Taylor said it was difficult to mitigate as the Marsh interchange was narrow and did not have width for additional striping for bike lanes. He said there were other treatments such as Sharrows to support getting bikes and pedestrians to Bayfront Park and the Bay Trail but crossing Marsh Road would need infrastructure changes. Commissioner Onken asked if that was part of the EIR. Mr. Taylor said they had not looked at bicycle and pedestrian improvements as those were larger and more community driven issues.

Commissioner Eiref said the R3 maps circulated had areas with hatch marks as potential candidates for higher density. He said in those areas there were a great number more of lots greater than 10,000 square feet not shown with hatch marks and asked staff to confirm that those were already developed to higher densities allowed in the 1960s. Development Services Manager Murphy said there were a number of lots already at the higher densities. He said reviewing the opportunities for increased density they had first looked at the existing number of dwellings per acre. He said they then looked at what properties had recently been developed or improved and removed those from consideration. They then looked at existing development that has no common owner and removed those lots from consideration. He said lastly they looked at spread between existing dwelling units per acre density and what the proposed unit per acres should be so there would be an incentive for a property owner/developer to make a change. He said if existing has 25 units per acre there was low motivation to increase to 30 units per acre. Commissioner Eiref noted he recently became aware that up until the 1960s the City allowed 30 dwelling units per acre in the R3 zoning districts.

Commissioner Riggs asked why the size of the lot was correlated with the Second Unit option. He said a 5,000 square lot was only allowed to have 2,800 square feet of development and a secondary dwelling unit would count toward that square footage, and asked why require a certain size lot for a Second Unit. Development Services Manager Murphy said the minimum square footage for lots to have Second Units was a discussion the Steering Committee had about reducing the minimum lot to 5,000 square feet but there was concern and hesitancy about having a Second Unit contained within the main dwelling attached to smaller lot size. He said it was something the City could pursue over time but now it seemed there was a greater comfort level with reducing the requirement to 6,000 square feet. He said another consideration of the distribution of these units was that the Belle Haven area has proportionately greater numbers of lots less than 6,000 square feet. Commissioner Riggs noted that effectively took the Belle Haven area out of participation in this program.

Commissioner Riggs said the Housing Element would affect three types of land: the four sites for housing identified, the R3 exclusively downtown, and the Second Units. Development Services Manager Murphy said those were the three types. Commissioner Riggs said there would be no architectural control on the four sites and none on Second Units as long as they meet the standards. He asked if there was architectural control on the R3 lots downtown. Development Services Manager Murphy affirmed that architectural control would be maintained for R3 lots downtown.

Commissioner Riggs said the Overlay and Density Bonus would both allow for an increase in unit density and height. He asked if these increases or bonuses were potentially additive. Development Services Manager Murphy said that an applicant would need to use one or the other and not both.

Commissioner Bressler asked if both the R3 and Second Unit zoning changes were needed to meet the Housing Element requirement. Development Services Manager Murphy said those two items were accounting for how the City would meet its housing needs. He said for the Second Units there had been much discussion to include a Second Unit program as the key program to meet housing needs. He said that based on state law the City can only count second units based on historical development. He said looking to future Housing Element needs the City would be better off getting a Second Unit program going as soon as possible. He said for the infill around downtown that the sites were typically smaller and would require redevelopment, which created a difference between the maximum capacity calculated versus the available. He said the table showed 118 new units but potentially that might be only 70 new units. Commissioner Bressler said the City was counting on 70 units from a change of rules for the R3 zoning district for this planning cycle. Development Services Manager Murphy said that was correct. Commissioner Bressler asked if they were counting on any number of Second Units for this planning cycle. Development Services Manager Murphy said they were counting on seven to 10 units.

Commissioner Bressler noting expectations for the four identified sites asked if it was a fair assessment that it was not definite how much could be achieved from the R3 district downtown and Second Units. Development Services Manager Murphy said there were different characteristics around the infill downtown and second units. He said they had a better feel for infill downtown estimates but less so for Second Units. He said they analyzed the potential of 300 Second Units out to 2035 that was based on 6% or so of the single-family parcels opting to pursue that development.

Commissioner Bressler said in the Specific Plan it was indicated there would be up to 680 dwelling units and if there were to be more there would be a requirement for environmental analysis, which was a check and balance to make sure school districts not overloaded. He asked if there was something similar related to the changes in requirements for Second Units so that the school districts would not be overwhelmed. Development Services Manager Murphy said the environmental assessment analyzed the impact to the school districts of adding 300 Second Units throughout the City and

distributed across the three existing school districts serving residential properties. He said related to checks and balances that the City would embark on a comprehensive update of the General Plan. He said the City was pursuing changes to Second Units as that was the desire to date. He said the City could make changes again as the City has more control to make adjustments to the Second Unit requirements. He said going forward every April the Planning Commission and City Council would receive an update on how City was doing with the Housing Element which would then be submitted to the State. He said if in two years there were 10 new Second Units as opposed to 100 new second units he was sure people would want to revisit the requirements for those. Commissioner Bressler asked if that was reason to put language in the changes regarding that. Development Services Manager Murphy said that could be part of the discussion.

Commissioner Kadvany confirmed that the Plan area would come under the proposed changes. Development Services Manager Murphy said the Overlay would be applicable to the Plan boundary area but would not result in greater than 680 units allowed. Commissioner Kadvany said it could change the scale in particular. Development Services Manager Murphy said that was correct. Commissioner Kadvany asked what other areas the Overlay would apply to. Development Services Manager Murphy said it was intended to apply to the entire Plan boundaries, the Haven site boundaries, the two Mid-Pen sites on Willow Road and no other properties at this time. He said it would be in the zoning ordinance and in the future an applicant could ask through a process through the Planning Commission and the City Council that their property be rezoned for the Overlay to apply.

Commissioner Riggs said the intention for the Overlay and Density Bonus was that they were not additive but he did not find exclusion of that in any of the Ordinances. City Attorney Prince said there was no specific language but the requirements to qualify for either were very different. She said for Overlay the applicant would want to go above and beyond what was allowed in Density Bonus law. She said they could add a specific statement that they could not be added together. Commissioner Riggs said that would be reassuring and might be easier for the nonprofit or developer who wants to work with these to understand the programs.

Public Comment: Chair Ferrick noted the first speaker, Mr. Sam Sinnott, was distributing copies of a PowerPoint presentation to the Commission. Mr. Sinnott said he was a Menlo Park resident, architect, part time developer and full time housing advocate. He proposed the insertion of language in the Housing Element to protect secondary housing vehicle access to existing residences for the production of Second Units as the City was counting on Second Units as an important component of the City's zoning capacity to meet new housing goals. He said blocking secondary accesses to these units posed a threat to this obligation. He said many of the best sites for Second Units have second accesses for vehicles. He showed a slide of the Willows area noting there was the potential of 100 Second Units with rear access to the alley. He said if a neighborhood group wanted to block a Second Unit they would use any means possible

to do so including blocking vehicular site access. He said he has had experience with this. He showed a unit in the Willows off the alley that took five years to be built as neighbors claimed the underlying title of the alley was not clear therefore the alley could not be used to drive to the new unit. He said after the project was denied at the Council level it was reconsidered based on new information received and then approved. He said this was an uncertain and expensive process for the property owner but the unit was now a welcome community asset. He said his project between Santa Cruz Avenue and Louise Street also included a detached Second Unit and also depended upon a secondary vehicular access. He said the Council ignored this consideration and for the first time in Menlo Park history revoked an encroachment permit to relocate the old driveway onto Louise Street. He said the City was now considering gifting public lands to the neighbors who had illegally blocked with their private parking an elderly couple's rear driveway from his site. He said the abandonment prevents any future vehicular access to his site and any Second Unit. He said in this case there was a history of driveway gates and they would probably get their old driveway back but many of the properties in the Willows did not have driveway gates and thus cannot confirm their driveways existed making it easier for neighbors to stop the creation of Second Units. He said if the Housing Element had language protecting secondary vehicular access that would help Council make informed decisions based on policy and regulations rather than the number of speakers for or against. He said the Element already tries to remove governmental constraints for the production of Second Units. He said removing, limiting or preventing secondary vehicular access to properties constrained the production of housing. He suggested language: "Should a property abut more than one public street, alley access, or other community commonly used or potential vehicular access, the City will support and allow the use of that access for the creation of a new dwelling unit or units." He said the best place for this language was after "Land Use Controls" and before "Fees" on page 118 of the Housing Element.

Mr. Tom Jackson, Menlo Park, said he had recently built a new cottage that he would rent noting it was a fantastic investment. He said regarding building Second Units in the City that he was the eighth person and now the last person to build one. He said it took him seven months to get a permit and the process was difficult. He said the changes to the language proposed by staff would help with the process but there was more to do as there were procedural blocks. He said for instance that he submitted completed plans and got seven different responses from different City offices none of whom had talked with the other. He said regarding impacts on schools that Second Units provide solutions to many problems including aging in place and that one-third of the housing now was single person housing and that would not impact schools. He said the City has the opportunity to lead the way in Second Unit development. He shared the title of books that discuss how changing demographics required different thinking about housing. He said he supported the recommendation for the Housing Element.

Ms. Adina Levin, Menlo Park, said she was glad to see infill housing in the Plan area Specific Plan area and the Second Unit policy. She said as the City revisits the Plan there were only a couple of large sites in that area to accomplish the level of housing

predicted. She suggested adding some incentive or control that these areas will achieve the housing. She said the Belle Haven site was pretty remote. She said the developer was building bicycle connectivity to the Bay Trail and would provide bicycle parking onsite. She said if you worked at Facebook and rode bike you would have a nice easy time to get to work but would be challenged to leave work on bicycle and get to other places in Menlo Park or Redwood City. She said the design of the housing would not attract families so the risk of having a lot of children having very unsafe routes for bicycling or walking to school seemed less. She said because of the size of the proposed housing that could be attractive to older people there would be a lack of safe access and for low income component housing that would be an issue because of the amount of driving required. She said this site would impose a lot of hidden costs to the City to make it suitable for the populations that would live there. She said the City could work with Caltrans to get bicycle crossing over the highway but that would take a decade and \$10 million. She said it looked like a good deal because the City would get 500 units and no one was complaining, but there were hidden costs for what was needed to make it a neighborhood that people would be comfortable living in it. She said in the EIR the City was required to look at the impact on existing bike and pedestrian facilities but not legally required to look at costs to prevent new people from being put into harm's way.

Mr. Matt Henry, Menlo Park, said manipulating the zoning on the 1200 and 1300 portion of Willow Road was a very bad idea. He said high density and low income in the same location normally equated to a higher level of crime. He said the apartment areas on Pierce and Willow Roads have been a problem noting there was just a drive by shooting the past weekend. He said a lot of the crime in this area goes unreported. He said La Michoacán Market was robbed several times and the owner finally sold it as the police station he was waiting for was not going to be built. He said no matter what the state, ABAG, City staff, or the Mid-pen managers said, increasing the housing density in those two locations was a mistake. He asked the Commission to recommend to the Council to take the 1200 and 1300 blocks of Willow Road off the list for public safety reasons. He said the Council's decision was politically based and they were politicians. He said the Planning Commission's decision was not politically based, and they were the highest governmental body representing City residents in Menlo Park, and had some measure of integrity. He asked that if the Commission could not stop this piece of the proposal that they at least not be part of it and rubber stamp it.

Ms. Alisa Yaffa, Menlo Park, said the presentation on traffic showed areas of significant and unavoidable impacts that were not able to be mitigated, which concerned her as the quality of life was important to living in Menlo Park. She said even though the graph showed traffic was already an issue more traffic could be devastating to getting into and out of downtown Menlo Park and to the freeway. She asked how they would define that impact to Menlo Park residents. She asked what the traffic impacts from El Camino Real project would be. She asked how they defined significant and unavoidable impacts and how many minutes those added to residents' commutes. She said R3 apartment buildings in downtown Menlo Park would increase the density and transform

a nice residential area, which would change the character of the town. She said regarding Second Units that the City would not allow those beyond existing FAL but suggested for larger lots that they be allowed to exceed FAL for second units as long as the additional square footage was in the Second Unit. She said the developer of her home had maxed it out but it was on a larger lot and might be a candidate for a second unit.

Mr. Robert Applebaum, west Menlo Park, said his home was purchased by his son and daughter-in-law. He said his son sent an email: "I don't know how much the real estate value of a home will diminish, and those in favor of the proposal will argue it is minimal, but I know in my heart that the property will take a significant beating and our collective homes will be worth millions less than at present. Regardless of the technical valuation, we simply do not want high density housing in our neighborhoods. It affects the quality of life and the beauty that is Menlo Park's present character." Mr. Applebaum confirmed that his son could send the full email to the entire Commission.

Ms. Lillian Lew Heiler, Director of Housing Development with Mid-Pen Housing, said they were a nonprofit organization that owns, manages and provides services to residents throughout 10 counties but were based in the Bay area. She said they supported the proposal presented. She said they have a professional management arm of their organization and their Vice President and Regional Manager who work on Menlo Park properties were present and available for questions. She said Mid-Pen values security of their properties and the neighborhoods they are in. She said they spend considerable money in Menlo Park on private security patrols particularly along Willow Avenue where they have quite a number of units. She said working with the police and neighbors was an important role they play noting there were challenges along Willow Road. She said that the Housing Element and General Plan proposals would provide a platform for improving those sites as well as that neighborhood. She said they looked forward to working in partnership with neighbors and have enjoyed being part of the visioning process for Belle Haven to date. She said those sites have an important role to play in insuring that Menlo Park remains a diverse and inclusive place.

Chair Ferrick said the public hearing was closed by acclamation of no dissent.

Commission Comment: Chair Ferrick said there were four areas to be covered: General Plan Amendment recommendations, Zoning Ordinance Amendment recommendations, Rezoning recommendations for the four housing sites for higher density residential development, and Environmental Review. She suggested taking one area at a time and starting with the Environmental Review.

Commissioner Riggs said he liked the option to vote on separate items and he would appreciate discussing the Housing Element as a whole, and then continue. He said he had a mix of observations and concerns resulting in recommendations he had distributed in a handout to the Commission and that he would read into the record. He said in Attachment C on sheet 5, in the proposed General Plan Amendment, second

paragraph, high density residential was established as a range of 20 to 40 units per acre provided that the residential density of senior rental housing may be in the range of 54 to 97 units per acre. He asked if 54 units was the minimum to qualify for senior rental.

Development Services Manager Murphy said those were related to the RLU zoning and 54 was the base zoning up to 97 units per acre through a Conditional Development Permit. He said this was existing language and on sheet 5 they were looking at the edits as referenced by the strikeouts and underline as the amendment portion. He said there were possibilities for tweaking the existing language but on the next page C6 in the "Residential Intensity" Table was listed the RLU zone and footnote 4 talked about the density range. He said the references to RLU on page C5 and C6 were existing in the General Plan and were not intended for change. He said if the Commission saw something they thought appropriate to change that could be considered. Commissioner Riggs asked if the range for the RLU was a minimum of 54 units to a maximum of 97 units per acre. City Attorney McClure said that there were not a minimum number of units specified. Commissioner Riggs said that there was no requirement for 54 units for senior rental but there could be no more than 97 units per acre. Development Services Manager Murphy said that was his understanding. Commissioner Riggs said that possibly this could be edited now to clarify. He asked if there was anything in Menlo Park close to 97 units per acre of senior rental. City Attorney McClure said Crane Place has 93 units per acre and was multi-story with underground parking. Commissioner Riggs noted that at least four stories were needed to support over 90 units per acre.

Commissioner Riggs said the zoned housing for the housing numbers to qualify to meet the Regional Housing Needs Assessment (RHNA) had to be exclusively residential and could not be mixed use. City Attorney McClure said that was correct. Development Services Manager Murphy said as it related to the higher density but the City was counting for the zoning housing related to the Plan and a lot of that would be mixed use. He said the City could count a percentage of the housing as a percentage of land with mixed use zoning for the residential but the identified opportunity sites could only have housing. Commissioner Riggs said the opportunity sites were the four sites recommended for rezoning. He asked if the R3 was also considered an opportunity site or whether that would allow for a convenience store. City Attorney McClure said the City has to account for the numbers it has not accounted for in the past cycles. He said they have to demonstrate that they have rezoned sufficient land at higher density to meet those unmet units but not for future units. He said it was only for past cycles that it had to be exclusively residential. He said not all of the units counted have to exclusively be residential zoning. Commissioner Riggs asked if that was a literal restriction so that all projects up to the point where past housing needs were accomplished would have to be exclusively residential or did the document establish the ability to provide housing and then for development to grow as it might grow. City Attorney McClure said there were a lot of issues being mixed and he could not answer those easily. He said they needed to rezone areas as exclusively residential to get a certified Housing Element to meet the past housing demands and it could not have a trigger so that this could be

done for some projects but not for others. He said they needed to account for all the sites and zoning categories. Commissioner Riggs said they have identified sites that were exclusively residential. City Attorney McClure said they met the housing needs by designating the sites they designated as RS4 and if they try to include other uses they would jeopardize getting a certified Housing Element. He said the Housing Commission Department (HCD) may not accept numbers and calculations if it was not all exclusively residential. Commissioner Riggs said when they say exclusively residential could there be accessory uses such as a convenience store. City Attorney McClure said not really but there could be accessory uses around the residential area but they could not include other uses as that might convert into nonresidential development which would defeat the whole process.

Commissioner Riggs said if the Chair agreed he would like to ask the Mid-Pen representative how the first level of the building would be used. He said related to the Overlay zone that exercising that would allow the given project to go to 60 feet in height. He said he understood the need for more height to include more units presuming the units were of a given size but he was concerned as it seemed the Overlay was applicable to much of the City including the downtown. City Attorney McClure said it was not applicable to the R3 zone but only to the Plan area and the Mid-Pen and Haven sites.

Commissioner Riggs said there were some guidelines and standards. He said for RS4 the standards controlled what an applicant could offer for approval short of coming to the Commission. He said guidelines were friendly suggestions that the applicant could take or leave. He said for the opportunity sites the only thing keeping those buildings from being four sided stucco boxes was the design standards. He said stucco boxes were built in Palo Alto. He said for that reason he looked at what else might be applied as standards, noting those had to be objective and could not be interpreted to discourage the development nor discriminate on this type of housing from another. He said it would be consistent with other decisions made by the Commission to limit the amount of stucco. He asked if he could recommend such design standards. City Attorney McClure said those were the kind of things that could be addressed in design standards as minimum requirements, and if someone wanted to vary from those they would need to go through architectural control process.

Commissioner Riggs asked that they also require windows be recessed three inches from the face of the building noting with Green requirements that window were framed with two by fours. He said they have effectively taken the design standards from the Plan to apply to these four opportunity sites. He said those standards were to be used by developer / builders for market buildings and an element of their success was tied to their aesthetics. He said the standards would allow projections up to 35% of the width of the building façade but suggested up to 50% individually and those projections would have glazing all the way around them. He said looking at upper floor setbacks and to minimize the appearance from the street of how big these buildings were they have asked that the façade height be limited to 30-feet for downtown that would be two-

stories and for residential that would be three-stories. He said using Plan regulations the fourth floor would be set back nine or 10 feet, and the next another nine or 10 feet, giving a wedding cake look from the street.. He said his proposal for the upper stories was that only one upper story is setback. He said he added language to make it easy to meet square footage. He said he also proposed that any building have a contiguous style rather than pastiche. He said to try to make this as objective as possible he stated to not mix architectural styles and made a reference to a link describing architectural styles. He said he went to these efforts as he was concerned they would get very large and potentially unattractive and hard to ignore projects. He said not necessarily on this round but it appeared the state would require more housing every seven years. He said the established design standards would become the status quo for a long time.

Chair Ferrick said she had made a list and had some similar topics. She said they had some influence over design standards. She said she wanted to add that the first floor setback be setback 15-feet from sidewalks with sidewalks and landscaping, residential indoor and outdoor amenity space, third floor and up setback at least 10 feet, noting that Commissioner Riggs suggested setback for the second floor, use of energy efficient systems including windows and drainage, bicycle storage, common areas that promote community, and some percent of landscaping.

Commissioner Bressler said he thought there should be architectural control. He asked if there was a way to undo this. City Attorney McClure said to have a certified Housing Element there needed to be nondiscretionary of by right development. He said they could include development standards but if there was discretionary review with the potential to defeat the project or adding significant costs the state would not certify the Housing Element. Commissioner Bressler asked what would happen if they did not have a certified Housing Element. City Attorney McClure said they would lose on funding for transportation projects and that the City was exposed to challenges for adequacies of the Housing Element. He said in legal challenges the fact that the State had not certified the Housing Element and it was evidence in litigation could challenge a project. He said projects approved by the City could be challenged because the City does not have an adequate legal General Plan because the Housing Element was part of the General Plan. Commissioner Bressler said he recalled a person indicating that if the City did not get a certified Housing Element a judge could order rezoning. City Attorney McClure said that did not seem accurate but that a judge could make a finding that no development projects could be approved except for high density housing projects until the City adopted a legally sufficient Housing Element. Commissioner Bressler said that during the 14 years the City did not have a certified Housing Element housing was added. He said they now have a plan for adding housing. He asked what if they just added housing through architectural control and did it right, and not submit to the bureaucracy and loss of control for the City. He said if the housing was developed with the right mix of affordability what would happen. City Attorney McClure said they would not have a certified Housing Element without which in the next cycle of funding through ABAG and MTC and other entities the City would not be eligible as a certified Housing Element was a requirement for those funds. He said they had gotten an exemption this

time around because they were in the process of proceeding with a Housing Element update. He said the City was under a court order to prepare a Housing Element that attempted to get certified and would submit for certification, and the City would have to proceed in good faith to try to obtain a certified Housing Element. He said any project whether housing or not anywhere in the City might be challenged because the City does not have a legally sufficient Housing Element. He said the Housing Element law was not designed to necessarily result in housing or the type of housing everyone agrees is desirable. He said it was to have a planning element that meets certain statutory requirements and HCD has developed its own checklist and requirements.

Commissioner Bressler said he understands that but the so called design guidelines showed ugly boxes. He said first of all he felt like the City was losing a lot of control and he did not want to see ugly, high rise subsidy housing in Menlo Park, and he did not see any mechanism to prevent that. He said he was concerned with problems that might happen along Willow Road and there was no opportunity to control how that housing was used. He said they were using a very blunt instrument to rezone large areas of the City and change the rules and they did not really know the impact of that. He said there was no mechanism to deal with impacts and he wanted something to protect from impacts in the R3 and Second Unit development. He said he really was concerned with the RS4.

Chair Ferrick said the importance with the standards was that if those could not all be met for a project then it would have to come through architectural control with the Planning Commission. Commissioner Bressler said in the Plan that there were examples of what a design should or should not look like.

Commissioner Kadvany said regarding the design guidelines and standards that he had met with a couple of representatives of the St. Anton developers group for the Haven site, and even with the modifications they would need to come to the Planning Commission. He said what was missing was a sense of process. He said somehow they had to deal with this monstrous bureaucratic set of requirements and how to do reasonable planning based on conditions of non-trust.

Chair Ferrick said it was her understanding that if the City failed to submit an adequate Housing Element that it was a certainty that all applications, including hazardous use permits, could be halted until the Housing Element was complete. City Attorney McClure said it seemed Commissioner Bressler was suggesting the City adopt a Housing Element in a way that allowed discretion in it. He said there could be a challenge that it was not a legal Housing Element. He said the City had to adopt a Housing Element by early June or they would likely be in court facing a judge and likely end up with a court order not allowing the City to process planning and building applications. He said they would submit the Housing Element in June after which HCD would consider it and if they did not certify it the City would lose funding. He said if they did not certify the Housing Element projects could be challenged on the basis of not having a certified Housing Element. Chair Ferrick said what the City seemed to have say over was some specificity on where the housing would go and what design

standards could be incorporated into it. City Attorney McClure said with some limits as long as the restraints were not so significant that projects were forced into a discretionary process as under HCD rules it would not qualify. Chair Ferrick asked if they had a design list of standards whether those could be reviewed to determine if there was any significant restraint. City Attorney McClure said perhaps the Commission wanted to appoint a subcommittee to look at the R4S design standards.

Commissioner Kadvany said there were several areas to provide some defensive mechanism or give serious qualifications to the City Council as to what they were agreeing to with this. Chair Ferrick said she objected to all the high density residences being in the area of the VA Hospital eastward and thought that high density housing should be more evenly distributed throughout the community but she would not hold up the process and force the City into a situation where it faced a court order. She said she had great pause in costing three of the four school districts a quarter of a million dollars every year infinitum once the housing was built out. She said the community has a responsibility to provide a diverse range of housing for many different residents. Commissioner Kadvany noted the concern was unexpected consequences from what would be allowed.

Commissioner Eiref said he has empathy that the high density housing be thoughtfully designed. He said regarding R3 infill and Second Units these were being done because of outside requirements. He asked if there was a way to set parameters on some maximum for these types of development. He said at the Joint Session there was a comment that a smart developer would take two infill lots and dramatically increase the density noting the very cute one house lots around the downtown, and that those homes could be swallowed up by high density development. He said it would be good to meeting the housing needs but parameters were needed so it did not go out of control. He said the Plan took five years and after it was adopted there was community shock. He said this had been a fast moving process and asked how the property owners of the infill properties downtown had been notified of the proposed zone amendment. Development Services Manager Murphy said all property owners and residents in the area were sent a first class mail notice with the proposed notice to rezone and a map of the area affected. Commissioner Eiref asked if it was specific to the zoning. Development Services Manager Murphy said it was specific to the rezoning and other information and directing them to the City's website for more information.

Chair Ferrick asked whether property owners could estimate an increase in value of their property because of the proposed rezoning of the R3. City Attorney McClure said not necessarily. He said the pattern in the existing R3 zone was that there has not been a rental housing project built in Menlo Park since the 1970s and that profit was in building two large homes on an R3 parcel and selling them. He said this rezoning would make it less of an incentive to do that but it would not necessarily incent someone to combine two properties and maximize those. He said although they could build more units they would be smaller units and most likely would be rental units rather than for sale housing. He said to have a large apartment project they would need 20,000 to

30,000 square feet noting several parcels at 6,000 to 8,000 square feet would be needed to be acquired and they would need to have disparate owners agree to sell at the same time.

Commissioner Eiref said it was important that people realize what was being done which was why there needed to be parameters. City Attorney McClure said if after a number of units were built in the R3 zone through the Housing Element language could be added to insure the impacts were not making such a significant change in the R3 zone and review the amount of new units. He said there could be language to reexamine this also through the Land Use Element as part of the General Plan update.

Commissioner Kadvany said he agreed with Commissioner Eiref that the R3 was an area of concern. He said he was not concerned with building more density there but the new standards and existing standards in combination with driveway width standards for the Fire District and turning radius, which might not be resolved until 2014, would not enable good high density housing for at least a couple of years.

Commissioner Riggs asked if the Steering Committee had considered the correlation of high density housing and lower incomes to increased crime. Chair Ferrick said it had not come up in that exact context but thought it was brought up in reverse that when there were community spaces, positive programs, and neighborhood vitality that helped reduce crime. Development Services Manager Murphy said they were looking at direct correlations here in Menlo Park and elsewhere. Commissioner O'Malley said there was no significant discussion about low income density housing and incidence of crime. Commissioner Riggs said they were counting on Mid-Pen's management and the City standards put forth besides those he was proposing for common areas and landscaping. He said related to the east-west issue he hoped they could look at potentially rezoning Crane Street and the end of University Avenue. He said policy H4D effectively said they would prioritize non-profits for projects. City Attorney McClure said that language was required by the settlement agreement but the goal was for the Council to reevaluate the BMR program and establish a priority for allocating funds with the idea that getting larger and more affordable housing projects would be through a nonprofit. Commissioner Riggs noted the aggregation of the BMR funds and that he had read that as a separate direction to prioritize nonprofits for projects and asked if they were meant to be linked. City Attorney McClure said it was to prioritize some use of the BMR funds for nonprofit housing projects, which take advantage of tax credit financing so those types of projects were financially feasible. He said nonprofit projects needed multiple sources of funding. Commissioner Riggs said in terms of the settlement agreement and how it was presented in the Housing Element if that was limited to H4D. City Attorney McClure said that there were provisions throughout the Housing Element that addressed various items and components of the settlement agreement. Commissioner Riggs asked if those elements were above and beyond conforming with the State's requirement for the Housing Element. City Attorney McClure said the City agreed they would reexamine what they charge for the housing

impact fee, the BMR impact fee, and that was one of the kinds of programs. Ms. Prince said the Overlay in H4C was an element of the settlement agreement.

Commissioner Riggs moved to recommend to Council the ordinance amendments, the zoning amendments, the General Plan amendment, and the Environmental Review.

Chair Ferrick said she was supportive of some things but not others.

Commissioner O'Malley noted the hard work of staff, the difficulties of fulfilling the settlement agreement and the City's loss of control. He said a subcommittee to review the design standards for the R4S was a good idea.

Commissioner Riggs said he would retract his original motion, and moved to recommend to the City Council approval of the Environmental Assessment. Commissioner O'Malley seconded the motion.

Chair Ferrick asked for an example of wait time at an intersection for a significant and unavoidable impact. Director Taylor said it varied per intersection. He said in Menlo Park depending upon where the level was, noting many of these intersections were at Level Service D or below, which was essentially .8 seconds and less than one second, that this was considered a significant impact in Menlo Park. He said the wait times might vary greater than that and it depended upon what service level the intersection was at. He said the equation used for the modeling when it was above 90 seconds of delays started to break apart and it was more difficult to predict how much actual delay there would be. He said it depended on whether it was the a.m. or p.m. peak hours and what direction you were coming from, but essentially it was greater than that .8 second delay. Chair Ferrick asked if any significant impacts at intersections had stood out for him. Development Services Manager Murphy said looking at long terms of the 2035 condition in Table 4.13-10 there were some instances of 1.1 seconds of delay that was significant at Alpine, Santa Cruz and Junipero Serra. He said there were other instances at Middlefield Road and Ravenswood Avenue with delays of 6.9 seconds in the a.m. and 9.9 seconds in the p.m. He said for the series of intersections along Marsh Road many of those were 5 seconds of delay and significant. He said as mentioned the model begins to break down where there was high level of service. He said for intersection 42 there was 38.6 seconds of delay for the east bound critical approach on Marsh Road. He said it would vary what people would experience. Chair Ferrick said she hoped it would be reassuring that most of the so called significant delays were less than five seconds. Development Services Manager Murphy said definitely less than 10 seconds.

Chair Ferrick asked about improvements along El Camino Real noting it had been a hot spot. Director Taylor said one of the reasons it was a hot spot this past year was because of the signal interconnect cut by Caltrans, but which was now restored. He said Council had directed staff to include two projects for El Camino Real in next year's Capital Improvement Program. He said one was to look at all of El Camino Real and

providing additional lanes and bike lanes. He said the second project was to look at converting the northbound right hand turn lane at El Camino Real onto Ravenswood Avenue into a through lane and then add a right turn lane.

Chair Ferrick asked staff to summarize how the four sites were arrived at and how those ended up being in same general location. She asked if there were no other sites in other neighborhoods so there was more of a distribution of impact. Development Services Manager Murphy said the greatest challenge was the amount of time left in the current planning timeframe period which was to the end of 2014. He said the City looked at sites that were outside the City's sphere of influence and if a property owner was interested and it was deemed to be a good site for housing it was a good possibility that such a site might be available for housing in time. He said without property owner interest that was not something the City could unilaterally pursue. He said the City has the authority to rezone a property against a property owner's interest but it was how the property owner would respond and whether or not the site would be available for housing. He said he was referring to property that needed to be annexed to the City. City Attorney McClure said it had to do with available land and interest so that the property could theoretically be redeveloped by the end of 2014. He said there were 680 housing units available in the Plan area and they were talking about rezoning land that was not already available for housing.

Commissioner Bressler said the Statement of Overriding Considerations included the word "legal" which he did not recall seeing in other such statements. He said he did not think the City needed to vote upon the Environmental Assessment nor did he think it had been proven that the City needed to take action at all. He said he had concerns about the R3 that might be mitigated and like Commissioner Eiref he had concerns with the Second Units. He said in terms of the real impacts of the developments on Willow Road, noting Mr. Henry's concerns, that in the very least they should have concept drawings. He said he did not think the legal ramifications justified huge impacts on property values across the City. He said he would not support the Housing Element.

Commissioner Onken said he thought there should be five motions and recommendations on the Housing Element and the findings of the Housing Element, the rezoning of the opportunity sites, Second Units, conditions for the R4S, and the conditions for the R3. He thought those items should be taken one by one.

Chair Ferrick said that was the idea and they had started with the Environmental Assessment. Commissioner Kadvany said he thought that was putting the horse before the cart. City Attorney McClure said ultimately the Council had to take action on the Environmental Assessment before they could adopt anything else but it might be helpful to go through all of the other items and frame those to inform item 1, the Statement of Overriding Considerations.

Commissioner Riggs withdrew his motion.

Chair Ferrick asked the Commission to consider the rezoning of the four opportunity sites. Commissioner Bressler said he thought some kind of architectural drawings showing what they would be built have would alleviate public concern. Chair Ferrick asked if he would support a subcommittee to develop some design drawings and standards. She said it would have to happen very quickly. City Attorney McClure said he was hearing two things, one which was to create architectural renderings and the second would be to apply language that would codify that. He said he heard that Commissioners Ferrick and Riggs wanted to develop some kind of design standards. Chair Ferrick said Commissioner Bressler wanted pictures to show what was desired and what not. City Attorney McClure asked if it was the kind of pictures and diagrams attached or real architectural drawings from Mid-pen or St. Anton noting those were two very different things. Commissioner Bressler said the schematic drawings were designed for a whole zoning region and not for a specific project. He said there was concern about understanding what these developments would look like and he had concern with the City losing control of project developments. He suggested while the City still has control to get a rendering of what the project would look like so people can review it.

Chair Ferrick said Commissioner Riggs had some basic design guidelines that were enough to give sense of setback, height, landscaping and window treatment. She said she thought that was doable.

Commissioner Onken asked if within the Housing Element they could take the four sites, work backwards and take block land design item ideas from the property owners to include. He asked what status those would have. City Attorney McClure said they would still need to put words to it noticing that the Haven Avenue was more than one project and more than one development. He said Hamilton was a different developer, and that Mid-pen was a different developer that would be taking advantage of perhaps Density Bonus but the Hamilton developer would not. He said defining development parameters that when one takes advantage of Density Bonus law that the project was going to be acceptable which was the intent of the design standards. He said they could not create four different R4s for each site but needed a more generic frame.

Chair Ferrick said most of what they had listed was pretty standard and general such as the setback and the stepped back upper story. City Attorney McClure said they were different than what they had in any other zoning category other than in the Plan but were measurable. He said the list Commissioner Riggs provided had some generalities for design standards that a subcommittee might develop and find the words to support them.

Commissioner Onken said whatever process they did it would be imperfect. He said they have seen very prescriptive design rules that were site specific that produced both great and horrible projects over which they had no control. He said in terms of design guidelines he was comfortable with what Commissioner Riggs was proposing to add and for what was already in them.

Commissioner Kadvany suggested including all of the design features that were important to them and that would induce the developer to come to the Commission for some compromise. He said they had to define the goal of the standards – were they intended to be the answer or were they setting up generic space of what was expected.

Chair Ferrick suggested appointing a subcommittee to work on this within the next week so that could be forwarded on to the Council.

City Attorney McClure noting the time sensitivity to move this on to Council asked if the Commission was comfortable with delegating the design standards for review and refinement to a subcommittee that could then move forward to Council. Development Services Manager Murphy suggested the subcommittee meet and then report back to the full Commission on Monday and then based on that there would be a good feel as to whether the subcommittee can continue to do additional work. Chair Ferrick said that or there was the possibility there would be a pretty complete list by Monday.

Commissioner Eiref asked if it was possible to put something specific that could be added that would create a trigger for the developer to want to have a dialogue with the City and community over the period of time.

City Attorney McClure said generally developers of projects come in and have discussions with City staff to understand what the design standards were as well as understanding that they might be criticized if they did not try to address the design guidelines. He said good developers come in and have that discussion with staff. He said that could not be mandated in a nondiscretionary process.

Commissioner Eiref asked if the property owner/developer could be required to enter into a contract specific to what was expected before the Housing Element was submitted. City Attorney McClure said that would be a development agreement but that could not be done until a project was approved through a discretionary approval process. He said the requirement here was a nondiscretionary process to develop by right. Commissioner Eiref said that would kick in after the Housing Element was certified by the State. City Attorney McClure said they could not pre-approve a project before they changed the General Plan and zoning.

Commissioner Riggs said the very intention with State law and the settlement agreement was to remove discretionary review. He said if they could come up with some objective standards and guidelines which he thought were the legally allowed restrictions they could aim to get a better project and increase the likelihood that a good designer would come and ask for flexibility but they could neither force the designer to come to them nor give the appearance of doing that.

City Attorney McClure said that was correct. He said if the language was not understandable by a judge, using as an example the desire for high end materials, if those were defined and would create financial constraints then it was a project the

developer could not build. He said if they were imposing restrictions to force everyone into design review it would not be a certified Housing Element. He said it was a matter of putting words, terms, and standards that were understandable.

Discussion ensued as to the Commissioners' availability to serve on a subcommittee to review the standards, at the close of which Chair Ferrick appointed a subcommittee of Commissioners Kadvany, Onken and Riggs to further review and refine the proposed R-4-S design standards and to present them to the full Commission for review and recommendation at a special meeting to be held April 29, 2013.

Chair Ferrick asked the Commission for comments on the proposal for the Overlay ordinance amendment. She said this seemed to function as a mechanism for projects to be funded. City Attorney McClure said the intent was to have sufficient incentive such that an affordable housing project could actually be developed. Chair Ferrick asked about other communities that had done this successfully. City Attorney McClure said it had been done in Corte Madera and Pleasanton. City Attorney Prince said they looked at 12 such similar ordinances across the State with varying degrees of complexity and how those were implemented. Commissioner Kadvany asked if a zoning amendment would be needed to do this Overlay in some other part of the City. City Attorney McClure said that was correct. Commissioner Kadvany said it was not clear what this would do to the Plan area development. City Attorney McClure said it was in the Housing Element to say what the development would be in the zone and made an attempt to create the mechanism to give sufficient incentive for affordable housing development projects noting the high cost of land in Menlo Park.

Commissioner Kadvany moved to recommend to the City Council an Ordinance Adding Chapter 16.98 (Affordable Housing Overlay) to Title 16 (Zoning) of the Menlo Park Municipal (Attachment F), which implements Housing Element Program H4.C.

Commissioner Bressler said that the reaction to the Stanford Project was strong once people could see what it would look like. He said when people saw what they would get with this downtown that there would be a major upheaval.

Commissioner Onken seconded the recommendation but stipulated it should be subject to the design review findings of the subcommittee.

City Attorney McClure said they would bring back the RS4 design standards and noted the Commission was not comfortable yet on the Environmental Assessment. He said because of that they were not making a final finding on any of these items but basically taking a straw vote.

In response to a question from Commissioner Kadvany, City Attorney McClure said that changing the Plan could affect the Housing Element or certification process but as long as they did not go below 20 units per acre by right and as long as they left the 680 units they would be okay.

Chair Ferrick noted she was okay with the Overlay and queried Commissioner O'Malley who had no comments related to the Overlay zone.

City Attorney McClure said the ordinance to implement the State Density Bonus Law did not go beyond what the State law required but met the City's legal obligation to have an ordinance implementing that law.

Commissioner Riggs moved, and Chair Ferrick seconded, to make a recommendation to the City Council to enact an Ordinance Adding Chapter 16.97 (State Density Bonus Law) to Title 16 (Zoning) of the Menlo Park Municipal Code (Attachment G), which implements the Housing Element Program H4.D.

Motion carried 7-0.

Regarding the R3 zone changes, Commissioner Eiref said he would like something to create parameters around development in that area. City Attorney McClure suggested that any such language to set goal limits be in the Housing Element and not in the Ordinance. He said if the direction was they were fine with the ordinance as presented for the R3 Zone but wanted a provision added to the Housing Element that the City and Planning Commission review and revisit this Ordinance after they have issued 70 permits or they could review and revisit it if they did not reach 70 permits under the General Plan update. Development Services Manager Murphy said the language would be inserted into H4.A of the Housing Element.

Commissioner Kadvany said he would like to a comparison of what development could look like under this ordinance and what it looked like under the current ordinance. He said in the Housing Element policy directives there were three that bore on the R3: meeting with the Fire District regarding driveway widths, turning radii for the driveway, and design standards. He said these were slated for 2014 and asked if they could be moved up sooner so they might be ready by 2014. Development Services Manager Murphy said the key things they have identified were absolutely critical for certification for the next Housing Element. He said after this they would need to spend considerable time on the Emergency Homeless Shelter and that if they did not get that certified they would be put on a four rather than an eight year cycle for Housing Element updates. Commissioner Kadvany said the R3 was a really great part of Menlo Park and he could support increased density but it needed to be done right.

Commissioner Riggs said he would need to leave at 11:30 p.m. He said he really liked the elements of the R3 and he did not need to see illustrations for it, and it was something he happily supported.

Chair Ferrick determined that other than the language regarding reviewing the ordinance after or before the attainment of 70 housing units that the Commission generally supported recommending to the City Council an Ordinance Amending Chapter

16.20, R-3 (Apartment) and Chapter 16.72 (Off-Street Parking) of the Menlo Park Municipal Code (Attachment H), which implements Housing Element Program H4.A.

Chair Ferrick said on the Steering Committee that ironically she was arguing for a greater setback but five feet was greater than what they had discussed on the Committee. She said she liked a lot of the Second Unit ordinance except for the portion that it was subject to the approval of owners of contiguous properties abutting the portion of the encroaching structure noting that it would be preferable if it was either allowed or not if it was too close.

Commissioner Onken said he was concerned about the proposed height limits and that these Second Units would be huge and intrusive. He said the 12-foot six-inch height allowance at the sides and the 17-foot maximum height would cut the daylight plane and encourage architects to put two stories which would be awful creating a large and intrusive building on the property line. He recommended using the nine-foot and 14-foot height in the existing ordinance as they would get the units and avoid the issue of big, strange, two-story poorly designed buildings that would attract families and create other problems. He said also he would like to recommend the addition of Mr. Sinnott's language about allowing secondary vehicular access. Chair Ferrick said it might not be feasible in some instances. Commissioner Onken said in Palo Alto there were many second units because using the alley for access had been encouraged. City Attorney McClure said staff would need a copy of the handout from Mr. Sinnott. Chair Ferrick said she did not want the language to overreach and change configuration of neighborhoods. City Attorney McClure said they would bring this back to the Commission at the next meeting.

Commissioner Eiref said if a lot was substandard a second unit application had to come to the Planning Commission. City Attorney McClure said that if the lot was 6,000 square feet these applications would not come to the Planning Commission. Commissioner Eiref asked what prevented the building of second units now. He said also he did not like the wall height. Development Services Manager Murphy said that they had heard concerns about the wall height and that the 17-foot height could not be at the property line and encroach into the daylight plane. He said in flood zones that they have had height issues noting that much of Mr. Jackson's troubles had to do with wall heights. He said he thought height was an issue.

Chair Ferrick said she liked the Second Units because it spread the housing over the City.

Commissioner Riggs said he had a similar reaction as Commissioner Onken but it was the 12-foot six-inch wall height that concerned him. He said he would like a modification that if the wall height was 12-foot six-inch it would need the approval of the adjacent property owner within five feet but not if it was nine-foot six-inch. He said the conversions and amnesty were to occur during the next round. Development Services Manager Murphy said the amnesty program would be implemented over the next 18

months but would not be part of the ordinance amendments being considered. He said it might be hard for conversions to meet all of these requirements.

Commissioner Kadvany said that they needed to look at the other dimensions of scale and number of bedrooms but suggesting looking at the heights later. He asked if they could have a basement. Development Services Manager Murphy said he would find out.

Commissioner Bressler said this was not needed to meet the housing needs, and that the right to build should not be allowed.

The Commission continued the agenda item to a special meeting on April 29, 2013.

E. COMMISSION BUSINESS

There were none.

ADJOURNMENT

The meeting was adjourned at 11:32 p.m.

Commission Liaison: Deanna Chow, Senior Planner

Recording Secretary: Brenda Bennett



PLANNING COMMISSION DRAFT MINUTES

SPECIAL MEETING

April 29, 2013 at 7:00 p.m.
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:00 p.m.

ROLL CALL – Bressler, Eiref, Ferrick (Chair), Kadvany (Vice Chair), O'Malley, Onken, Riggs

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Bill McClure, City Attorney; Justin Murphy, Development Services Manager; Leigh Prince, City Attorney

A. REPORTS AND ANNOUNCEMENTS

There were none.

B. PUBLIC COMMENTS

Mr. Peter Colby, Partridge Avenue, said in reference to the 712 Partridge Avenue project continued by the Commission on March 4, 2013 that there was a heritage tree essentially on his property and the project property. He said he hoped the tree would be protected but he was concerned there would be paving around its roots. He noted the property had lost a large oak tree the year before. He said it might be helpful if the houses could be shifted to better protect the tree.

Commissioner O'Malley said he had served on the Commission for a long time and it was with a sense of purpose. He said he retired in 2004 from employment and had spent almost 10 years since then serving the City. He said he appreciated the honor to do that very much. He said he had attended 250 or so Commission meetings which he thought was an accomplishment but realized that all the other Commissioners would do the same through their tenure. He said he had met wonderful people on the Commission and the Council, and staff was great. He said during his time with this Commission and the Housing Commission they had major accomplishments because of their ability to listen and work with people, and get people of opposing views to come to a resolution. He said they had worked on very large projects including the Specific Plan, the Housing Element, the Gateway, Safeway, Facebook, Cadillac and Beltramo's projects and hundreds of other smaller projects on which the Commission has done a great job. He said he has been honored and pleased to work with this Commission. He said he has learned a lot including the Brown Act, which he thought was very important to have so the public was ensured nothing was happening behind the scenes. He said this Commission and Council were very honorable. He said he learned how to fairly

deal with what he called the vocal minority and email deluges. He said if the City solved the problem of traffic everything else would be easy. He said he thought this was something they needed to evaluate differently. He said the City has not attracted commercial business, and those two things were the City's two major problems. He said if he had been paid to serve he would have earned every penny and if the other Commissioners had been paid to serve they would have earned very penny as well.

C. REGULAR BUSINESS

C1. Housing Element Update, Open Space, Conservation, Noise and Safety Element Update General Plan Land Use Element Amendment, Zoning Ordinance Amendment, Rezoning, Environmental Review:

The Planning Commission will consider and make recommendations on the following components of the project:

- **General Plan Amendments** -- Incorporate the updated Housing Element into the General Plan; update the Open Space and Conservation, Noise and Safety Elements for consistency with the Housing Element and State law; modify the Land Use and Circulation Element for consistency; and change the land use designation of four sites (1200 and 1300 blocks of Willow Road, 700-800 blocks of Hamilton Avenue and 3600 block of Haven Avenue) for higher density housing.
- **Zoning Ordinance Amendments** -- Create new zoning district and design standards for higher density housing on key sites that could result in up to net new 894 dwelling units; create an Affordable Housing Overlay Zone for key sites and the El Camino Real/Downtown Specific Plan area to establish density bonuses and other incentives for affordable housing; create an implementing ordinance for the State Density Bonus Law and consider certain incentives such as increases to the base density in exchange for structured parking; modify the R-3 zoning district to provide greater opportunities for infill housing in designated areas around the El Camino Real/Downtown Specific Plan area by increasing the maximum density to 30 dwelling units per acre on lots 10,000 square feet or greater; modify the secondary dwelling unit development standards pertaining to single-family residential lots 6,000 square feet or greater in size throughout the City to encourage the creation of more units; and modify other provisions of the Zoning Ordinance relating to definitions, parking, non-conforming provisions, accessory buildings, etc., as necessary for consistency with other changes to the Zoning Ordinance.
- **Rezoning** -- Rezone four sites (1200 and 1300 blocks of Willow Road, 700-800 blocks of Hamilton Avenue and 3600 block of Haven Avenue) for higher density housing

- **Environmental Review** -- Review of the Environmental Assessment prepared for the project.

Development Services Manager Murphy said this meeting was a continuance of the April 22, 2013 Planning Commission meeting. He said the Commission was being asked to review new material since the previous meeting, the potential options in the staff report mainly related to the Housing Element update itself, and other material including the Environmental Assessment (EA), General Plan consistency update, zoning ordinance amendments and rezoning, and making recommendations on those. He noted that they had split the EA resolution into two items related to the certification of the EA and the findings and the mitigation and monitoring reporting program and a separate item related to the Statement of Overriding Considerations. He said the heading of "Issues, Questions, Options" was found on each of the slides being presented. He said the question for the Statement of Overriding Considerations was whether the benefits of the Housing Element's components outweighed environmental impacts. He said regarding item 3, the Housing Element itself, the staff report included errata number 2 that proposed some additional modifications to policies and programs, somewhat based on the Commission's discussion last week and also continuing to prepare the document in a way that it was eligible for certification. He said there was a need for additional explanation of the development feasibility of some of the housing opportunity sites.

Development Services Manager Murphy said item 4 in the staff report, General Plan consistency, also corresponded to Attachment D and included an update of the Open Space Conservation Noise and Safety Elements, modification to some of the land use designation related to residential and limited industry, cleanup items regarding correspondence between some land use designations, and some zoning classifications, and thirdly a change to the land use map related to the sites recommended for rezoning. He said the next slide related to the new R 4 S zoning district, item 5 in the recommendations, corresponded to Attachment E and which would implement one of the Housing Element's two programs. He said also flagged for discussion was the potential of exploring some incidental mixed use, issue of building façade height, the proposed developments regulations, which was different from the design standards, the design standards, and steps for compliance review procedures. He said items 6 and 7 were the Affordable Housing Overlay Zone (Overlay), Attachment F, and State Density Bonus law (Density Bonus). He said there was information highlighted to clarify the intent of the Overlay as it related to the El Camino Real Specific Plan (Plan). He said there was a section about the applicability of the Overlay and some clarifications about Floor Area Ratio (FAR) and other key element requirements in the Plan. He said some of this was focused on the overarching theme of the Plan related to connectivity and sidewalks. He said the items highlighted were areas where they wanted to be explicit about the need to comply with those requirements. He said an area that might need continued consideration after this meeting was the concept of maximum FAR. He said they were proposing through this density bonus that the actual FAR would be capped but the public benefits levels might be appropriate in most of the districts. He said after working through those issues they would also recommend carrying over some of the

items to the State Density Bonus law as those required more analysis given that the Overlay zone was something that the City was proposing. He said they have more ability to customize that whereas Density Bonus was a matter of implementing the state requirements.

Development Services Manager Murphy said item 8 was the R3 District, Attachment H. He said this was now contained in Errata #2 to the Housing Element which would modify Program H4A to establish a maximum of 70 units in the near term and would trigger a review once that 70 unit limit was achieved. He said Secondary Dwelling Units (Second Units) was item 9 and Attachment I. He said an option proposed was related to whether the Commission wanted a comparable checking as contemplated for R3. He said if so that change would be to the Housing Element Program H4E. He said the next related to a request to modify language as it related to a secondary access point and a few options were outlined for the Commission's consideration. He said there were six items under development regulations and an attachment to the staff report that summarized the various issues and options. He said items 10, 11, and 12 refer to the three geographical areas of Willow Road, Hamilton and Haven Avenues. He said a property owner had expressed a desire to not have their property rezoned. He said the last item was a cleanup item related to eliminating zoning districts. He said there was a series of correspondences that summarized everything since the April 9 meeting with most current correspondence on the top. He said there was a sixth piece of correspondence from Willie May of Mid-Pen Housing. He said to recap there was this meeting, and then the May 21 and June 4 meetings of the City Council. He said the key immediate milestone was the Planning Commission making recommendations so the public hearing notice can go out for the May 21 Council meeting.

Questions of Staff: Chair Ferrick asked about the highlighted items in the ordinance related to the Specific Plan exemptions. City Attorney Prince said they had had a discussion that day about how the Specific Plan related to the Overlay as it would apply to the Specific Plan area. She said there was a sense that there were elements of the Plan that needed to stay as they were. She said the section in 040 was about modifications that could be made in terms of incentives with FAR, setbacks, and building heights. She said this Specific Plan exemption was saying that there were certain elements of the Plan that could not be modified even as an incentive so that the maximum FAR shall be limited to maximum public benefit levels, the front and side setbacks facing a front right of way were an important issue, as were the building height, massing and modulation. She said they were identifying elements of the Plan that they did not want subject to modifications from the Overlay. She said they were proposing adding to the ordinance that the Overlay applied to the Specific Plan area and the R-4-S zones only.

Commissioner Bressler said an applicant with the Overlay could get to maximum FAR without the need to provide a public benefit and there would be no negotiation process. He asked what else there would be after the exemptions were removed. City Attorney Prince said there was still the ability to modify the parking requirements for contiguous parcels and the incentive to combine. Commissioner Bressler asked about architectural

review. City Attorney McClure said they incorporated an architectural comment into the R-4-S so it was review and comment but not discretionary review. Commissioner Bressler asked if there was still architectural control review for the Plan area. City Attorney McClure said that was correct.

Responding to a question from Commissioner Kadvany, Development Services Manager Murphy said in the Plan areas of the Downtown adjacent, Station Area East and West, and Downtown, the FAR bonus would be less than 35% which would be less than Density Bonus law. He said what was more complicated with the Plan than other solely residential zoning district was the mixed use component. He said some sites in the Plan area might be suitable for all residential development but others were possibly not.

Commissioner Bressler asked if in the Plan area with the Overlay if retail would be possible in the first floor of a development. Development Services Manager Murphy said that they were differentiating between the housing opportunity sites in the Plan area as they were accounting for mixed use in the Plan. He said they wanted to make sure that they were not discouraging first floor retail.

Chair Ferrick said the Commission had appointed a subcommittee to look at design standards for the R-4-S zone. Commissioner Kadvany said they had received several emails from property owners of some of the potential properties critiquing the subcommittee's draft proposals. He said this was very useful commentary and they could discuss that. He said the subcommittee framed the modifications in terms of so called measurable and objective criteria. He said the main issues they addressed were ones that were discussed in the staff report very well. He said they could not say their proposals were perfect but probably some were worth retaining. He said they operated from the perspective of all of the large properties in the City – along Willow Road were three properties, the Haven property and the Hamilton property as well as potential future applications within this zoning. He said the responses they received were from the perspective of individual property owners and there was overlap but also differences. He said staff had provided useful commentary. He said everything they were proposing was listed in Attachment "O" to the staff report. He said façade height reflected their view on different properties as they did not think all were suitable for three-story façade height. He said also applicants have ample opportunity through the use permit process with whatever proposal they wanted. He said not having that process made them risk adverse.

Mr. Steve Pierce, Principal of Greenheart Land Company, and lifetime Menlo Park resident, said they owned property on Hamilton Avenue. He said their goal was to build excellent housing on the Hamilton Avenue properties, and what was most important was the aesthetic. He said there were some design standards being proposed that they did not think were appropriate and were too granular, would not result in better architecture necessarily, and might have unexpected consequences. He said one standard was to limit stucco to 50% which seemed to state that good projects had no more than 50% stucco. He said the Allied Arts buildings were 100% stucco. He said

there were unintended consequences that occurred when micromanaging projects. He said another standard proposed that buildings on the street have major entries on that street. He said for their project which was a three-story garden walk up would have multiple buildings with different orientations on the site and multiple entries into the building. He said having a large entry on the street would not work for their project. He said some of the proposed design standards were not desirable and would not produce good architecture and in some cases would force projects into more homogeneity when asking more buildings to fit the same standards. He recommended avoiding very detailed standards and noted his letter had more specificity about those standards to be avoided. He said he had designed many buildings and been in the business for a long time; he said his sincere belief was that they would not get better architecture and not necessarily get better buildings by getting so deep into the details of the standards. He said he thought the community would get better products when they allowed the architects the flexibility they need to design to the product, the site and style of architecture they were using and not try to micro-figure out in advance what the issues would be and how we wanted people to design those buildings.

Ms. Diane Reddy, Redwood City, said her comments were intended to be supportive. She said she was with the Housing Leadership Council and Peninsula Interfaith Action. She said in talking with Belle Haven residents she understood there was concern about affordable housing being focused in that area. She said she agreed housing should be spread out in the community, but noted 14,000 workers come into Menlo Park every day and as many as half of the Facebook employees for instance qualify for some aspect of affordable housing. She said it was critical to have affordable housing throughout the community. She said she witnessed very many of the Redwood City formerly affordable apartments being taken over by market rate developers and an unfortunate gentrification of her own community. She said in East Palo Alto they have had a huge loss of affordable housing. She said in protecting the community in Belle Haven they needed to protect any plans for deed restricted affordable housing in Belle Haven or wherever it might be offered. She requested that affordable housing be supported.

Mr. Mark Moulton, Executive Officer of the Housing Leadership Council, said the Commission's investigation and correspondence over the last week was interesting. He said taking the long view they had the opportunity to take advantage of some clear opportunities to use the law to do some by right zoning higher density in one part of the City. He said for the next Housing Element people would be more familiar with the conversation and would not necessarily select all such sites in one place. He urged them to take the advantage of affordable housing, noting it was needed as much if not more than ever on the Peninsula.

Ms. Marta Nichols, Menlo Park, said she wanted to comment on Mr. Sinnott's recommendation proposing some driveway conditions for the Housing Element. She said she agreed with staff's conclusion that secondary access was not a constraint to housing production in Menlo Park. She said Mr. Sinnott was clearly interested in City codes that benefited his project. She said adding language regarding driveway access to the Housing Element was an attempt to legitimize the driveway he was hoping to

build from his property on Santa Cruz Avenue onto Louise Street. She said she concurred with the speaker from Greenheart Land that less detailed standards were often consistent with good architecture and nothing in the current codes prevented access onto for example the Willows alleys. She said she did not think code required a second dwelling unit to have a separate driveway for access. She said the current codes did not do anything to constrain housing production. She said unique situations required review on a case by case basis.

Chair Ferrick closed the public hearing.

Commission Comment: Chair Ferrick said at the April 22, 2013 meeting. staff had made a suggestion to consider the Environmental Assessment (EA) last. She suggested considering the more specific items listed in the presentation further down on the list and which could inform the first more overarching items listed. She also suggested starting with item 5 on which the subcommittee had proposed changes, and then consider items 3, 4, 2 and 1. Development Services Manager Murphy said that made sense for the Commission's consideration but noted that the Council would vote on the items in a different order. Chair Ferrick said she was okay voting on the EA first but staff had suggested doing it last. City Attorney McClure said staff tried to make it easier for the Commission by breaking out the Statement of Overriding Considerations from the EA.

Zoning Ordinance Amendments and Rezonings

5. Introduce an Ordinance of the City of Menlo Park, Amending Title 16 of the Menlo Park Municipal Code to Incorporate the R-4-S (High Density Residential, Special) District (Attachment E), which implements Housing Element Programs H4.I and H4.O.

Chair Ferrick asked the subcommittee and Commissioners to comment on the suggested changes offered by the subcommittee and any other comments. Commissioner Kadvany said he liked the discussion in the staff report on the potential for incidental mixed use and the desire to incorporate that. He said they understood it was tentative noting the state Density Bonus law (Density Bonus) but thought it was great to include. He said perhaps they could add that it was added to a list of topics to take up with Rich Gordon regarding the state policy initiative. He said he liked the steps for the advisory compliance review procedure. He said he assumed that if someone went through use permit process they would go through the same thing. City Attorney McClure said for architectural control or use permit whether it was major or minor modifications that would replace the compliance review process. Commissioner Kadvany said staff provided a paragraph on divided lights standards as did Commissioner Onken. He said those were the three easy changes.

Commissioner Onken said the subcommittee had concerns with the maximum façade height and he was not sure they had resolved that. He said in the table of the regulations that the maximum building height remained at 40 foot but maximum façade

height street facing before it stepped back was changed by the subcommittee from 32 foot to 25 foot with the question whether three stories in a 32 foot height façade should be at the street or prevented. He said each of the four R-4-S sites were very different in terms of their capacity for a good three-story front façade. He said the ones along Willow Road might work really well. He said for the Hamilton Avenue site they were concerned this would be suddenly dominant for that neighborhood and would be better stepped back. He said they had a placeholder of 25 foot, which was a two-story plus front façade. He said it would step back to the third story with a maximum height of 40 foot. He said there was difficulty in defining “roughness” for the ground floor. He said when they did not have the opportunity to either manage buildings or legislate on a site-by-site basis they had a duty and concern to mitigate the possibilities of graffiti. He said one treatment was to paint over graffiti however frequently a building was tagged which they had no control over or to make the building unsuitable for graffiti. He said the advice from many other cities and law enforcement was that surfaces needed to be rough and in a darker color. He said with that they attempted to define “roughness” and the idea that it be dark in color. He said this was a starting point for language to fight back against graffiti.

Chair Ferrick said she thought requiring setback and landscaping was a preventative measure against graffiti as it would make the building hard to reach the building. Commissioner Onken said that trees die or the stucco continues to present a nice white canvas and they needed a built in standard for that situation.

Commissioner Riggs said he appreciated the changes in 040 to prevent height changes in the El Camino Real Downtown Specific Plan area (Plan). He said he noticed unlimited mixed use was attempted in the standards which he supported. He said he appreciated the effort to support divided lights. He said he had emailed Planner Chow that given they would probably have dual glazed windows that it was as important to have the interior dividers as well as the exterior surface grid. He said he was assuming those were on their actions for this evening.

Commissioner Riggs said regarding Secondary Dwelling Units (Second Units) that there was Commissioner concern about what was being allowed or restricted. He said the idea was to encourage the building of Second Units and the first step to do that was removing the Planning Commission’s consideration of that development. He said which was why the Housing Element asked for nondiscretionary approval for its goals. He said he would like to propose that Second Units were an allowed not conditional use, but to address the concerns with this current proposal having a 12-foot six-inch wall height and 17-foot peak roof height by changing the allowed use to continue with the nine-foot wall height noting he had no problem with the 17-foot peak roof height. He said conditional approval would be needed to get the 12-foot six-inch wall height or to depart from the aesthetic of the existing home.

Chair Ferrick said they would discuss Second Units later but were focusing on R-S-4 currently.

Commissioner Riggs said regarding the R-S-4 zone that he wanted to see the stucco limited, windows recessed, have the upper story setback a single setback, and have front façade limited to two-stories under the base approval. He said the subcommittee also suggested that if the building was otherwise allowed four stories or greater that the two story façade be allowed to go to three stories to keep proportions logical. He said he had no problem with the 35% front façade projection but to have that broken up so there was not one big projection overhanging into the setback. He asked where he would find the four items he expected to see in Section O. Planner Chow said in Attachment O, page O8, item A4 limitation of stucco to 50%, 5A5 was window recess; footnote to item number 2 explaining that if height was increased through the application of Density Bonus or Affordable Housing Overlay (Overlay) that façade height would be increased but without the specifics of a third story façade height if the building went to four stories. She said they could provide clarification on that. She said one other clarification on O3 for footnote to item number 2 which said “Affordable Housing Overlay and State Density Bonus Law” should state “or” rather than “and.” Commissioner Riggs said he was suggesting that if a building was allowed to be greater than three stories that the façade height could be three stories. He said if the language was kept general he was concerned there could be unforeseen consequences. Planner Chow said they were open to greater explicitness and whether it should be tied to stories or height. Commissioner Riggs said staff was much more familiar with the wording and what could happen with the wording.

Chair Ferrick suggested that for buildings allowed to be three stories that the façade height was 25 feet and for buildings allowed to be four stories that the façade height was 40 feet. Commissioner Riggs said he thought that was the simplest way to phrase it. City Attorney McClure said he understood that where the façade was two stories it was 25 feet and where three stories it would be 32 feet. Commissioner Riggs said Chair Ferrick was describing the overall building height. Chair Ferrick said when the overall building height was allowed at three stories the building façade should be limited to a 25-foot height. City Attorney McClure said the maximum overall height no matter the number of stories was 40 feet. He said they understood the Commission’s concept. He said there was public comment they needed to take into account on that issue. He said the concept was that a two-story façade would be accommodated within 25 foot height. He said if the Density Bonus or Overlay allowed a higher density the building façade could go to three stories or 32 feet. Commissioner Riggs said he thought they had determined that by application of the Density Bonus or Overlay that the overall building height could exceed 40 feet. City Attorney McClure said that was correct but Chair Ferrick was referring to 40 feet overall with a 32 foot high façade. Chair Ferrick said she had indicated four stories would be allowed a 32-foot façade and to combine that with the overall height of 40-foot.

Chair Ferrick said one of the speakers had spoken about many different entries and facades to buildings. Commissioner Riggs said he had raised the issue of whether a building only oriented to one face. He said that might be relevant on Willow Road but on Haven Avenue not as there were likely going to be a collection of building footprints scattered on the site trying to invoke a park like setting. He said they needed to qualify

or request for the street face to have an entry and the façade from the Plan addresses the street except for deeper lots that would not apply. Commissioner Onken said this could be cleaned up by stating façade height was the height at the setback line. Commissioner Riggs said that a proposal like that related to the Plan raised outcry as people did not want to see a tall façade at the sidewalk as the applicant had decided he would set the entire building back and pave the front of his lot implying a sidewalk, and had set himself up as a target. He said they might want to clarify that it applied to a building within certain number of feet from the property line, and specifically the street front property line. He suggested a façade height limitation applied to a building face that was within 15 feet of the property line so there was sufficient area to plant trees. He said if an applicant chose a 25-foot façade for four stories it was his opinion that they would not want to see this one directional wedding cake form. He asked other than modifying the graphic how they could ensure that they did not get that type of “stair-stepping.”

Planner Chow said Attachment O was the subcommittee’s changes and staff had not changed the language. She said if the Commission would like to add modifications to the design standards staff would work to do that. She said they had not added things brought up at the Commission meeting about design standards but worked from the list developed by the subcommittee. Commissioner Riggs said he had brought it up at the meeting and Commissioner Kadvany had queried the subcommittee as to what had happened to his (Commissioner Riggs’) stair stepping issue. Chair Ferrick asked if the projections and modulations proposed could take care of that. Commissioner Riggs said on O7 that wedding cake look was what they wanted to avoid. Commissioner Onken said with a 25-foot height façade and overall maximum 40-foot height that two stories could not be accomplished between those two heights. Commissioner Riggs said the maximum overall height could be exceeded under certain conditions. City Attorney McClure said with application of the Overlay there could be an overall height in excess of 40 feet and if the developer chose to limit the street frontage to 25 foot height they could in theory have another 25-foot height of two floors stepping back. Commissioner Riggs said if the Commission was concerned with his suggestion to specifically avoid stair stepping effect compromising the building design process that Chair Ferrick’s suggestion to remove the one graphic and keep the other was a good alternative.

Chair Ferrick asked about the standards for the external walls on page O8. She said there seemed to be conflicts between the limitations on stucco and if using stucco it had to be smooth but the ground level had to be rough. Commissioner Onken said that they were not mandating stucco should be used on the first floor. Chair Ferrick asked about limiting the amount of stucco. Commissioner Riggs said where there was no discretion they wanted rules that would allow the least visual transgressions that were predictable. He said there was not only the possibility to ask for architectural control instead but he hoped that in the guidelines they would encourage it. He said staff has included a nonbinding form of architectural review and the process would essentially be the same as the developer would still have the presentation to make, the time involved and whatever City fees charged, so the only difference was whether or not it came to

Commission for design. He said he hoped their design guidelines would at the least have a sentence encouraging good design and that it could be better than what the standards would force upon the developer. He said to the comment as to why restrict stucco when all of Allied Arts was stucco he agreed there were some fantastic stucco buildings in the City, and the Commission has reviewed and approved some very nice stucco projects for El Camino Real although neither were built. He said the design standards were not prevention but were the legally required path for a project to move forward without review. Chair Ferrick said her question was why stucco was singled out. Commissioner Riggs said stucco was the cheapest building that could be done short of concrete walls, and without good detailing could look pretty bad. Chair Ferrick said the purpose of the stucco limitation was not to encourage using the cheapest possible materials but to encourage the use of better quality building materials. Commissioner Riggs said having a second building material would break up the block effect that could occur with all stucco. Chair Ferrick asked if the 50% was his best estimate of the point at which other material would be needed to create a better effect. Commissioner Riggs said that a great outcome would be for developers to present projects to the Commission that proved the standards wrong, which based on the time under the allowed process would not take greater time. Commissioner Onken said if the Commission agreed with wanting rough, undulating, and bullet proof face for all of these buildings and by the time add in windows and doors to a façade on two stories then whatever wall was left was well below 50% (stucco). He said that having 50% limit on stucco was perhaps too restrictive and not needed. Commissioner Riggs said he understood the intention to address graffiti but he was not sure it was aesthetically worth it. He said it might be better to plant holly oaks around the building or have a material that was readily cleaned. He said they might be worrying too much and stereotyping the buildings that they would have graffiti. He said they were looking at breaking up large surfaces and there were setbacks. He said he was not a fan of defensible materials as those were obvious from a block away.

Chair Ferrick said since there was not a clear consensus on stucco she was looking at open space standards and thought they should indicate that landscaping in the setback areas should define and enhance pedestrian open spaces, provide visual interest to streets and sidewalks particularly where facades were long walls, and that planting materials should be attractive, durable, and drought resistant. She said landscaping could resolve the graffiti concerns. She said they perhaps should encourage low height landscaping closer to the first floor building. Commissioner Riggs said one way to take away the reward of graffiti was removing visibility from the street by fences or hedges.

Chair Ferrick asked if with the specificity to the amount of stucco if the state would see that as restricting housing development. City Attorney McClure said he did not think so. Chair Ferrick asked about specifying landscaping on the ground floor to protect walls and discouraging potential graffiti so it does not look like defensible materials. City Attorney McClure said he did not know if this was constricting nor did he know how enforceable it would be without some detail, or what the implications would be. Chair Ferrick said she was trying to accomplish a nice looking set of homes and had heard

from the public about the desire for high quality landscaping. She said she was concerned about using rough finish on the first floors

Commissioner Kadvany said there was a suggestion in one of the emails to amend their proposal for front, side and rear setback areas to be developed with a variety of landscaping. He said also there was a suggestion to state a minimum average of spacing for trees rather than 20 feet. He said also 24-inch boxes were suggested rather than 15-gallon trees. He said there was a comment to keep street trees if they were healthy and working. He said the language staff suggested for façade and building height for Density Bonus or Overlay projects made sense, and if that could be combined with Commissioner Riggs' comment to not have double setbacks on the upper stories that would be optimal.

Chair Ferrick asked if there was consensus on the façade and overall building heights.

Commissioner Bressler said the whole issue came down to placing restrictions for a somewhat discretionary review and have that accepted by the state. He said he was not too sympathetic to people who stated this would end in bad design unless everyone knew that they could bring different designs forward to the Planning Commission. He said these were big projects and he had no sympathy for someone saying they would have a bad design because of these standards. He said if they had a bad design then they should bring what they wanted for Commission review and approval. He said he agreed that what was proposed was appropriate if it allowed for certification by the state and provided some opportunity for them to review projects. Commissioner Kadvany said he pretty much agreed with Commissioner Bressler. He said he would like some decisions about the listed bullet points or they could go with what they had proposed. Commissioner Riggs said he thought staff was making notes of what was being said related to those proposals. He said related to projections that he wanted those broken up similar to the image on O4. He said he had suggested that no individual projection be more than 15% of the façade width. Chair Ferrick said she did not think they heard anything back on that proposal.

Commissioner Eiref said he was generally supportive of everything he had heard thus far.

Commissioner Kadvany said he had suggested some modifications to landscaping and did not know if staff could adjust those. He said related to the façade modulations that even with the lower numbers they had put he did not know how often they would come into effect for building sizes, thus he was not sure they needed to change those. He said he heard comments from the emails about artificial devices in the design but he thought they should see what happened. He said regarding building entryways that there should be modifications only for those facing public spaces and not internally. He said regarding bicycle parking that it should be provided, if provided, within a parking structure and within a reasonable distance of the residential unit. He said if they did something else with bicycle parking that was up to the developer.

Commissioner Bressler said his biggest issue was that this would eliminate public benefit in the Plan area which pretty much eliminated the reason why they developed the Plan. He said the concept of building attractive public spaces under the Plan was destroyed with housing development rezoning under the Density Bonus and Overlay. He said it would be a shock to the community and he could not support this.

Commissioner Riggs said they were trading the public benefit for the increased housing. He said this would appear legally required and asked if there were options.

City Attorney McClure said they had been discussing R-4-S and now were talking about the Overlay and those were two different issues. He said regarding the application of the Overlay to the Plan area that in providing affordable housing to the level of the Overlay qualified as public benefit. He said this was one of the items specifically discussed as part of the Plan process as an example of public benefit. He said it did not allow for public benefit to increase density of the nonresidential portion of a project. He said if someone wanted to increase the density of the nonresidential part of the project (Plan area) they would have to apply and qualify for other public benefit method to do so. He said he understood that affordable housing through the Plan process was identified as public benefit through the determination of what level of affordability qualified as public benefit.

Chair Ferrick noted that the Overlay ordinance was item 6 and they were now focusing on item 5 related to the R-4-S and the subcommittee's proposals related to the design standards. She said they had reviewed those and she was looking for a motion to move forward to the City Council for approval.

Commissioner Riggs said he would move to recommend approval of the R-4-S rezoning with the proposed additions to the design standards in Attachment O but wanted staff to review the points made this evening about those. Planner Chow said they would look at moving forward Attachment O with enhancements to the language including add divided lights as suggested by staff with inserting language related to internal grids for windows; add language to clarify that the upper floor is limited to one floor to avoid tiered wedding cake approach, and using the example photo on page O7. She said for landscaping noting page 04 they would change the language to an average minimum distance between trees. Commissioners Kadvany and Riggs noted the landscape comments made in the Greenheart Land letter including maintaining street trees in the right of way subject to City Arborist approval. Planner Chow noted that the concept of the separation of trees by 25 foot was not intended to imply linear planting of trees within the front landscape areas but rather to determine the number of trees possible. Commissioner Kadvany said they were comfortable with average minimum distance of 20 feet. Planner Chow asked if the Commission wanted including street trees as part of the total number of trees. She said landscaping would need to be provided on the front, side and rear setbacks but the tree minimum would be along the public right of way. Commissioner Riggs said for these big lots they would want trees for the residents and visitors. He said there seemed to be Commission consensus to have trees throughout the properties and a variety of landscaping but perhaps not specify trees at 20 foot

distances all the way around. He suggested at 40 feet on the side and rear property lines. Chair Ferrick said she wanted to insure lush landscaping for the residents and the neighbors. Commissioner Kadvany said he did not think 20 feet was too much to ask.

City Attorney McClure said to the extent this would require anyone to come back to vary anything that this would kick the project into a full CEQA process. He said no one would ask for a change unless it was really impacting their ability to build a project. He said they should not assume it would be easy for the applicant to ask for a change. He said if the project went from a nondiscretionary approval process to a discretionary project that required a CEQA finding as discretionary projects were subject to CEQA with the question of what level of CEQA analysis would be required.

There was Commission consensus that trees at a 20 foot average distance were specified for front property lines and at 40 foot average distance at side and rear property lines.

Planner Chow said there was a specified desire that no front projection should be greater than 15% of the façade width totaling 35% of the façade width in all. There was consensus. Planner Chow noted building entry language was to be modified limiting the requirement for building entry size to just buildings facing the public street and not all buildings on the project site. There was consensus. Planner Chow asked if Commissioner Kadvany could clarify what the desired language for bike parking was. Commissioner Kadvany said to mix bike parking within a parking structure and was convenient within the building. He said that it was not saying there had to be bike parking with automobile parking. Commissioner Riggs suggested stating at each building common entry. There was a question as to whether bike parking within 40-feet of the common entry was supportable. Planner Chow asked if on page O11, the last sentence should say "Bicycle parking should be located within each residential building and located within 40 feet of each common entryway?" Commissioner Kadvany said for bicycle parking that if it would be provided within residential buildings then it should be within 40 feet of the common entryway. There was general consensus with that.

There was discussion about making the front façade rough and dark in color. Planner Chow asked on page O8 of the standards if they were striking A1. City Attorney McClure said the idea was modifying A1 to require that graffiti resistant design or materials be used for up to a distance of eight feet replacing language about rough modulation and specific color. Planner Chow asked regarding graffiti resistant design and materials if examples would be doing a rough surface in a dark color. Chair Ferrick said she did not think it should be quantified. Commissioner Riggs suggested design and materials that discouraged graffiti. Commissioner Onken suggested striking number one, keep number two and state that walls at ground level should not be white or light color and shall be resistant to graffiti. Chair Ferrick said it should indicate to be designed to discourage graffiti. City Attorney McClure said he wanted to ensure that they did not want white or light colors as he had heard something different from Commissioner Bressler. Commissioner Onken said if graffiti was a concern then there

needed to be things written in to prevent it. Chair Ferrick said design the first floor to discourage graffiti was important but she did not want the specificity of prescribing colors or particular materials. She supported limiting stucco in the sense of gearing toward higher quality materials. She said she harkened back to Mr. Henry's comment that these should be livable and desirable residences and not buildings thrown together. She confirmed that there was agreement to get more general about design and materials related to graffiti prevention, and asked for Commissioner Riggs to move forward on his motion. Commissioner Riggs confirmed with Commissioner Onken that the subcommittee had made a conclusion under 5. External Materials Standards that number two related to solar reflection level was covered elsewhere and could be struck.

Commission Action: M/S Riggs/O'Malley to recommend that the City Council introduce an Ordinance amending Title 16 of the Menlo Park Municipal Code to incorporate the R-4-S (High Density Residential, Special) District (Attachment E), which implements Housing Element Programs H4.I and H4.O and incorporating the Commission subcommittee's design standard modifications including the comments of clarification.

City Attorney McClure asked if the recommendation included staff's recommendation on the compliance process.

Commissioners Riggs and O'Malley confirmed that the compliance review process as recommended by staff for the R-4-S zone was part of their recommendation to Council.

Commissioner Kadvany asked if the motion also included the Commission recommending staff pursue mixed-use as an option for the R-4-S zoning district, with the potential for mixed-use on the R-4-S properties as a conditional use, allowing ancillary neighborhood serving commercial uses up to 5 percent of site area or 10,000 square feet, whichever is less, so long as it did not reduce the number of dwelling units anticipated for the sites in the Housing Element; and that this provision would only be added if HCD determines that the City can still meet its housing needs.

There was consensus to add this to the motion and recommendation.

Commissioner Kadvany asked about the reduction of the 100 feet of façade to 75 feet, and 50 feet to 35 feet, and the potential impact of that on building and floor layout and densities. He said one of the emails received commented that they preferred the original design standards as the modulations might impact unit quantities and sizes. Commissioner Riggs said he had not looked for examples and could not envision those modulations. Commissioner Onken said these type of modulations required a couple more hours to lay out but it depended upon what the scheme was. He said if it was going to be a series of smaller buildings then much of that would not apply. He said if they were trying to prevent a railroad train of flat façade then those numbers worked and there were ways to work with the floor plan and accomplish the same density.

Motion carried 7-0.

6. Introduce an Ordinance of the City of Menlo Park Adding Chapter 16.98 (Affordable Housing Overlay) to Title 16 (Zoning) of the Menlo Park Municipal (Attachment F), which implements Housing Element Program H4.C.

Commissioner Kadvany said he understood that affordable housing could count as public benefit but the City did not have a prescribed benefit process so the scale of public benefit associated with a project would still be open. City Attorney McClure said it would not be open for a project that qualified for affordable housing. He said Density Bonus already allowed for density to be exceeded as noted in the Plan process. He said this was an additional level of affordability and was limited to not exceed the Plan's maximum Floor Area Ratio (FAR) at the public benefit level without modifications to the front and side setbacks facing public right-of-way, the façade height specified for different levels of projects, and the requirements for massing and modulation.

Commissioner Bressler asked if the Overlay was more restrictive than Density Bonus, would allow more or less density, and whether it was required for the Housing Element. City Attorney McClure said this was required in order to have policies in place to encourage, facilitate, and potentially achieve affordable housing within the Plan. He said the densities specified in the Plan were base level densities for marketplace housing. He said an incentive packet was needed to create affordable housing in the Plan area. He said state law required that cities have policies to encourage and facilitate the development of affordable housing. He said the lawsuit settlement agreement required the City to have an incentive packet that would facilitate and encourage the development of affordable housing through a mechanism such as this Overlay zone that would apply to the transit area corridor or the Plan area. Responding to Commissioner Bressler's concern about what this was requiring, Attorney City McClure said the Overlay adjusted to the underlying density of the Plan whether it increased or decreased. He said affordable housing was a percentage of that density based off the density of affordable housing. He said in the Plan area that although increasing density they were not increasing FAR and this increased density applied only for the residential part of the Plan.

Commission Action: M/S Onken/Riggs to recommend to the City Council as recommended in the staff report to introduce an Ordinance adding Chapter 16.98 (Affordable Housing Overlay) to Title 16 (Zoning) of the Menlo Park Municipal (Attachment F), which implements Housing Element Program H4.C, and Introduce an Ordinance adding Chapter 16.97 (State Density Bonus Law) to Title 16 (Zoning) of the Menlo Park Municipal Code (Attachment G), which implements the Housing Element Program H4.D.

Commissioner Kadvany asked if in the future a new site was zoned R-4-S whether the Overlay would apply or if it would have to be determined separately at that time. City Attorney Prince said that if an applicant in the future wanted to develop affordable housing they would need to apply for the R-4-S zoning with the Overlay zoning on top. It was noted that the Hamilton site would be zoned R-4-S alone.

Motion carried 6-1 with Commissioner Bressler voting in dissent.

8. Introduce an Ordinance of the City of Menlo Park, Amending Chapter 16.20, R-3 (Apartment) and Chapter 16.72 (Off-Street Parking) of the Menlo Park Municipal Code (Attachment H), which implements Housing Element Program H4.A.

Chair Ferrick noted the Commission had recommended language to keep this area from increasing in density beyond particular parameters of 70 units. Commissioner Kadvany said he thought they were creating the potential for much denser larger buildings but still not making effective use of the properties. He said they were trying to address that through the policy directives but he objected in principle.

Responding to a question about Mitigation and Monitoring Program Reports (MMPR), City Attorney Prince noted for the R-3 and R-4-S zone that projects had to comply with the Environmental Assessment (EA) so the mitigation and monitoring measures were incorporated into the zoning to require projects do MMPRs and codified that.

Commissioner Bressler asked where the cap on 70 units and need for review was stated. Development Services Manager Murphy said this was being taken out of order and was in a different place in their documents as it was not in the ordinance but in the Housing Element on page 4A and has three triggers: getting to the 70 units, a review as part of the General Plan Update starting this year, and also reviewed every year in April by the Planning Commission and City Council as to what has occurred over the past year as part of the Housing Element.

Addressing Commissioner Eiref's concerns related to how much impact to the area and what the right number of units were, Development Services Manager Murphy said that these projects would have architectural control review so the Commission would see them and annually they would have a sense of how many projects were done and evaluate whether there were impacts that reasoned toward reconsidering the number of new units suitable for the area under the R3 zoning density.

Commission Action: M/S Ferrick/Onken to recommend to City Council introduction of an Ordinance amending Chapter 16.20, R-3 (Apartment) and Chapter 16.72 (Off-Street Parking) of the Menlo Park Municipal Code (Attachment H), which implements Housing Element Program H4.A and referring to the language in the Housing Element related to number of units, annual review, and General Plan update review.

Motion carried 6-1 with Commissioner Kadvany opposed.

9. Introduce an Ordinance of the City of Menlo Park, Amending Chapter 16.79, Secondary Dwelling Units of the Menlo Park Municipal Code (Attachment I), which implements the Housing Element Program H4.E.

Chair Ferrick confirmed with Commissioner Riggs that Attachment I captured the height and other detail recommendations. Development Services Manager Murphy said that

Attachment P had five items flagged for the Commission's consideration. He said this was prepared by staff based off Commission comments at the April 22 meeting.

Commissioner Kadvany said this was an important idea but has been boosted up unnecessarily in terms of floor area and height. He said Ms. Patti Fry said the motivation was looking for "granny" type units and the dimensions proposed could accommodate a family. He said the scale should be at an accessory level to protect privacy and view of residential property owners. Chair Ferrick said she agreed and by keeping scale down, restricting to one bedroom, and keeping the five foot setback would allow for the removal of the need for written approval of the neighbor. Commissioner Riggs said his main concern was getting away from conditional approval. He said the primary concern neighbors would have would be the adjacent wall heights and that should be kept to nine feet but he was comfortable with the 17 foot-height. He said he could agree to 640 square feet maximum size and one bedroom if they allowed lot sizes of 5,000 square feet and greater. He said he supported the ability to reduce the side yard to five feet.

Commissioner Onken noted Attachment P1 and moved to recommend approval of the ordinance to include reducing the required lot size to 6,000 square feet, maintain flexibility to reduce side and rear yards to five feet, the unit size as written, maintaining the number of bedrooms as one as written, for height to maintain existing requirement of nine foot wall height but change overall height to 17-foot.

Commissioner Kadvany asked if contiguous neighbors were to the property or to the structure. City Attorney McClure said it was to the structure. Commissioner Kadvany asked why 17 foot overall height and not existing 14 foot overall height. Commissioner Riggs said more height was needed for pitched roofs and for older sites that was the architecture that fit.

Commissioner Eiref said he was in favor of the smaller sizes noting he visited Mr. Jackson's 600 square foot second unit. He said he agreed with the nine foot wall height. He said regarding secondary unit access referring to Mr. Sinnott's comments at the last meeting that if there were examples where property owners used that to block second units that he would like that evaluated. City Attorney McClure said the example used by Mr. Sinnott and using the alley for access was an R2 unit. Chair Ferrick said she was not comfortable including that language in the ordinance. City Attorney McClure said that was not proposed for the ordinance but for the Housing Element.

Commissioner Kadvany asked about the square footage. City Attorney McClure said the motion was to use the language as it was which was 10% of the lot area or 640 square feet up to a maximum of 1,000 square feet. Commissioner Riggs said he would support allowing for a 640 square foot second unit on any size lot as long as it fit within the FAR. There was general consensus that was acceptable.

In response to a question from Commissioner Kadvany, Chair Ferrick recognized Mr. Tom Jackson, who noted in a flood zone that any wall height was measured from a foot

below the dirt height so in bringing the finished floor above the flood elevation one foot and going up nine feet would create a seven and a half interior wall height, which was not desirable. He said much of the Willows was in the flood zone. He said having the nine foot wall height would prevent most of those properties in flood zones from doing a second unit.

Chair Ferrick asked staff what the typical elevation was in the flood zone area. City Attorney McClure said they did not know precisely but it was not a universal measurement. He said these lots get surveyed and they have to build above the flood elevation. He said that would apply to some of the properties in the Belle Haven neighborhood and that the elevation on Hamilton Avenue would have to move to three feet. Chair Ferrick suggested adding something so that if the property was in the flood zone a higher wall height could be done. Commissioner Kadvany suggested that could be pursued by use permit.

Commissioner Onken said stepping back from the second unit process that people were concerned about large buildings being built next to their gardens. He said he supported second units but a 12 foot wall five feet from the property line was unacceptable to most. Chair Ferrick said for the use permit for flood zone properties to get increased height that the property owner should get the neighbor's approval for the increased height.

Commissioner Riggs asked for a gabled roof whether the gable ends be limited to nine feet. Development Services Manager Murphy said the gable ends were limited by the single-story daylight plane but the wall height was based off where the eaves were and not the gable ends.

Commissioner Riggs said he would second Commissioner Onken's motion. Commissioner Bressler asked what the motion was. Chair Ferrick said the motion was to recommend approval of an ordinance amendment for secondary dwelling units with a limit of one bedroom, 640 square foot maximum, counts against the FAR, nine foot wall height, 17 foot overall height, reduced maximum lot size to 5,000 square foot, and minimum side yard setback requiring five feet and removing contiguous neighbor written approval. Development Services Manager Murphy said the reduction to 5,000 square feet was not analyzed in the EA and that would have to be a program for future evaluation. He said it could be reviewed in the future and for now that a second unit being requested for a 5,000 square foot lot could be pursued through a use permit. Commissioner Riggs said since the Commission was recommending only that they recommend reducing the required lot size to 5,000 square feet. Development Services Manager Murphy said that was fine as long as the Commission realized staff would make a different recommendation. Commissioner Kadvany said that it would be preferable to stick to the 6,000 square foot. Chair Ferrick said she thought that reducing the lot size could be addressed in the future. Commissioners Onken and Riggs as the makers of the motion and second were amenable to the change to the recommended 6,000 square foot lot. Commissioner Kadvany asked if they kept the aesthetic or changed it that the secondary dwelling unit was consistent with the main unit.

Commissioner Riggs said if they wanted to change the aesthetic they would need a use permit.

Commission Action: M/S Onken/Riggs to recommend to City Council introduction of an Ordinance amending Chapter 16.79, Secondary Dwelling Units of the Menlo Park Municipal Code (Attachment I), which implements the Housing Element Program H4.E., and to limit to one bedroom at a 640 square maximum counting against FAR, a nine foot wall height, 17 foot overall height, minimum side yard requiring five foot setback to remove contiguous written neighbor approval, and requests for a second unit on a small lot or a change from existing structure aesthetic would require a use permit application.

Motion carried 7-0.

10. Introduce an Ordinance of the City of Menlo Park, Rezoning Properties Located 1221-1275 and 1317-1385 Willow Road (Attachment J).
11. Introduce an Ordinance of the City of Menlo Park, Rezoning Properties Located 631, 711-721, 735-763, 767, 771, 777-821 and 831-851 Hamilton Avenue (Attachment K).
12. Introduce an Ordinance of the City of Menlo Park, Rezoning Properties Located 3605-3611, 3639, 3641-3645 and 3665 Haven Avenue (Attachment L).

Chair Ferrick asked about the property owners who were not interested in having their property rezoned. Development Services Manager Murphy said that the property owners indicated they had invested much in the development of their property and were not interested in rezoning. He said they were interested in knowing what the nonconformity would be and might be supportive of the rezoning of their property if they could understand the ramifications of nonconformity. He said their parcel was zoned M-2 and the property owners were supportive of the other parcels being rezoned. He said this lot was located next to another M-2 lot that was not part of the rezoning area. He said the property was one acre and would not necessarily make or break the City's certification.

Commission Action: M/S Riggs/Onken to recommend to the City Council introduction of an ordinance rezoning properties located 1221-1275 and 1317-1385 Willow Road (Attachment J), introduction of an ordinance rezoning properties located 631, 711-721, 735-763, 767, 771, 777-821 and 831-851 Hamilton Avenue (Attachment K); and introduction of an ordinance rezoning properties located 3605-3611, 3639, 3641-3645 and 3665 Haven Avenue (Attachment L) with the recommendation that the Scarlet property be included or not based upon the property owner's desire.

Chair Ferrick said she wanted to register her discontent that all of this type of housing was located east of the freeway.

Motion carried 7-0.

Commission Action: M/S Kadvany/O'Malley to recommend to the City Council to introduce an ordinance amending Title 16 of the Menlo Park Municipal Code to eliminate Zoning Districts for which no properties are zoned (Attachment M).

Development Services Manager Murphy said this was cleanup of zones made null by the Plan.

Motion carried 7-0.

General Plan Amendments

3. Adopt a Resolution of the City Council of the City of Menlo Park, Amending the General Plan to Replace the Housing Element in its Entirety (Attachment C).

Commissioner Kadvany suggested that a program be added to the Housing Element for a project to start in 2014 to develop a transportation management association to increase connectivity of the east Menlo Park and provide transit and alternative transportation incentives. He said he had heard that Redwood City was proposing a bicycle/pedestrian overcrossing somewhere in this area, and perhaps if they were, this City could partner with them depending on where they were going to locate the bridge.

City Attorney McClure said they believed the Housing Element would be the right location to make those recommendations for future policy elements. He also said this was the appropriate place if they wanted to add language about secondary vehicular access.

Commission Action: M/S Kadvany/Riggs to recommend to the City Council adoption of a resolution amending the General Plan to replace the Housing Element in its entirety (Attachment C) and to add two program elements for a transportation management association and a partnership with Redwood City for a potential bicycle/pedestrian overcrossing to begin the planning process for that in 2014.

Motion carried 7-0.

Commission Action: M/S Onken/O'Malley to make a recommendation to City Council to adopt a Resolution amending the General Plan to update the Open Space and Conservation, Noise and Safety Elements, modify the Land Use Designations of Medium Density Residential, High Density Residential and Limited Industry, to delete the Land Use Designation of El Camino Real Professional/Retail Commercial, to modify the Residential, Commercial and Industrial Use Intensity Tables, and to change the land use designation for property located at 1221-1275 and 1317-1385

Willow Road, 631, 711-721, 735-763, 767, 771, 777-821, and 831-851 Hamilton Avenue, and 3605-3611, 3639, 3641 and 3645-3665 Haven Avenue (Attachment D).

Motion carried 7-0.

Commission Action: M/S Eiref/Kadvany to make a recommendation to the City Council to adopt a Resolution adopting the Environmental Assessment for the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments, Findings, and the Mitigation and Monitoring Reporting Program (Attachment A) and adopt a Resolution adopting the Statement of Overriding Considerations for the Housing Element Update, General Plan Consistency Update and Associated Zoning Ordinance Amendments (Attachment B).

Commissioner Bressler said he could not support this as he did not find the benefits to outweigh the impacts of the Housing Element update, and would incur costs to the City.

Motion carried 6-1 with Commissioner Bressler opposed.

Commissioner Eiref said when he visited Mr. Jackson's second unit that he had a great idea to create a checklist that would speed up the process. Development Services Manager Murphy said the City was planning to do this. Commissioner Eiref said also there might be a marketing push for property owners of second units to hold open houses to show off what could be accomplished. Chair Ferrick said there were some sensitivities around this as some units were not currently legal. Development Services Manager Murphy said there would be public outreach for the General Plan update, the annual report back on the Housing Element, and the need to revisit the Second Unit program.

Chair Ferrick thanked Commissioner O'Malley for his service. Commissioner O'Malley said it has been his pleasure to serve.

D. COMMISSION BUSINESS

There was none.

ADJOURNMENT

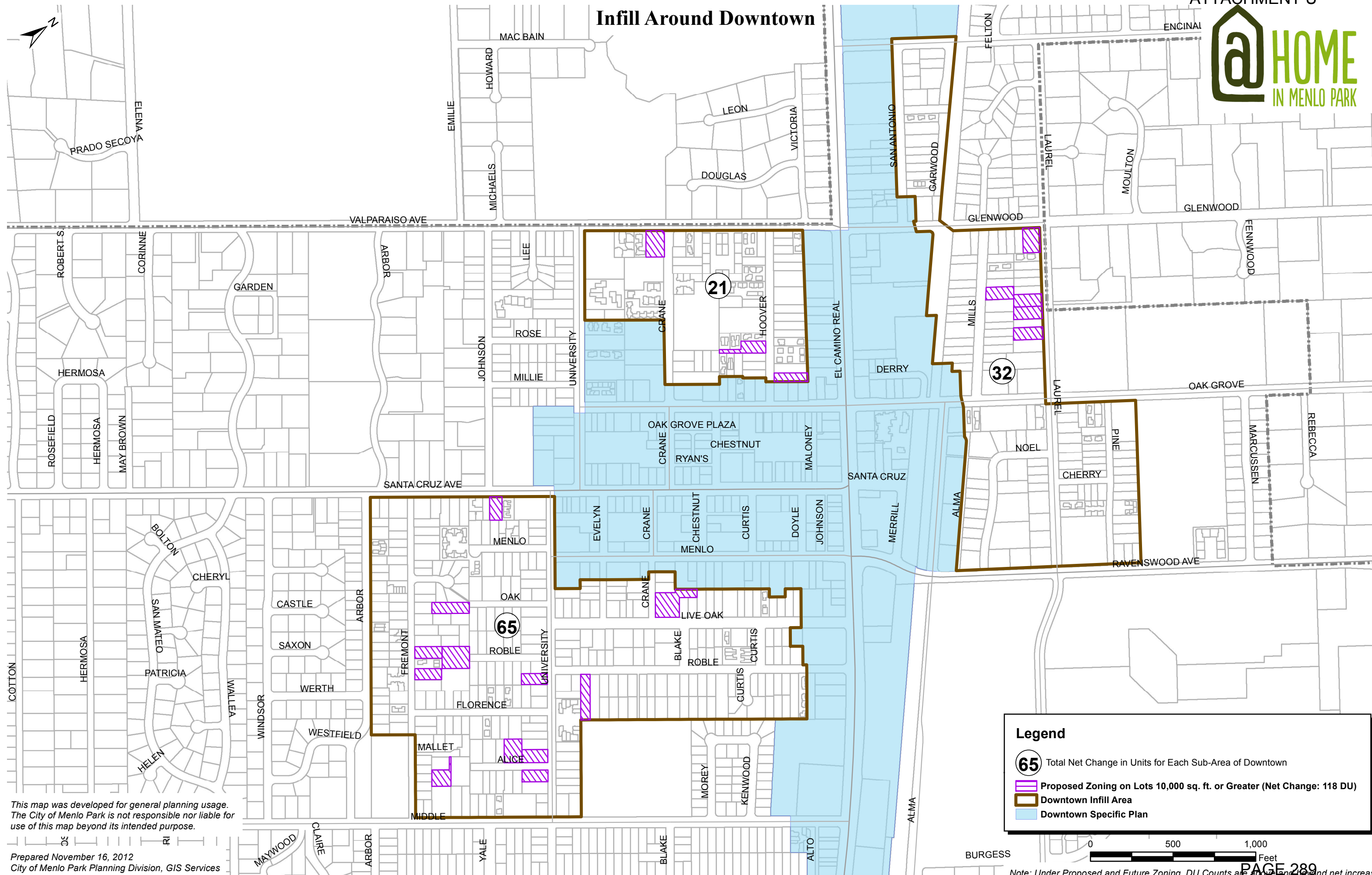
The meeting adjourned at 10:48 p.m.

Commission Liaison: Deanna Chow, Senior Planner

Recording Secretary: Brenda Bennett



Infill Around Downtown

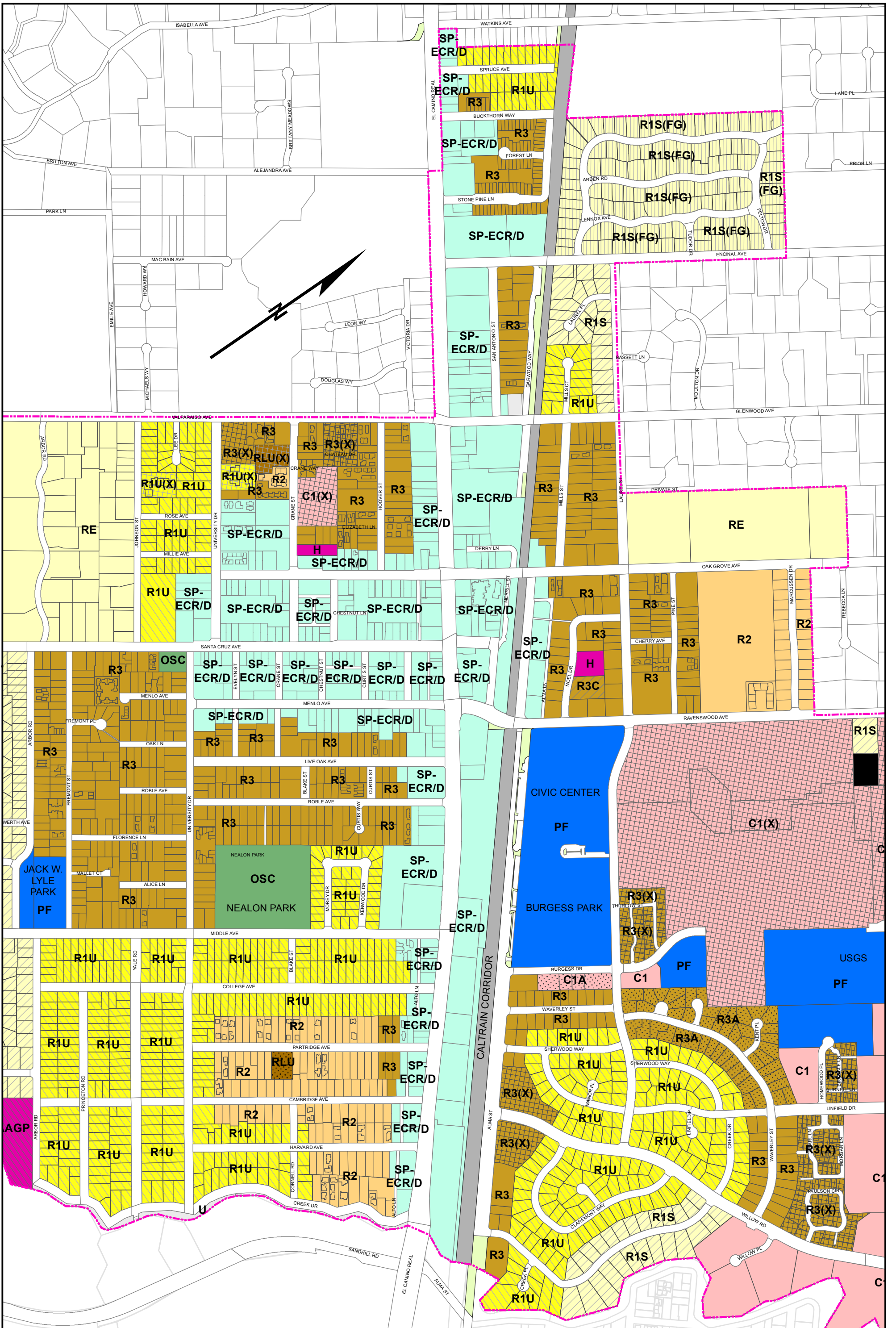


Legend

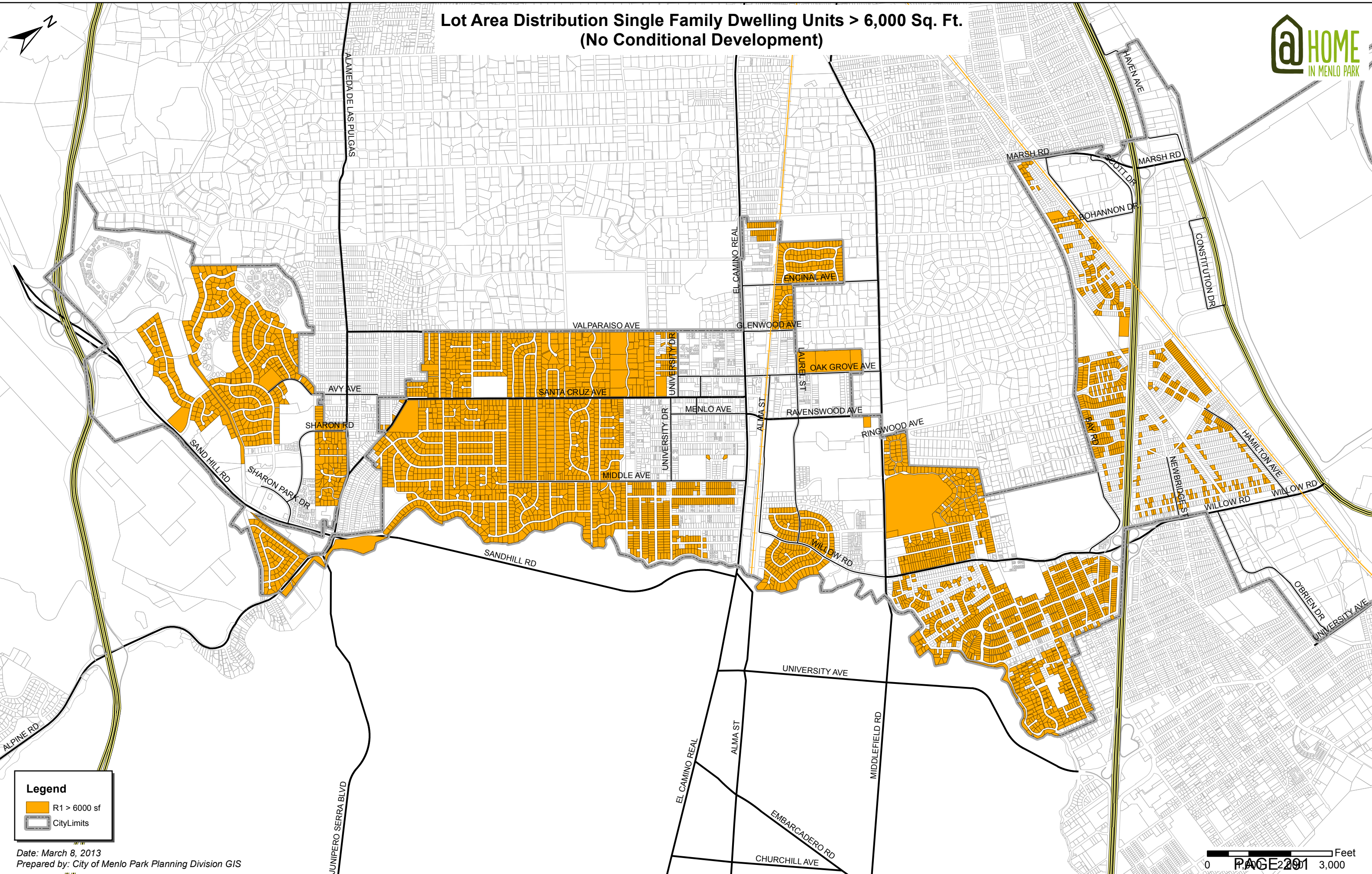
- Total Net Change in Units for Each Sub-Area of Downtown
- Proposed Zoning on Lots 10,000 sq. ft. or Greater (Net Change: 118 DU)
- Downtown Infill Area
- Downtown Specific Plan

This map was developed for general planning usage. The City of Menlo Park is not responsible nor liable for use of this map beyond its intended purpose.





Lot Area Distribution Single Family Dwelling Units > 6,000 Sq. Ft. (No Conditional Development)



Legend

- R1 > 6000 sf
- City Limits

Date: March 8, 2013
Prepared by: City of Menlo Park Planning Division GIS

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ECR/D Specific Plan Districts	Base Density (DU/AC)	Public Benefit (DU/AC)	Calculated Public Benefit Density Bonus	Maximum SDBL Density Bonus	Resulting SDBL Bonus Density (DU/AC)	Maximum AHO Density Bonus	Resulting AHO Bonus Density (DU/AC)
DA	18.5	25.0	35%	35%	25.0	60%	29.6
ECR NE-L	20.0	30.0	50%	35%	27.0	60%	32.0
ECR NW, ECR NE, ECR SW, D	25.0	40.0	60%	35%	33.8	60%	40.0
ECR NE-R	32.0	50.0	56%	35%	43.2	60%	51.2
ECR SE	40.0	60.0	50%	35%	54.0	60%	64.0
SA W, SA E	50.0	60.0	20%	35%	67.5	60%	80.0

Note: The maximum number of dwelling units under the Specific Plan is 680.

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May 13, 2013

Members of the City Council
 City of Menlo Park
 701 Laurel Street
 Menlo Park, CA 94025

Sent via email

RE: R-4-S Design Standards

Dear Council Members:

We have considered design standards throughout our careers, which encompass city planning and developing over 1,000 multi-family units and over 400 single-family homes. Several principles are listed below, and specific issues and recommendations are outlined in Exhibit A. As detailed in Exhibit A, there are three standards that are highest priority for change:

- **Maximum façade height**—Change Planning Commission recommendation of 25' back to the Staff Recommendation of 32'.
- **Limitations on building materials**—Delete the Planning Commission inserted limitation on use of stucco and type of stucco finish allowed.
- **Location of building entries**—Eliminate the Planning Commission recommendation to force multiple building entries to orient to the Public Right of Way.

Development regulations are relatively straightforward. They define the three-dimensional space in which a building can be located (e.g., setbacks, height, daylight plane) and how much (e.g., floor area ratio) can be placed in that space. The sponsors of the four major projects in the R-4-S zone are experienced apartment developers that are highly motivated to build high quality developments. Each of us will invest many tens of millions of dollars and know that reputations and financial success are directly related to the quality of the environments we create. In sum, design standards are not a requisite for excellence. In fact, such standards are often impediments to excellence good architects like Frank Gehry would not even take on an assignment where multiple design standards exist.

With these issues in mind, we request that the following principles be considered.

- **Avoid Extensive Standards:** More standards do not result in good architecture. Extensive standards force the architect to design to the standards rather than create good architecture.
- **Avoid Overly Detailed Standards:** The greater the detail the more the architect is constrained. Give the architect the flexibility to solve design issues.

- **Prevent Unintended Consequences:** Specificity can also lead to unfortunate outcomes. For example, the suggestion to limit the amount, location or type of stucco in a building would have precluded the development of the venerated 100% stucco Allied Arts buildings.
- **Limited Application:** The R-4-S design standards will apply to four major properties that will most likely be designed over the next few months. The detail of the standards should reflect the limited number of properties that are affected.

We can design to the standards that are proposed. However, we can achieve better architecture and a better development if some of these standards are eliminated or modified. Thank you for your consideration.

Sincerely,

Greenheart Land Company



Steven R. Pierce
Principal



Robert M. Burke
Principal

Cc: Justin Murphy
Deanna Chow
Bill McClure

Exhibit A
Comments and Suggested Revisions to R-4-S Regulations and Design
Standards Proposed by Planning Commission
Submitted by Greenheart Land Co. (May 13, 2013)

16.23.040 Development Regulations

Height (Maximum Façade Height):

Issue: (Highest Priority)

The change from 32 ft. to 25 ft. poses several problems. To provide a 9' interior ceilings (a multi-family standard today) with floor structures, each floor must be 10' 2" X three floors = 30' 6" minimum. Additional space is required for the first floor structure and to accommodate the method that grade is established in the Menlo Park code.

Proposal:

The maximum façade height should remain at the original Staff recommended 32 ft.

16.23.050 Design Standards and Guidelines

1. Setbacks and Projections

1.a.4

Issue:

The required 85% glazing on protrusions would not be appropriate for all architectural styles.

Proposed language:

The total area of all horizontal and vertical building projections shall not exceed 35% of the primary building façade area. Primary building facade is the façade built at the setback line. Where such projections enclose interior living space, the vertical surface of the projection shall have windows that are designed in a manner consistent with architecture of the building.

2. Façade Modulation and Treatment

2.a.1 & 2

Issue:

Façade modulation is desired. However, the more specific the requirement, the more contrived the architecture may become to achieve the desired end.

Proposed language:

2.a.1: Eliminate the proposed 35 ft. façade length and return to the original Staff recommended 50 ft.

2.a.2: Eliminate the proposed 75 ft. façade length and return to the original Staff recommended 100 ft.

2.a.3

Issue:

A 4-foot minimum height modulation is required at each major building modulation. Unfortunately, this is in conflict with the limits placed on façade and building heights. It would also force changes to more than just roof elements causing major construction issues such as ceiling and floor heights being forced to change every 75' or 100'.

Proposal:

Eliminate the Standard.

Exhibit A
Comments and Suggested Revisions to R-4-S Regulations and Design
Standards Proposed by Planning Commission
Submitted by Greenheart Land Co. (May 13, 2013)

5. Building Materials

5.a.1

Issue:

This standard assumes that there will be graffiti problems at the R-4-S sites. This is an inappropriate commentary on the neighborhoods surrounding the R-4-S sites.

Proposal:

Remove this standard or include it as a guideline with the qualifier, "Where graffiti might occur buildings should incorporate features to discourage graffiti."

5.a.2 & 3

Issue: (Highest Priority)

These proposed standards are extremely specific and lean toward particular architectural styles and tastes that will constrain architectural creativity and foster homogeneity. Taken in whole, these standards specify the following:

- Exterior stucco textures be smooth (5.a.2)
- Exterior stucco be limited to 50% of the wall surface (5.a.3)

The latter standard pushes the designer into architecture du jour (e.g., the currently popular mixes of metal, wood, and stucco cladding).

Architecture should stand the test of time, and applicants should not be required to meet such granular criteria to achieve the ultimate goal, which is good architecture. Consider that the venerated Allied Arts buildings would not satisfy these proposed standards.

Proposal:

Delete standards 5.a.2 & 3.

6. Building Entries

6.a.1

Issue: (Highest Priority)

On large sites where there are multiple buildings with various orientations, it is not possible to locate all individual building unit entries so that they are "oriented towards a public street or other public space."

In addition, some styles, such as a three-story garden style walk-ups (which are appropriate for the Hamilton site), may not have a "main" building entrance, but rather multiple entrances to a group of units within a single building. Further, the terms "oriented", "adjacent" and "larger buildings" are qualitative and subjective and therefore need to be clearly defined or eliminated.

Proposal:

Delete this standard or define further and incorporate it as a guideline. This standard was not a Staff recommendation.

Exhibit A
Comments and Suggested Revisions to R-4-S Regulations and Design
Standards Proposed by Planning Commission
Submitted by Greenheart Land Co. (May 13, 2013)

9. Bicycle Parking

9.a.1

Issue:

This standard requires that long-term bicycle storage be in a particular location (i.e., "within 40 ft. of residential access points"). If long-term bicycle storage were accomplished at centralized storage locations, this would not be feasible with multiple entry buildings of the type described above.

Proposal:

Delete last sentence to return to the standard recommended by staff.

Chow, Deanna M

From: Bob Burke <burke@greenheart.bz>
Sent: Monday, May 13, 2013 4:53 PM
To: Ohtaki, Peter I; Carlton, M.Catherine; Keith, Kirsten; Mueller, Raymond; Cline, Richard A
Cc: Steve Pierce; Ron Adachi; McClure, William; Murphy, Justin I C; Chow, Deanna M
Subject: Greenheart Land Company Comment on R-4-S Development Standards--5-21 Council Meeting
Attachments: Greenheart Ltr to City Council 5-13-13.pdf; Greenheart Council Ex A 5-13-13.pdf

Attached please find a letter & exhibit addressing the concerns and thoughts of our company on the R-4-S Development Standards. These regulations will cover the land we own and currently have in escrow with the City on Hamilton Avenue.

Please feel free to contact either Steve Pierce (650-533-7006) or myself (650-681-9334) to discuss our suggestions.

Thanks,

Bob Burke
Principal
Greenheart Land Company

May 7, 2013

Elected Officials of the City of Menlo Park and Menlo Park City Staff:

I wish to bring something to your attention that is of great concern to me and many members of the Belle Haven Community. I hope that you will be able to see that this matter should be of concern to you and the City of Menlo Park as a whole.

My concern is about how your current proposed Housing Element Update affects Belle Haven and the City of Menlo Park. A lot of time and resources have been required of staff, and a lot of resources have been paid to numerous consultants to arrive at a report that should help keep Menlo Park in compliance with housing law in the state of California.

On April 9th many Belle Haven residents came to the City Council meeting to express concerns about the proposed housing sites. Residents said "No" to the increased number of units proposed for Gateway Apartments. That development already has 130 Section 8 units and the City proposes adding 78 units to it. People also expressed concerns about the environmental impacts, the schools etc. It was noted that all of the housing is either in Belle Haven or in extremely close proximity to it. The concerns were largely met with silence from the Council and Planning Commission. The Almanac basically minimized what was being said by residents.

Because everybody has their own perspective I will not assume that what seems obvious to me is obvious to you and vice versa. While I do not expect the Housing Element Update to be perfect, I find it to be extremely flawed, short-sighted and discriminatory at best.

When it comes to people who own property, there are some financial commonalities. Most people buy a home with the hopes that the value will appreciate. They tend to welcome changes to their neighborhood that will enhance the value of their property and their quality of life. Safety, quality education, nice housing stock and quality city services tend to be the things most residents desire.

The need to update the housing element and add more high density and affordable housing throughout the City of Menlo Park has caused the neighborhoods throughout the City to band together and provide countless reasons as to why their section of Menlo Park cannot be zoned for high density housing.

When all the dust settles, the best proposal the City has is to put virtually all of the Housing either in Belle Haven or as close to Belle Haven as possible. This proposal is unacceptable. Belle Haven has historically been inundated with BMR units, and Section 8 units. To propose adding 78 Section 8 units to Gateway, when it already has 130 units, is beyond ridiculous. As a property owner in Belle Haven I am saying you cannot continue to violate my rights as a landowner and resident of Menlo Park.

Your actions historically and under the current proposal are devaluing my property and reflect systematic preferential treatment to other parts of the City.

Why doesn't your Housing Element Update show the concentration of affordable housing throughout the various neighborhood tracts in Menlo Park? Why doesn't your report show the population density in the various neighborhood tracts in Menlo Park. Perhaps because it would be so incriminating that you could not submit your report in good conscience. Instead you just pretend like such statistics do not matter and think that nobody will notice. I personally believe that failure to address the concerns of Belle Haven residents regarding the grossly inequitable distribution of affordable housing will wind up costing the City more money than the lawsuit that caused you to complete your current Housing Element Update.

Do you care about the City's General Fund? Do you want the City to incur court judgments that are so large that even your iron clad pensions are in jeopardy? If so stay on the same course. Menlo Park will be known as the land of VC's, Facebook and the biggest affordable housing debacle in history. The settlement could be so large that the only recourse would be to quickly put Belle Haven properties in the Menlo Park City School District. Anything is possible, after all, the Willows used to be in the Ravenswood School District.

In short I hope that the City Council is able to give the City Staff the guidance they need to reconsider the Gateway Housing proposal. Or perhaps the City Staff will make a recommendation to the Council that they consider Plan B when it comes to all of the Section 8 housing managed by Mid-Peninsula Housing. The last time I checked they still owed over 4 million dollars to the City of Menlo Park. At the very least it would be civil and humane for the City to talk to Belle Haven residents about other options the City is considering. Surely the staff and consultants had an emergency plan. If not, somebody needs figure something out quickly.

Should you wish to engage the Belle Haven residents who are opposed to certain aspects of the Housing Element Update, I would be willing to participate in working toward a solution. Since some are under the false impression that most Belle Haven property owners want more affordable housing and more Section 8 housing, I would be glad to provide the names of many residents who own property and feel that the current plan is imbalanced, but hope to find a better solution. I can be reached by email at: sherylbims@me.com or at 650-283-4173.

Kind Regards,

Sheryl Bims

Chow, Deanna M

From: Ahmad Sheikholeslami <asheikholeslami@mpcsd.org>
Sent: Wednesday, May 01, 2013 2:36 PM
To: Chow, Deanna M; Murphy, Justin I C
Cc: rongolem@bae1.com
Subject: Comments to Menlo Park Housing Element FIA and EA

Dear Ms. Chow and Mr. Murphy,

Per our meeting last week, I am providing you MPCSD written comments to the April 1 FIA and April 12 EA.

FIA Comments

1. Page 43, Facility Needs and Master Planning. State matching funds for new construction are fully depleted. No funds remain under 1D. Any new project will be in waiting program for future funding and program. New construction money eligibility funding under the current program is determined by "growth eligibility." Based on that eligibility amount the local school District must match it by 50%. That does not mean it will cover 50% of the construction cost needed to expand a facility to handle the growth.
2. Page 44, Paragraph 2. District SGR for existing single family homes vary by housing category. Per table 3, EPC Report 2012 Moderate Value is 0.33, Middle is 0.41, and High is 0.25. EPC in Table 7 indicated a SGR of 0.21 for first year student generation rates of "New" single family dwellings. After several years, the single family home will behave like the existing stock of homes. This existing SGR should be reflected in the report and be used in calculating the long term impacts especially in with relation to the supplemental analysis which includes the addition of single family homes.

EA Comment

1. Page 22, 2a. District SGR for existing single family homes vary by housing category. Per table 3, EPC Report 2012 Moderate Value is 0.33, Middle is 0.41, and High is 0.25. EPC in Table 7 indicated a SGR of 0.21 for first year student generation rates of "New" single family dwellings. After several years, the single family home will behave like the existing stock of homes. This existing SGR should be reflected in the report and be used in calculating the long term impacts especially in with relation to the supplemental analysis which includes the addition of single family homes.
2. Page 28, Item 4a-i. The amount of monies collected from developer fees does not cover the actual cost to improve and expand into a new facility to accommodate the projected growth. Currently, the State program (run by OPSC) has no remaining funds for new construction/modernization application for school facility construction. The only option to provide the new projected students with comparable facilities to our other schools for the District is to spend additional capital monies with a local school bond. So the School District and its tax payers are being impacted with the additional projected growth.

The EA should propose mitigation measure related to the impacts it is causing to local school districts like MPCSD with the additional students.

Please call me if you have any questions to my comments.

--

Ahmad Sheikholeslami
Director of Facility Planning and Construction
Menlo Park City School District
181 Encinal Ave., Atherton Ca 94025
650-321-7140 Ext 5614
Mobile: 650-303-6230



San Mateo County
Health System

RECEIVED
MAY 1 2013
CITY OF MENLO PARK
BUILDING

April 29, 2013

Deanna Chow
Senior Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

**SUBJECT: COMMENTS ON PROPOSED CITY GENERAL PLAN AMMENDMENTS
REGARDING CHANGES IN LAND USE DESIGNATION AND ZONING**

Dear Ms. Chow:

Thank you for the recent notification of the planned amendments and rezoning. San Mateo County Groundwater Protection Program staff offer the following comments regarding the proposed change in land use designation and rezoning for the 700 – 800 blocks of Hamilton Avenue and 3600 block of Haven Avenue:

- Soil and groundwater contamination exceeding residential use Environmental Screening Levels established by the Regional Water Quality Control Board has been reported on various parcels in these two areas; and
- A deed restriction limiting the use of the property to commercial purposes is currently in place for at least the property at 3645 Haven Avenue.

Please contact me at (650) 372-6292 or at dmilano@smcgov.org if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deno G. Milano".

Deno G. Milano, PG
Hazardous Materials Specialist
Groundwater Protection Program

Environmental Health

2000 Alameda de las Pulgas, Suite 100, San Mateo, CA 94403

Phone (650) 372-6200 • Fax (650) 627-8244 • CA Relay 711 • Website www.smchealth.org

Health System Chief • Jean S. Fraser

Board of Supervisors • Don Horsley • Dave Pine • Carole Groom • Warren Slocum • Adrienne Tossier

Chow, Deanna M

From: Lily Gray <lgray@midpen-housing.org>
Sent: Monday, April 29, 2013 6:16 PM
To: _Planning Commission
Cc: Murphy, Justin I C; Chow, Deanna M
Subject: Planning Commission Meeting 4/29

Dear Planning Commissioners,

I am writing in response to the Planning Commission Subcommittee recommendations for the R-4-S design standards and guidelines with a few concerns and clarifications. I hope that these will be addressed at the meeting this evening.

Development Regulations

Footnote 2 notes that the maximum façade height would be adjusted if the maximum height increased through the application of the Affordable Housing Overlay and State Density Bonus Law. Could you clarify how this increase would be determined?

Design Standards and Guidelines

5.a.1 (External Materials): What is the design intent of this standard? Sometimes we use different widths of siding on an exterior for variation and this standard could limit the capacity for that.

9.a.1 (Bicycle Parking): What does "residence access points" mean? Getting clarity on this would be helpful. We would not be able to provide the type of bicycle parking described within 40' of each unit but this could be provided in proximity to the main entry points. We have found it makes sense to locate bicycle parking near main entry locations so residents do not have to walk their bikes as far, whether it be through the site, garage or along corridors.

We appreciate the opportunity to comment on the recommendations.

Best,
Lily

Lily Gray
Project Manager
MidPen Housing Corp.
303 Vintage Park Drive, Suite 250, Foster City, CA 94404
t. 650.356.2963 f. 650.357.9766



29 April 2013

Members of the Menlo Park Planning Commission
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Via Email: planning.commission@menlopark.org

RE: Proposed R-4-S Design Guidelines

Dear Chairperson Ferrick and Members of the Planning Commission:

Thank you for diligently working to complete the Menlo Park Housing Element Update and the concurrent rezonings. This comment letter responds to the 26 April 2017 draft revisions proposed by the Planning Commission Subcommittee.

Our company, St. Anton Partners, is a privately owned California based multifamily developer. We have built and continue to own more than 6,000 multifamily units with another 1,000 units in the pipeline throughout the state. As a landowner in the city, we participated in every Housing Element stakeholder meeting and community and city workshop, including hearings at the Transportation and Housing Commissions.

Our active involvement led to a creative design that emphasizes the key points raised in the multiple workshops while meeting the density requirements to achieve “jobs/housing” balance in a transit and bicycle friendly community. As long term holders, it is critical to St. Anton to build quality communities that residents and neighbors are proud of.

We are concerned about some of the potential unintended consequences of the Subcommittee’s draft revisions. Thus, we offer the following comments for your consideration so that unintended barriers to development at the proposed densities are not created.

Suggested Revisions:

16.23.020 Permitted Uses. The only permitted use in the R-4-S zoning district is multiple dwellings and associated amenities.

Issue: Permit community-serving amenities to create a “sense of neighborhood.”

Source: 26 June 2012 & 17 July 2012 Housing Element Steering Committee Meetings

16.23.050 Design Standards and Guidelines.

2.a.1, 2.a.2: Facades: We support staffs' recommendation for minor modifications at 50' and major modifications at 100'. Increased modulations decrease unit quantities and sizes and, thus, restrict achievable densities and ideal floorplans.

2.a.3: 4-foot minimum height modulation. If desired, this request could serve as a guideline, not a standard.

5. External Materials

Please remove Standards 5.a.1, 2, 4, 5 as they severely limit architectural creativity.

5.a.1: External Wall Facing Material.

5.a.2 and 5.a.6 (same): Color of walls at ground level (Graffiti)

5.a.4: Stucco

5.a.5: Windows

Proposed New Design Standards:

1. If a sand finish stucco is used, it shall be 30/30 or smoother. Hand troweled stucco is acceptable.
2. At least one additional material or ornamentation (other than stucco) shall be used on all sides of buildings, which shall be ornamental metal, shutters, stone or brick veneer, siding, metal panels or precast trim.
3. Exposed balcony edges shall not be stucco.
4. Windows and doors shall either be (a) recessed a minimum of two inches, or (b) have a minimum two inch deep trim on all sides. If this trim is stucco it shall have a completely smooth finish. This does not apply to doors and windows at private decks.
5. Mullions shall be on the outside of glazing, not sandwiched between glazing.
6. Set minimum plant and tree species sizes:
 - a. 24" Box on public streets
 - b. 15 gallon trees and 5 gallon plants inside project
7. Enhanced paving at project entries.
8. Enhanced paving at common areas.

16.68.020 Architectural Control.

If this approach is adopted, please insert the following language.

Current Language:

Notwithstanding the foregoing, this section shall not apply to building permits for the construction of multiple dwelling units in the R-4-S zoning district. No architectural control findings shall be required for any R-4-S permit, unless an applicant seeks to modify one or more of the design standards set forth in Section 16.23.050.

Applicants shall be granted a hearing within thirty (“30”) days of an Application being “Deemed Complete.” This section does not apply if incentives and waivers are granted per the application of the Affordable Housing Overlay Zone or State Density Bonus Law.

These proposed guidelines will further raise the standards for development on Haven Avenue which are covered by this new R-4-S zone.

Again, thank you for all of your efforts. It is our professional pleasure to work with the City of Menlo Park.

Sincerely,



Ardie Zahedani
Vice President of Development

cc: Mr. Justin Murphy, Development Services Manager
Mr. David Johnson, Lead Project Consultant, D.R. Johnson & Company
Ms. Rachel Green, Development Manager, St. Anton Partners

Murphy, Justin I C

From: Wallace Murfit <wallacemurfit@gmail.com>
Sent: Monday, April 29, 2013 3:45 PM
To: Murphy, Justin I C
Subject: R-4-S Development Standards

Justin:

Today I received a copy of the proposed revisions to the R-4-S Development Standards.

On behalf of William L. Butler, owner of the property at 3645 and 3665 Haven Avenue, I have the following two comments:

1. As we have previously commented, we believe that the best way to achieve 30 units per acre is with 3-story buildings. Therefore the maximum façade height should be 40 feet.
2. The latest revisions to the proposed development standards are inappropriately restrictive, and they address design details which should be at the discretion of the owners and their architects. We did not receive the revised standards from the Planning Department; they were sent to us by another private party. Because the time is short to the meeting tonight, I will not attempt to list all our objections in detail. We would be willing to meet with the subcommittee of the Planning Commission to discuss these standards further.

Wallace G. Murfit

11 Wood Lane
Menlo Park, CA 94025
Mobile: 650-867-3399
Email: wallacemurfit@gmail.com

Murphy, Justin I C

From: Randy Ackerman <rackerman@greystar.com>
Sent: Monday, April 29, 2013 3:30 PM
To: Murphy, Justin I C
Cc: Wallace Murfit
Subject: FW: Menlo Park Housing Element Update Project Update

Justin,

Sorry for the late notice although that seems to be the way this deal is going. We have reviewed the revised design guidelines that will be the subject of discussion tonight at the April 29, 2013 Plan Commission meeting. You will likely also hear from the landowner.

Our comments are as follows:

1. As we have noted previously, the "façade height" should be 40'.
2. Section 16.23.050 3a: provide further clarification on how this works in practice. Does this mean that the building just needs to be within the 45-degree profile line? In other words, if the entire building is set back further than the minimum setback, can the façade height be taller by one foot for every one foot of additional setback?
3. Section 16.23.050 1a4: delete the 85% glass requirement for projections into the setback.
4. Section 16.23.050 5a: 2. delete item regarding roof reflectance. 3. Delete item regarding stucco finish 4. delete item regarding maximum stucco area.
5. Section 16.23.050 6b: 3. Delete item regarding multiple entries at street level. 4. Delete item regarding ground floor units having entry from the street. 5. Delete item regarding stoops to ground floor units.
6. Section 16.23.050 9a: 1. Delete last sentence reference to location of bike parking.
7. Mislabeled: 16.22.04 should be 16.23.040

Thank you.

Randy Ackerman | Senior Development Director | Greystar
One Market Spear Tower | 36th Floor | San Francisco, CA 94105
Direct (415) 293-8205 | Cell (510) 813-7654
rackerman@greystar.com

Malathong, Vanh

From: Kiki Kapany <kiki@kikim.com>
Sent: Monday, April 29, 2013 3:57 PM
To: Kadvany, John; Onken, John; Riggs, Henry; Eiref, Ben; O'Malley, John; Ferrick, Katie; Bressler, Vincent
Cc: McClure, William; Niño, Ruben R; McIntyre, Alex D; Keith, Kirsten; Carlton, M.Catherine; Cline, Richard A; Ohtaki, Peter I; _Planning Commission
Subject: Staff Conclusion re recommendation of Mr. Sam Sinnott at 4/22 Planning Commission meeting

Hello Planning Commission members,

My name is Kiki Kapany. I have been and currently am a Louise Street resident since 1994. I filed the appeal of the encroachment permit on behalf of all residents of Louise Street and I am now working with the owners of 1017 Louise Street and 1024 Louise Street to preserve the green space, located on the Belle Acres subdivision (on Louise Street), in perpetuity, through the vacation and abandonment application. In lieu of appearing tonight and taking up your time at public comment, I thought I would send you my brief comments. My neighbor, Marta Nichols, will be at the meeting this evening and will make a very brief public comment.

- We agree with the staff conclusion that secondary access is not a constraint to housing production and the proposed driveway language is therefore unnecessary.
- There is nothing in the Zoning Ordinance or Building Code that would require or encourage separate access points for primary and secondary dwelling units.
- The specific property on Santa Cruz Avenue about which Mr. Sinnott is most concerned is obviously different from the alleys in the Willows referenced in the presentation made at last week's meeting simply because the paved alleys of the Willows have always been used for vehicular access, which benefits many of the neighborhood residents.
- With the proper design, it also seems relatively straightforward for the Santa Cruz lot referenced in last week's presentation to have access for both a primary and secondary dwelling from its front lot line.
- Therefore, it is not necessary to adjust the language in the housing element for the purpose of homes in the Willows, the project on Santa Cruz, or to promote additional housing production. Review on a case by case basis works well for issues of this nature.

Thanks very much for your time.

With warm regards,
Kiki

--

Kiran Kiki Kapany
California State Bar #122912

Chief Executive Officer
KIKIM Media
887 Oak Grove Avenue, Suite 201
Menlo Park, CA 94025

650.617.0550 phone
650.617.0556 fax



April 28, 2013

Members of the Planning Commission
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Sent via email

RE: R-4-S Design Standards

Dear Commissioners:

We have considered design standards throughout our careers, which encompass city planning and developing over 1,000 multi-family units and over 400 single family homes. Several principles are listed below, and specific issues and recommendations are presented in Exhibit A.

Development regulations are relatively straightforward. They define the three-dimensional space in which a building can be located (e.g., setbacks, height, daylight plane) and how much (e.g., floor area ratio) can be placed in that space. Design standards are not straightforward. They attempt to promote good architecture by describing what the building in that three-dimensional space should look like. This is extremely difficult. They can be useful in some circumstances, but can also go very wrong by stifling creativity and good design solutions. Consider how Frank Gehry, or any good architect, would react to being constrained by design standards such as those being contemplated.

The sponsors of the four major projects in the R-4-S zone are experienced apartment developers that are highly motivated to build high quality developments. Each of us will invest many tens of millions of dollars and know that reputations and financial success are directly related to the quality of the environments we create. In sum, design standards are not a requisite for excellence. In fact, such standards are often impediments to excellence.

With these issues in mind, we request that the following principles be considered.

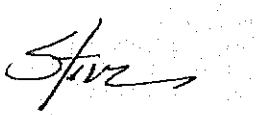
- **Avoid Extensive Standards.** More standards do not result in good architecture. Extensive standards can force the architect to design to the standards rather than create good architecture.
- **Avoid Overly Detailed Standards:** The greater the detail the more the architect is constrained. Give the architect the flexibility to solve design issues. A general standard such as “projections that enclose living space should be glazed in a manner and to an extent consistent with the style of the building”, is preferred to one that specifies the method to achieve the standard such as the proposed “85% of the surface of the projection shall be windows or glazed.”

- **Prevent Unintended Consequences:** Specificity can also lead to unfortunate outcomes. For example, the suggestion to limit the amount and location of stucco in a building would have precluded the development of the venerated 100% stucco Allied Arts buildings.
- **Limited Application:** The R-4-S design standards will apply to four major properties that will most likely be designed over the next few months. The detail of the standards should reflect the limited number of properties that are affected.

Thank you for your consideration.

Sincerely,

Greenheart Land Company



Steven R. Pierce
Principal



Robert M. Burke
Principal

Exhibit A
Comments and Suggested Revisions to R-4-S Regulations and Design Standards Proposed by Planning Commission Subcommittee
Submitted by Greenheart Land Co. (April 28, 2013)

16.23.040 Development Regulations

Height (Maximum Façade Height):

Issue:

The change from 32 ft. to 25 ft. poses several problems.

- To provide a 9' interior ceilings (a multi-family standard today) with floor structures, each floor must be 10' 2" X three floors = 30' 6" minimum. Additional space is required for the first floor structure and to accommodate the method that grade is established in the Menlo Park code.
- A 25 ft. façade height would limit the structure to two stories at the face and force a third story setback which adds structural and floor plan complications. (For buildings with four stories or more, a setback at the fourth floor is more appropriate.)

Proposal:

The maximum façade height should remain at Staff recommended 32 ft.

16.23.050 Design Standards and Guidelines

1. Setbacks and Projections

1.a.1

Issue:

This standard can be construed to dictate where trees are to be located (i.e., one for every 20 linear feet). Greater flexibility is needed to accommodate the location of architectural features and driveways.

Proposed language:

Front, side, and rear setback areas shall be developed with a variety of landscaping. A minimum average of one 15-gallon container grown tree per 20 linear feet for the length of the property frontage along a public right-of-way is required. The location of such trees shall conform to circulation elements of the site plan. (E.3.3.01) Existing trees located in the Public ROW fronting the same public street shall count toward the minimum tree count.

1.a.3

Issue:

The required 85% glazing on protrusions would not be appropriate for all architectural styles.

Proposed language:

The total area of all horizontal and vertical building projections shall not exceed 35% of the primary building façade area. Primary building facade is the façade built at the setback line. Where such projections enclose interior living space, the vertical surface of the projection shall have windows .

Exhibit A
Comments and Suggested Revisions to R-4-S Regulations and Design
Standards Proposed by Planning Commission Subcommittee
Submitted by Greenheart Land Co. (April 28, 2013)

2. Façade Modulation and Treatment

2.a.1 to 3

Issue:

Façade modulation is desired. However, the more specific the requirement, the more contrived the architecture may become to achieve the desired end.

Proposed language:

2.a.1: Eliminate the proposed 35 ft. façade length and return to the Staff recommended proposed 50 ft.

2.a.2: Eliminate the proposed 75 ft. façade length and return to the Staff recommended proposed 100 ft.

2.a.3: This standard should be a guideline.

5. Building Materials

5.a.1, 3, and 4

Issue:

These proposed standards are extremely specific and lean toward particular architectural styles and tastes that will constrain architectural creativity and foster homogeneity. Taken in whole, these standards specify the following:

- Wall material on the bottom 8 ft. to be textured (5.a.1)
- Quantified design details for that texture (5.a.1)
- Exterior stucco textures be smooth (5.a.3)
- Exterior stucco be limited to 50% of the wall surface (5.a.4)

The latter standard pushes the designer into architecture du jour (e.g., the currently popular mixes of metal, wood, and stucco cladding).

Architecture should stand the test of time, and applicants should not be required to meet such granular criteria to achieve the ultimate goal, which is good architecture. Consider that the venerated Allied Arts buildings would not satisfy **any** of these proposed standards.

Proposal:

Delete standards 5.a.1, 3, and 4.

5.a.2

Issue:

The proposed standard that all roofing materials have a minimum solar reflectance level of 30% is admirable but does not consider the need to accommodate architectural styles where non-pastel or light hued shingles or tiles might be appropriate.

Proposed language:

If flat roof are used (with a parapet) then the roof materials shall have a minimum solar reflectance level of 30%. Visible sloped roofs will be exempt from this standard but encouraged to meet this standard.

Exhibit A
Comments and Suggested Revisions to R-4-S Regulations and Design Standards Proposed by Planning Commission Subcommittee
Submitted by Greenheart Land Co. (April 28, 2013)

5.a.6

Issue:

The proposed standard would not allow ground levels to be white or a light color. The stated goal is to prevent graffiti. Security and maintenance are the solution, not wall color. Graffiti can be dark-on-light or light-on-dark. Wall color is not relevant, and constraining colors that can be used will not result in better developments. In addition, defining what is "light color" would be very difficult and subjective.

Proposal:

Delete this standard.

6. Building Entries

6.a.1

Issue:

On large sites where there are multiple buildings with various orientations, it is not possible to locate all individual building unit entries so that they are "oriented towards a public street or other public space." In addition, some styles, such as a three-story garden style walk-ups, may not have a "main" building entrance, but rather multiple entrances to a group of units within a single building.

Proposed language:

Delete this standard.

6.b.5

Issue:

On a multi-family site utilizing multiple entries where a single entry point may access a small group of units does not lend it self to a "stoop" condition even if that entry point is located on a public street. We agree that first floor units facing a street where there is single access to each unit may well benefit from a stoop condition (if possible with ADA restrictions for ground floor units) and good landscaping. However, "garden style" apartments at 30 du/acre would not work well with this added restriction.

Proposal:

Delete this guideline

9. Bicycle Parking

9.a.1

Issue:

This standard requires that long-term bicycle storage be in a particular location (i.e., "within 40 ft. of residential access points"). If long-term bicycle storage is accomplished at centralized storage locations or detached garages, this cannot be satisfied. In addition, this is not feasible with multiple entry buildings of the type described above.

Exhibit A
Comments and Suggested Revisions to R-4-S Regulations and Design
Standards Proposed by Planning Commission Subcommittee
Submitted by Greenheart Land Co. (April 28, 2013)

Proposal:

Delete last sentence and insert the following sentence as a Guideline similar to the Staff recommendation: "The location of long-term bicycle storage should be as convenient as practical."

Malathong, Vanh

From: Patti L Fry <pattifry@gmail.com>
Sent: Monday, April 22, 2013 4:51 PM
To: _Planning Commission
Subject: another secondary unit consideration - no basements

Dear Planning Commission -

Please state explicitly in any adopted rules that secondary units cannot have basements underneath them. The extra SF possible with a basement hasn't been examined in the environmental study nor has the potential impact on tree roots and the health of trees.

If the environmental study does not include evaluation of school impacts, it must.

I have heard some say that illegal units exist today, but why would we promote making them at undesirable proximity? A small secondary unit away from neighbors is not at all the same as a large secondary unit close to neighbors.

Could the city create a mechanism for approving very small rental units that are counted towards any housing inventory? Many homeowners have rented a bedroom to a student or young professional. Instead of seeking to allow larger detached units, why not look at ways to make legal more of the attached or contained units that exist and would be desirable so close to Stanford?

Patti Fry

Malathong, Vanh

From: Patti L Fry <pattilry@gmail.com>
Sent: Monday, April 22, 2013 1:12 PM
To: _Planning Commission
Subject: Housing Element - concern about impacts on R-1 neighborhoods

Commissioners -

I am not certain I am reading the proposed Housing Element changes correctly, but I am very concerned that it looks as if all lots in Menlo Park - even those currently zoned as single-family - could now include secondary units as close as 5' from the side and rear setbacks, and the size of the secondary units could be as large as 2 bedrooms and 1,000 SF. All it would take to be that close is approval by the adjacent neighbor. The height is proposed to increase from 9' to 12.5' at the newly narrowed setback and from 12.5' to 17' overall.

I oppose these changes that allow greater heights, more bedrooms, and closer proximity

- The long-term notion of a neighborhood becomes secondary to a decision by 2 neighbors at a point in time
- The zoning setbacks provide privacy and noise suppression. Reducing setbacks reduces privacy and increases odds of more noise
- For larger lots in R-1S, that means the normal required setback of 20' at the rear and 10' at the side would be reduced by 75% and 50%, respectively. In a number of neighborhoods, the lots are wider than deep, so this sort of change could put secondary units quite close to primary units (and bedrooms) on adjacent lots
- The newer heights can cause shadows and interfere permanently with gardens, windows, and solar collectors, key environmental impacts.
- The potential impacts on schools is huge. I couldn't see that this was included in the environmental assessment

Secondary units used to be called in-law units, designed to provide for an aging relative or possibly a starving student. These changes essentially convert single family neighborhoods to multi-family, at odds with our General Plan.

I do not believe the community has any idea of the nature of the changes proposed. The outreach did not communicate the magnitude or potential impact of these changes on all neighborhoods (the mailer can be found http://www.menlopark.org/departments/pln/he/he_mailer_201304.pdf). This should be done before such massive changes are made.

I am sure there are pressures to approve these changes quickly. But I will remind you that the Housing Element has been out of date for many years. When I was on the Planning Commission from 2000-2004, it was known to be out of date at that time. Do not rush to make all of these changes without more community engagement..

Patti Fry
Menlo Park resident

PS One thing you could do to encourage potential housing is to require any property zoned R-2 or R-3 to leave enough FA when it is developed so that if the project doesn't include the maximum number of units of its zoning, there is sufficient remaining SF to build the maximum number. That would reduce the loss of

Chow, Deanna M

From: John Beltramo <johnb@beltramos.com>
Sent: Monday, April 22, 2013 1:34 PM
To: Chow, Deanna M; Murphy, Justin I C
Subject: New R-3 Zoning

Deana and Justin,

Deana glad to see you back.

I am looking at the draft new "R-3 Apartment District" ordinance that is attached to the staff report for tonight's PC meeting.

It appears that for lots greater than 10,000 sq. ft., more intensity is intended because of the following in Table 1:

Minimum	3,333 sq. ft.
Maximum	1,452 sq. ft.

The 3,333 sq. ft. requirement is the "old" minimum and is most restrictive. But I do not see any authority in this zoning district to allow an owner to go to a more dense development than 3,333 sq. ft./unit. I do not think that the addition of "Three or more units on lots 10,000 square feet or more" in Section 16.20.010 (Permitted Uses) does the job unless the intent is: An owner must construct at least one dwelling unit per 3,333 sq. ft. of land but can build up to one unit per 1,452 per sq. ft. as a permitted use if he/she so desires and can comply with the other standards set forth in Table 1. This is ok and would be great if that is the meaning but it seems strange. Either the 3,333 should be stricken, or standards be set forth which would allow density to be one unit per 1,452 sq. ft.

Sorry to hit you with this on the day of the hearing and you do not need to respond to me today.

Best regards,

John R. Beltramo
1540 El Camino Real
Menlo Park CA 94025-4199
Phone: 650 - 326-3230
Fax: 650 - 326-1109
Cell: 650 - 207-4141
Email: johnb@beltramos.com

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Henry A. & Patricia M. Scarlett
3641 Haven Ave.
Menlo Park, CA 94025

April 18, 2013

Via Facsimile 650/327-1653

The City of Menlo Park
Planning Division
Housing Commission
701 Laurel St,
Menlo Park, CA 94025

RE: Rezoning of 3641 Haven Ave

Attention: Mr. Justin Murphy

We are the Owners of .89 acres available from Haven via a 450' long easement. The building property has 2 tenants, one of which is our own (Designco, Inc).

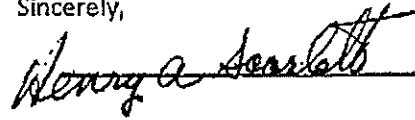
We cannot relocate this business as this location is the most advantages and practical for our use. The moving of all of the machinery and equipment would be extremely expensive.

While we do not object to rezoning to hi-density housing for the areas surrounding us, we do not want our property to be rezoned. This property and building location is the most suitable for our use.

We have made many improvements in our building each year including heat reflective roofing and skylights, three heating and air-conditioning units on the roof as well as heavy electrical required for our production. The building was recently repainted and the property around is completely paved with more than adequate parking.

After considerable consideration of the logistical and costs of relocating, it is not in our opinion a prudent decision for us to move. And request the straight easement access to our property be guaranteed in the future as it is at present.

Sincerely,



Henry A. Scarlett

Patricia M. Scarlett

Murphy, Justin I C

From: Mark Lottor <lottor@gmail.com>
Sent: Monday, April 15, 2013 1:33 PM
To: _CCIN
Subject: secondary housing units

This is in regards to new zoning rules that allow secondary housing units on single family lots.

In some subdivisions, such as my own (the Oakville Terrace subdivision roughly between San Cruz Ave, Middle, San Mateo Drive, and Wallea) there are existing CC&Rs that specifically only allow a single residential unit. Although it is not the city's job to enforce these CC&Rs, it would be wise if the planning department knew about these and reminded lot owners if they submitted plans for such secondary units.

Otherwise an owner or developer might get plans approved and start or finish building a secondary unit, only having to possibly demolish it after being sued by other lot owners in the subdivision.

As a side note, neighborhoods that want to restrict high density housing could possibly enact their own CC&Rs to prevent future growth. The city could still zone these areas for higher density to follow the silly housing laws, but the CC&Rs would make it impossible to build such units.

Murphy, Justin I C

From: Tom Jackson <pbinspector@sbcglobal.net>
Sent: Friday, April 12, 2013 8:15 AM
To: Murphy, Justin I C
Cc: Anne Moser; Eiref, Ben; Carolyn Clarke; Catherine Carlton; Cline, Richard; 'Cohen, Andrew M '; Ferrick, Katie; Heineck, Arlinda A; Riggs, Henry; Lin, Jean P; Baird, Jeffery; Jerome Mullins; Kadvany, John; Katherine Strehl; 'Kelly Ferguson'; 'Kirsten Keith'; Perata, Kyle T; Malathong, Vanh; McClure, William; McIntyre, Alex D; Ishijima, Momoko K; Mueller, Raymond; Ohtaki, Peter I; O'Malley, John; philipv@bvarchitects.com; plwesterhout; Prince, Leigh; Grossman, Rachel M; 'test'; Rogers, Thomas H; Bressler, Vincent
Subject: SDU's
Attachments: SDU PARKING.pdf

Justin,

Thanks for meeting with me today to discuss the SDU portion of the Menlo Park Housing Element. Currently the ordinance that pertains to secondary dwelling units is so onerous that only eight units have been built in the last ten years, legally that is. It is obvious that to meet the projections of 300 units over the next 30 years something must change.

The proposed amendments to the secondary dwelling unit ordinance address some of the problems. However the largest issue is that of parking and the proposed change to that aspect still does not work.

To review, R1U zoning calls for two parking spaces, one covered. To build a SDU one parking space must be added; three spaces and at least one covered. Currently not allowed for the purpose of acquiring a permit are tandem parking and parking in setbacks. Simply put, parking in driveways does not count toward the parking requirements. In reality everyone parks in their driveway.

The enclosed diagram is a typical layout of most of the homes in Menlo Park. The shaded area is not available for the parking requirement. As you can see it is not possible to get three spaces in this configuration. This means that most of the homes in Menlo Park CANNOT build a secondary dwelling unit.

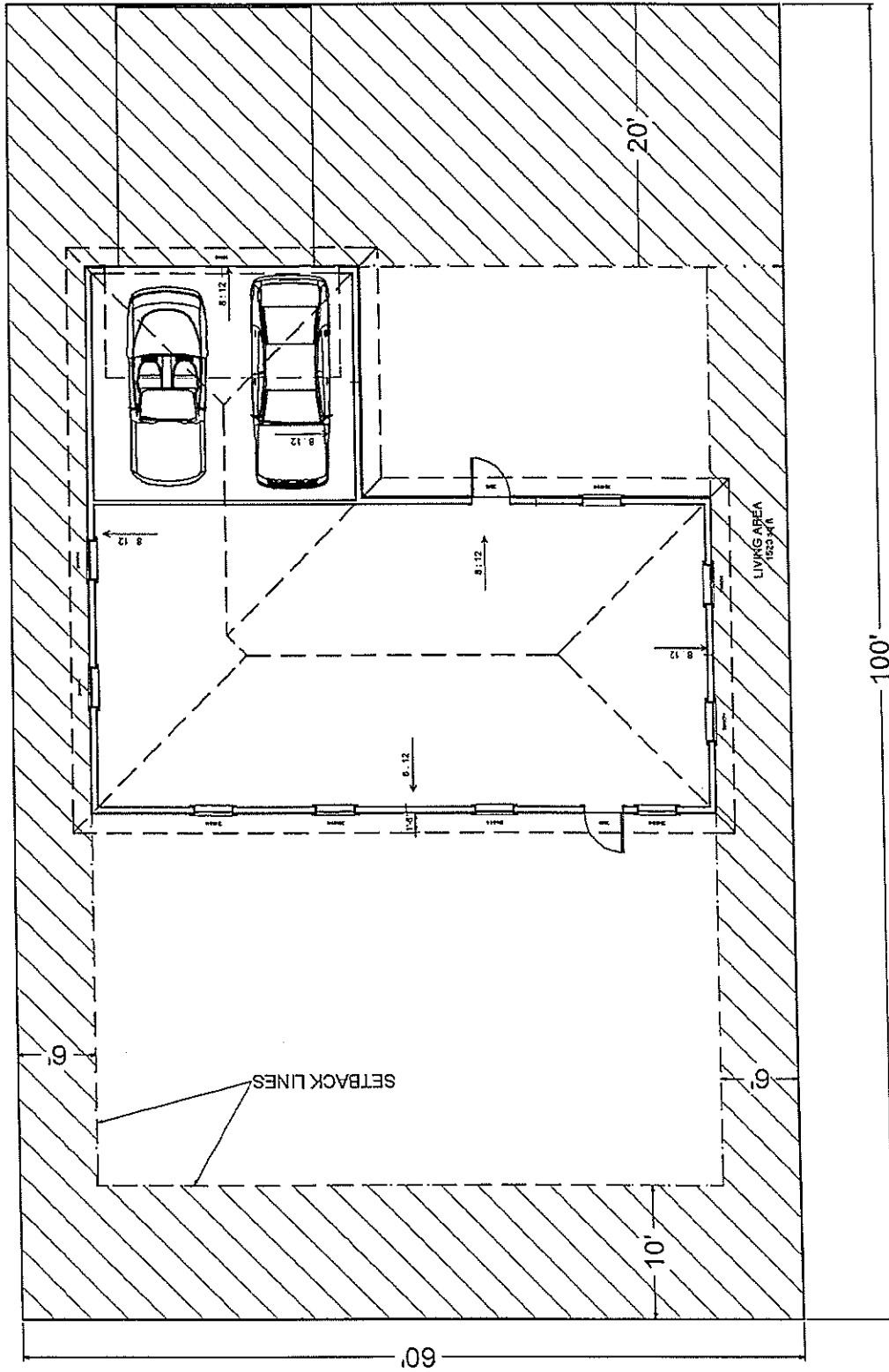
I trust that this portion of the proposed amendment can be changed so that SDU's can be legally built and meet the objectives of the Housing Element.

Very respectfully submitted,

Tom Jackson
650-269-7249

11 APRIL 2013

TYPICAL MENLO PARK RIU LOT LAYOUT



SHADED AREA NOT ALLOWED FOR SDU PARKING REQUIREMENT

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Response to Sheryl Bims letter dated May 7, 2013

1. How many Section 8 housing units are located within the City? Located within the Belle Haven neighborhood? Located within the Gateway Apartments (1200 and 1300 blocks of Willow Road)?

Section 8 housing provides individuals and families with a means to afford housing, but not all affordable housing falls within Section 8 type assistance. Section 8 housing is typically a voucher program. The participant is free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing developments. A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice, either market rate or income-restricted, where the owner agrees to rent under the program. A housing subsidy is paid to the landlord directly by the County on behalf of the participating family. The family then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program. Given the limitations on the amount of subsidy, however, use of Section 8 vouchers often are used where rental rates are more affordable.

The City currently has 220 households using Section 8 vouchers, of which 199 are used for housing located within the Belle Haven neighborhood. Of the 199, 139 are within income-restricted units managed by MidPen Housing on the 1100, 1200 and 1300 blocks of Willow Road and an additional 3 units are in the HIP housing development along Willow Road.

2. How many affordable housing units are in the City? Within the Belle Haven neighborhood?

The City currently has 403 affordable housing units, of which 240 are located within the Belle Haven neighborhood. Affordable housing, as defined here, means income-restricted units made available to very low-, low-, and moderate-income households.

Section 8 housing can be a subset of affordable housing. For example, the MidPen and HIP housing developments are affordable units located in the Belle Haven neighborhood that also have 142 households utilizing Section 8 vouchers. Therefore, the Section 8 units are a part of, not in addition to, the 240 affordable housing units in the Belle Haven neighborhood. Although other affordable units in the Belle Haven neighborhood as well as in the city may utilize Section 8 vouchers, there could be up to 78 Section 8 housing units in addition to the 403 affordable or income-restricted housing units throughout the City.

Please see Attachment A for the locations of the affordable housing units in the City.

3. Is there a disproportionate amount of high density housing proposed for the Belle Haven neighborhood as part of the Housing Element?

No, implementation of the programs described below would distribute the new housing throughout the City in appropriate locations for additional housing.

The Housing Element seeks to provide housing opportunities to serve a variety of needs. As part of the process of selecting housing opportunity sites, the City considered a number of factors, including proximity to services, jobs, transit, geographic dispersion, property owner interest, and potential for redevelopment. The City is proposing to implement several strategies to increase the housing supply in the City as follows:

- a. *El Camino Real/Downtown Specific Plan Area*: The City has already planned for up to an additional 680 dwelling units in the El Camino Real/Downtown Specific Plan area as part of the Specific Plan adoption in 2012. The potential base density range in this area is between 18.5-50 dwelling units per acre, of which approximately 45 acres are zoned to accommodate 30+ dwelling units per acre.
- b. *R-3 Zoning – Infill Development*: Proposal to modify the existing R-3 (Apartment) district to allow for densities up to 30 dwelling units per acre on lots 10,000 square feet or greater in three distinct areas around the downtown area to encourage infill development. The City projects that infill development could result in a net increase of 118 dwelling units. Approximately seven acres within the three infill areas have the potential for redevelopment at the higher density.
- c. *Secondary Dwelling Units*: The City is proposing to reduce the minimum lot size to 6,000 square feet and modify other development regulations pertaining to secondary dwelling units as a mechanism of making the development of secondary dwelling units more achievable. The potential new units would be spread throughout the City. *Rezoning - Housing Opportunity Sites*: The City has identified four sites for higher density residential rezoning, plus a fifth site at the Veterans Affairs (VA). The City is committing \$2.5 million to help the development of a 60-unit affordable housing project at the VA campus for which the City can count towards meeting its RHNA number, but the site does not need to be formally rezoned given a preemption of the City's land use authority by the Federal government. Other sites include two properties along the 1200 and 1300 block of Willow Road, a site along the 600, 700, and 800 blocks of Hamilton Avenue (approximately 12 acres total for the Willow Road and Hamilton sites) and an approximate 15-acre site on Haven Avenue. Each of these sites could allow up to 30 dwelling units per acre, which could provide up to 700 net new dwelling units.
- d. *Affordable Housing Overlay (AHO)*: The proposed Affordable Housing Overlay zone includes incentives to provide affordable housing as part of a housing development. Use of the AHO is voluntary and a developer must choose to utilize it and meet certain threshold requirements. Unlike the City's Below Market Rate (BMR) Housing Program, the AHO is not a provision for inclusionary housing. The AHO is proposed to be applied throughout the El Camino Real/Downtown Specific Plan area (120 acres), the Willow Road housing opportunity site (5 acres) and the Haven Avenue site (15 acres).

4. What is the residential density (dwelling units per acre) for various neighborhoods in the City?

The City of Menlo Park contains approximately 13,000 dwelling units, mostly on single-family zoned lots of varying sizes. Attachment B shows the residential densities (dwelling

units per acre) for the entire City. The single-family residential zoning is spread throughout the City and is typically within the categories “less than 5” and “5 to 9” on the map. Newer, small lot single-family (e.g. Lane Woods on Willow Road) is represented in the “10-20” category.

As depicted on the map, higher density, multi-family housing is generally concentrated along primary arterial roadways such as El Camino Real, Willow Road and Sand Hill Road, along the edges of neighborhoods, and on property in close proximity to the downtown, with minimum densities ranging between 20-30 dwelling units per acre. Many of the properties currently built at densities above 30 dwelling units per acre are located in the area adjacent to the downtown from Santa Cruz Avenue to Middle Avenue and along Coleman Avenue off of Willow Road. Additional higher density sites are sprinkled throughout the City in the Belle Haven neighborhood, Linfield Oaks and near the Caltrain station. The proposed programs mentioned above (see Question 3) would follow the existing residential patterns by encouraging infill development around the downtown area, focusing housing along the major corridors such as Willow Road, and providing opportunities for housing along the edges of neighborhoods, where the impacts to the existing neighborhood would be minimized.

5. What is the population density for various neighborhoods in the City?

Attachment C shows the population by block groups within U.S. census tracts. The following are the top 6 block groups with the highest population densities:

- a. Belle Haven (16,949 persons per square mile)
- b. Belle Haven (14,483 persons per square mile)
- c. Downtown Adjacent (14,432 persons per square mile)
- d. Belle Haven (10,685 persons per square mile)
- e. Downtown Adjacent (10,016 persons per square mile)
- f. Sharon Heights (9,642 persons per square mile)

Unlike the areas adjacent to the downtown and Sharon Heights which are mainly multi-family housing units and zoned for higher density residential, the high population density within the Belle Haven neighborhood is primarily within a single-family zoned area. The City does not have control nor can define who makes up a household.

6. How does affordable housing affect my property value?

The Housing Element project page provides links to several resources on the topic.

Studies have been conducted to analyze the impacts of affordable housing on neighborhoods. However, there is nothing conclusive that the location of affordable housing reduces property values in the vicinity. Many studies suggest otherwise, and some consider a number of contextual factors including the following:

- a. Existing Site Conditions: Where is the housing being located? Affordable housing that replaces depressed conditions – vacant or blighted properties – or is part of a neighborhood revitalization plan, have benefits to the greater neighborhood.

- b. Degree of Concentration of Affordable Housing Units – Up to a certain point, larger affordable housing developments result in positive price impacts for nearby homes. Some studies also suggest that there is a threshold; however, this will likely vary by community, and the housing appreciation of the target and regional housing markets.
- c. Neighborhood Context: What is the existing stability of the surrounding neighborhood? The higher degree of stability and existing value in the neighborhood, the least likely affordable housing is to generate negative property value impacts.
- d. Management: Good management makes a difference.

Affordable housing factors that generally do not impact property values either negatively or positively are the ownership type, structure type (single family vs. multi-family), and types of subsidization (in particular whether developed with Low-Income Housing Tax Credits or Section 8 housing).

7. How has the City contributed to the Belle Haven neighborhood?

With the use of over \$36 million in funding from the former Redevelopment Agency and the General Fund, the City has invested in the community through various capital improvement projects such as the Belle Haven Child Development Center, Belle Haven Branch Library, Onetta Harris Community Center, Senior Center, Willows Corner Development, Hamilton Park and Housing Development, Kelly Park renovation, sale of property on Terminal Avenue to Beechwood School to enable educational alternatives, Ivy Drive Plaza and various road and streetscape improvements. In addition, the City spends several million dollars annually subsidizing programs and services in the neighborhood including but not limited to the Onetta Harris Community Center, Senior Center, Child Development Center, Community School, After School Program, Library and Summer Camps. Elsewhere in the City, similar services are either not provided or are nearly cost recovery through fees. For example, the After School program on the Burgess campus costs \$38,000 (above fees) for 102 children, resulting in a subsidy of \$370 per child per year. The After School program in Belle Haven costs \$218,351 (above fees) for 40 children, resulting in a subsidy of \$5,458 per child per year. Similarly sized communities generally do not provide duplicated facilities and services in two locations like Menlo Park does. These efforts have been made to help improve the social and physical fabric of the community.

8. What changes can be made to the Housing Element?

The Environmental Assessment (EA) prepared for the Housing Element analyzed the potential impacts of the five housing opportunity sites. The addition or substitution of sites would not be covered under the EA and could not be analyzed within the timeframe dictated by the Court Order. While application of the AHO could be removed from sites or sites in their entirety may be deleted or postponed from consideration for higher density rezoning, the City risks not meeting its RHNA number for the current planning period (and historical years). If the City does not meet its required allocation, the City would not have a certified Housing Element and would be non-compliant with the Court Order.

The City is open to additional ideas on how to support and encourage the development of affordable housing throughout the City. The City, however, cannot postpone action on the Housing Element or the City could be subject to a court imposed development moratorium until a Housing Element is adopted.

As proposed, the rezoning would result in more than the minimum number of units to fulfill the City's requirement. By pursuing the rezoning now, there may be remaining development capacity that might decrease the need to rezone as part of the next Housing Element cycle. The ability to adopt and certify a Housing Element at this time has added benefits for future Housing Element cycles.

9. What happens if the City does not adopt a Housing Element?

The City is not in the business of providing affordable housing, but has an obligation to zone sufficient property in order to meet its fair share contribution as part of the Housing Element. The adoption of the Housing Element of the General Plan for certification by HCD would bring the City's Housing Element into compliance with State law and a Court Order. The adoption of a Housing Element would also provide a plan for the City to address local housing needs and contribute to its fair share of housing in the region. The lack of a certified Housing Element, however, could result in repercussions per Government Code Section 65755 (a), such as the suspension of the City's authority to issue non-residential building permits and approve entitlements such as zoning changes, variances and subdivision maps. The City would also be non-compliant with the Court Order.

10. What are the potential environmental impacts, including to schools, associated with the proposed housing in the Belle Haven area?

As part of the Housing Element process, an Environmental Assessment (EA) and Fiscal Impact Analysis (FIA) were prepared. The EA studies 14 different topic areas. Of the topic areas, Traffic and Transportation, Air Quality, and Greenhouse Gas and Emissions were identified as having significant and unavoidable impacts. The impacts are generated from a combination of the proposed Housing Element components as well as recently approved and pending projects. The impacts would be citywide and not limited to the Belle Haven neighborhood. There are several feasible mitigation measures that would help reduce impacts from traffic. Improvements include restriping the intersection of Willow Road and Newbridge Avenue and Willow Road and Bayfront Expressway. The City is anticipating adding these items as part of the Capital Improvement Program (CIP).

The FIA looked at the fiscal impact on the City, and specifically on schools. The Belle Haven neighborhood is located within the Ravenswood School District. Because the School District is a Revenue Limit district, which means that the State provides funds as needed to ensure a set level of per student spending, the net fiscal impact to the school district would be zero. With the current enrollment levels, additional capacity could be accommodated.

Attachments

- A. Map of Affordable Housing Units
- B. Map of Residential Dwelling Units Per Acre
- C. Map of Census Block Groups and Population Density

City of Menlo Park Affordable Units



Legend

Number Of Units

- 1
- 2-6
- 7-12
- 13-30
- 30-93
- RDA Boundary
- CityLimits

Notes:

1) Willow Terrace Development (26 Units) represents 4 contiguous lots (APNs: 062093430; 062093500; 062093510 & 062093480); (black outline), and one non-contiguous lot (062093380).

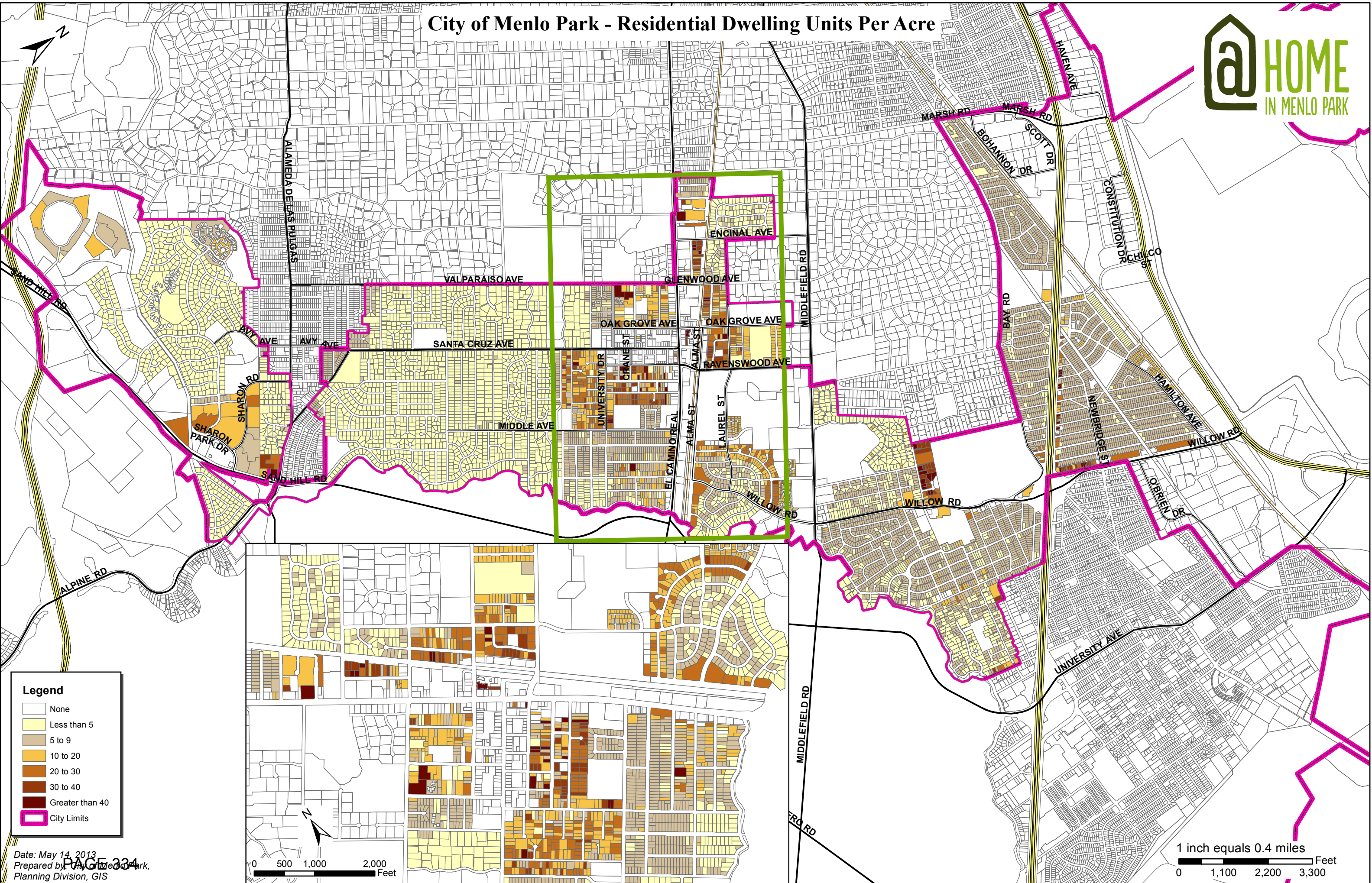
2) Willow Court Development (6 Units) represents 2 non-contiguous lots (APNs: 062093440; 062093470); note double leaders.

3) The Neighborhood Revitalization Program in the Belle Haven area is represented by 10 sites throughout the neighborhood.

Date: April 15, 2013
 Prepared by: City of Menlo Park Planning Division GIS

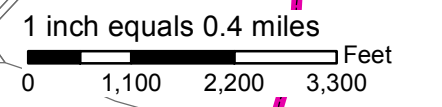
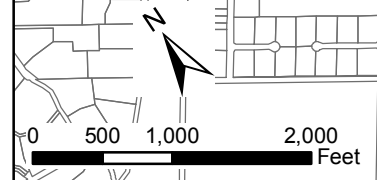


City of Menlo Park - Residential Dwelling Units Per Acre



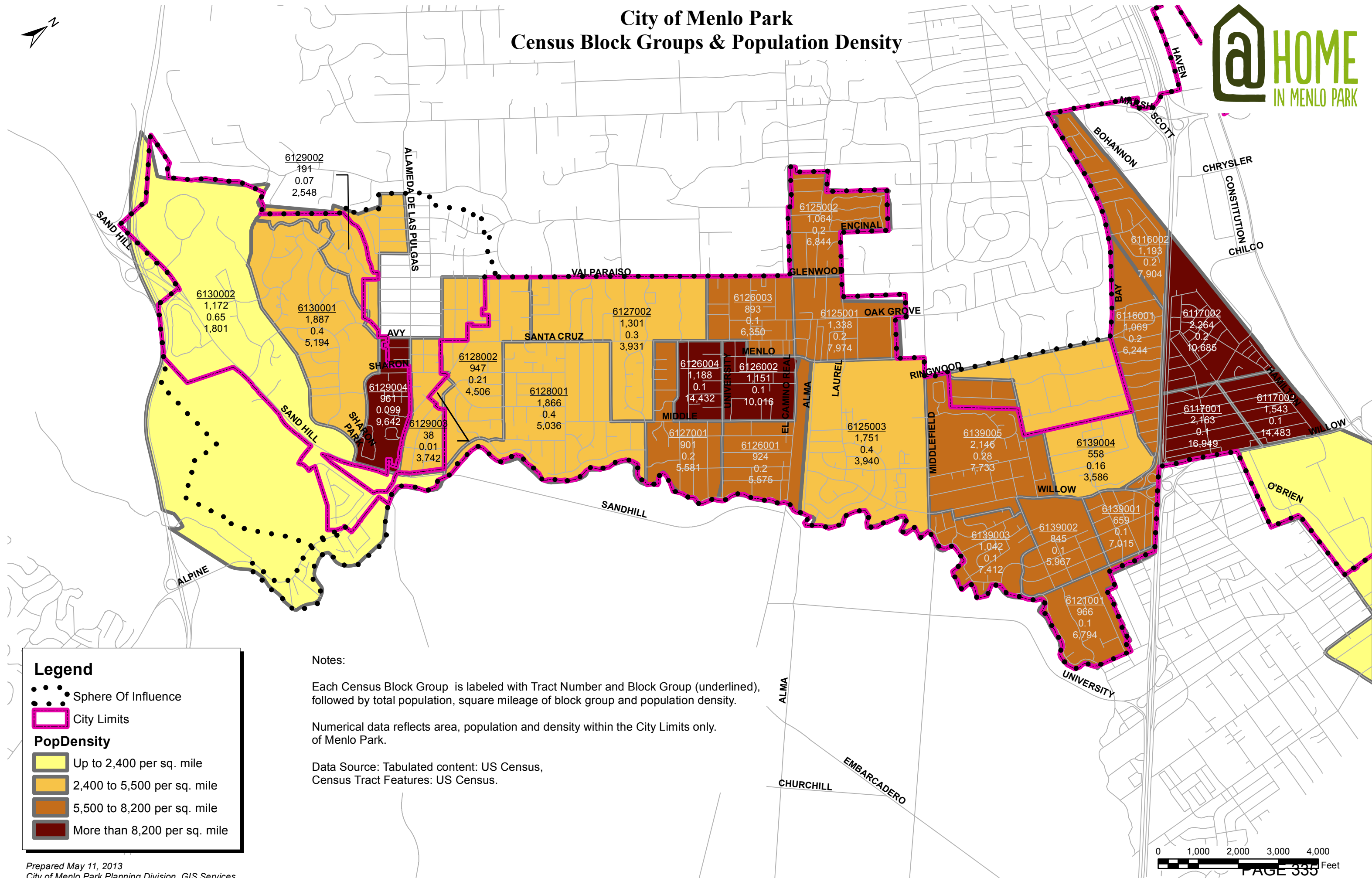
Legend

- None
- Less than 5
- 5 to 9
- 10 to 20
- 20 to 30
- 30 to 40
- Greater than 40
- City Limits





City of Menlo Park Census Block Groups & Population Density



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Memorandum

To: Justin Murphy, Deanna Chow, City of Menlo Park
From: Ron Golem, Stephanie Hagar, BAE
Date: May 14, 2013
Re: Comments on MPCSD notes re Housing Element Update FIA

This memorandum provides comments regarding two notes on the Housing Element Update Fiscal Impact Analysis (FIA), submitted to the City via email on May 1, 2013 by Mr. Ahmad Sheikholeslami, Director of Facility Planning and Construction for the Menlo Park City School District (MPCSD). We are not addressing other comments he submitted regarding the Environmental Assessment.

The notes raised by MPCSD are presented below, followed by our comments.

MPCSD FIA Comments from May 1st email

1. **[Facilities Funding]** "Page 43, Facility Needs and Master Planning. State matching funds for new construction are fully depleted. No funds remain under 1D. Any new project will be in waiting program for future funding and program. New construction money eligibility funding under the current program is determined by "growth eligibility." Based on that eligibility amount the local school District must match it by 50%. That does not mean it will cover 50% of the construction cost needed to expand a facility to handle the growth."
2. **[Student Generation]** "Page 44, Paragraph 2. District SGR for existing single family homes vary by housing category. Per table 3, EPC Report 2012 Moderate Value is 0.33, Middle is 0.41, and High is 0.25. EPC in Table 7 indicated a SGR of 0.21 for first year student generation rates of "New" single family dwellings. After several years, the single family home will behave like the existing stock of homes. This existing SGR should be reflected in the report and be used in calculating the long term impacts especially in with relation to the supplemental analysis which includes the addition of single family homes."

BAE Comments on Facilities Funding

As noted in the FIA report, our scope does not include analysis of funding strategies for future school facilities. Requirements and available funding resources vary by district, and we sought to provide a generalized discussion for all districts to provide background on a topic that is affected by new student generation from all sources. The MPCSD comments provide additional insight into District-specific considerations. Ultimately, funding for each school district will be shaped by the combination of how many more students need to be accommodated, the State's actions regarding assistance to local districts for school facilities financing, and the decisions of local school boards on how to finance the local portion of these costs.

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5405 Wilshire Blvd.
Suite 291
Los Angeles, CA 90036
213.471.2666

Washington DC
1436 U Street NW
Suite 403
Washington, DC 20009
202.588.8945

New York City
121 West 27th Street
Suite 705
New York, NY 10001
212.683.4486

BAE Comments on Student Generation

As the comment notes, this topic is relevant to the Supplemental Analysis to the FIA, as the FIA Project FIA is based on all new housing construction within the District's boundaries being either townhouses or multifamily units, with no single-family detached (SFD) units. The FIA Project applies the District's current townhouse and multifamily student generation rates to these units.

The Supplemental Analysis to the FIA identifies sites for a total of 194 units already zoned for new housing within the District's boundaries. Of the new units on these sites, 72 are modeled as being developed by 2022, with 122 developed between 2023 and 2035. For this discussion, we will assume that all these sites are developed with SFD units.

Based on the difference between the .21 Student Generation Rate (SGR) for new SFD units and the .33 SGR rate mentioned by the District for existing SFD units (with the higher rate being applicable to new homes after several years), the higher rate would result in 8 additional students to the 77 new students through 2022 that we estimated. However, there are at least two factors that we believe could result in the difference between our method and the District's recommended method ranging from 0 to 8 students through 2022:

- New SFD units would be built throughout the period up to 2022. Depending on the definition of "several years", a significant portion of the 72 units built through 2022 would not reset to the higher SGR rate identified by the District until after 2022, decreasing the estimated 8 new students from the higher SGR.
- As the District's enrollment consultant notes in his report, projections for the period 2017 through 2022 are subject to "considerable deviation" due to the challenges of forecasting demographic change that far into the future. The approximate 10 percent difference between the two SGR's may be equal to or less than the potential deviation.

These reasons led us to be slightly conservative and use the lower SGR rate. When the District does its facilities planning, we would expect that it will also be somewhat conservative to avoid the risk of overbuilding school capacity.

For the remaining period from 2023 through 2035, there is no practical basis for choosing one Student Generation Rate over another because of the impossibility of doing long-range school demographic forecasting. The District's enrollment consultant notes in other reports that there is a definite possibility that student growth will dip after 2022, and absolute enrollment numbers may decline. This makes sense to us, as Millennial generation households stop adding children, particularly further into the period between 2023 and 2035.

The SGR we used results in 25 new students for the District from 2023 through 2035, while the SGR the District recommends results in 40 new students for this time period. As with the earlier time period before 2023, we chose to be slightly conservative and use the lower figure of 25 new students. As we note in the report, there may be a considerable variation in actual results, with actual student generation potentially being higher or lower than the range of 25 to 40 new students, and our figures should be treated not as precise estimates but rather as indicating the order of magnitude of potential impacts.