



**CITY COUNCIL
SPECIAL AND REGULAR MEETING
AGENDA**

**Tuesday, June 17, 2014
6:45 P.M.**

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

**Mayor Mueller will participate via teleconference from the following location:
Park Plaza Beijing
97 Jinbao St, Dongcheng, Beijing, China**

6:45 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

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

CL1. Closed session conference with legal counsel pursuant to Government Code Section 54956.9(d)(2) regarding potential litigation: 1 case

7:00 P.M. REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

REPORT FROM CLOSED SESSION

ANNOUNCEMENTS

REGULAR BUSINESS ITEM F-1 will be called out of order & first on the agenda in order for Mayor Mueller to participate

F1. Adopt Resolutions: Adopting the 2014-15 Budget and Capital Improvement Program; Establishing the appropriations limit for 2014-15; Establishing a consecutive temporary tax percentage reduction in Utility Users' Tax rates; Determining the continued need for imposition of the Utility Users' Tax per section 3.14.310 of the municipal code; and adopting the salary schedule for 2014-15 ([Staff report #14-110](#))

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation for the Lions Club recognizing their 25 years of contributions to the City's 4th of July celebration ([Attachment](#))

A2. Presentation by Pat Brown of San Mateo County regarding the North Fair Oaks Forward - Middlefield Road Redesign Project

A3. Presentation by Edmund Harris regarding Satellite Campus Initiative

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

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

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

Under “Public Comment #1”, the public may address the Council on any subject not listed on the agenda and items listed under the Consent Calendar. Each speaker may address the Council once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Council cannot act on items not listed on the agenda and, therefore, the Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

D. CONSENT CALENDAR

- D1.** Adopt a Resolution: a) Calling and giving notice of holding a general municipal election for three seats on the Menlo Park City Council; b) Requesting that the City Council consolidate the election with the Gubernatorial General Election to be held on November 4, 2014; and, c) Contracting with the San Mateo County Chief Elections Officer for election services ([Staff report #14-111](#))
- D2.** Authorize the City Manager to enter into a one year contract with Hello Housing in an amount not to exceed \$35,000 with an option to renew for up to three additional years for management of the City’s Below Market Rate Housing Program and Purchase Assistance and Rehab Loan Portfolios ([Staff report #14-106](#))
- D3.** Authorize the City Manager to enter into a contract with Kidango Foods in an amount not to exceed \$76,058 for the delivery of food services at the Belle Haven Child Development Center for Fiscal Year 2014-15 ([Staff report #14-107](#))
- D4.** Authorize the City Manager to enter into a contract with Folger graphics in an amount not to exceed \$68,000 for printing and postage for the activity guide and Menlo Focus newsletter for fiscal year 2014-15 ([Staff report #14-116](#))
- D5.** Approve a resolution authorizing the City Manager to execute an agreement with the Bay Area Climate Collaborative, ABM, and ChargePoint to install four electric vehicle charging stations in Menlo Park with grant funds from the California Energy Commission ([Staff report #14-115](#))
- D6.** Approve removing all rebate caps for the Lawn Be Gone program for residential, commercial, and multifamily accounts ([Staff report #14-112](#))
- D7.** Authorize the City Manager to enter into master professional agreements with Kutzman and Associates, Shums Coda Associates, Interwest Consulting Group, and John J. Heneghan, Consulting Geotechnical and Civil Engineer for building permitting and inspection contract services ([Staff report #14-109](#))
- D8.** Authorize the City Manager to enter into a contract with BEAR Data Solutions in an amount not to exceed \$150,000 for contract assistance in Information Technology for fiscal year 2013-14 and 2014-15 ([Staff report #14-118](#))
- D9.** Accept Council minutes for the meetings of June 3, 2014 ([Attachment](#))

E. PUBLIC HEARING

- E1.** Adopt a resolution overruling protests, ordering the improvements, confirming the diagram, and ordering the levy and collection of assessments at the existing fee rates for the sidewalk assessments and increasing the fee rates by 2.99% for the tree assessments for the City of Menlo Park landscaping assessment district for fiscal year 2014-15 ([Staff report #14-108](#))

F. REGULAR BUSINESS

- F1.** Adopt Resolutions: Adopting the 2014-15 Budget and Capital Improvement Program; Establishing the appropriations limit for 2014-15; Establishing a consecutive temporary tax percentage reduction in Utility Users' Tax rates; Determining the continued need for imposition of the Utility Users' Tax per section 3.14.310 of the municipal code; and adopting the salary schedule for 2014-15 ([Staff report #14-110](#))
**This item will be heard at the beginning of the agenda.*
- F2.** Authorize City Manager to enter into a contract with PlaceWorks in an amount not to exceed \$1,650,000 for the General Plan update and M-2 Area Zoning update and authorize the formation of a General Plan Advisory Committee ([Staff report #14-117](#))
- F3.** Receive annual community greenhouse gas inventory information and approve updated five year Climate Action Plan strategy ([Staff report #14-113](#))
- F4.** Approve Option B for City Hall Improvements and authorize the City Manager to execute any necessary contracts associated with the City Hall Improvements and the Carpet Replacement Project ([Staff report #14-119](#))

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

- I1.** Belle Haven Child Development Center self-evaluation report for the Child Development Division of the California Department of Education for fiscal year 2013-2014 ([Staff report #14-105](#))
- I2.** Overview of the schedule for the scoping of the Environmental Impact Report for the 1300 El Camino Real Project ([Staff report #14-114](#))

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

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at <http://www.menlopark.org/AgendaCenter> and can receive e-mail notification of agenda and staff report postings by subscribing to the [Notify Me](http://www.menlopark.org/notifyme) service on the City's homepage at www.menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting the City Clerk at (650) 330-6620. Copies of the entire packet are available at the library for viewing and copying. (Posted: 06/12/2014)

At every Regular Meeting of the City Council, in addition to the Public Comment period where the public shall have the right to address the City Council on the Consent Calendar and any matters of public interest not listed on the agenda, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the Mayor, either before or during the Council's consideration of the item.

At every Special Meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the Mayor, either before or during consideration of the item.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the Office of the City Clerk, Menlo Park City Hall, 701 Laurel Street, Menlo Park, CA 94025 during regular business hours. Members of the public may send communications to members of the City Council via the City Council's e-mail address at city.council@menlopark.org. These communications are public records and can be viewed by any one by clicking on the following link: <http://ccin.menlopark.org>.

City Council meetings are televised live on Government Access Television Cable TV Channel 26. Meetings are re-broadcast on Channel 26 on Thursdays and Saturdays at 11:00 a.m. A DVD of each meeting is available for check out at the Menlo Park Library. Live and archived video stream of Council meetings can be accessed at <http://www.menlopark.org/streaming>.

Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at (650) 330-6620.

Proclamation

HONORING THE MENLO PARK HOST LIONS CLUB FOR THEIR SERVICE AND CONTRIBUTION TO THE CITY OF MENLO PARK

WHEREAS, the Lions Clubs International are known around the world for their support of sight and hearing programs for those who are challenged and in need of assistance; and

WHEREAS, the Menlo Park Host Lions Club, chartered by Lions Clubs International in March 1938, has supported many local projects with donated labor, funding and working with other organizations on projects of common interest who enjoy building community and making a difference in the lives of residents; and

WHEREAS, the Menlo Park Host Lions Club started participating in the annual Fourth of July Parade & Celebration in the City of Menlo Park in 1989 and, for a quarter of a century, has spent numerous volunteer hours annually serving hot dogs to our community through their food booth; and

WHEREAS, the Menlo Park Host Lions Club regular Fourth of July workers include 90 year old Joe Mcloughlin, 91 year old George Carter, 89 year old Marcel Behr, 88 year old Earl Fulk, all the way down to 8 year olds Dima and John, with special support from Chuck Cortesi, John Fenstermaker, Tony Cuvi, Johnny Quintanilla, Bob Bass, Mark Justman and many other Club members; and

WHEREAS, the Menlo Park Host Lions Club has donated all proceeds to support numerous programs and organizations including Rebuilding Together for home renovations for families in need in Belle Haven and East Palo Alto, Menlo Park Library Project Read, Canine Companions service dogs to help the disabled, Menlo Park Boys and Girls Club, and the Lions Hearing Foundation for helping local residents with hearing needs, eye exams and glasses for local children, adults and seniors through the LensCrafters/Lions program;

NOW, THEREFORE, I, Ray Mueller, Mayor of the City of Menlo Park, do hereby commend the Menlo Park Host Lions Club for their dedication and loyalty to the City of Menlo Park and their efforts in serving our Fourth of July Parade & Celebration for twenty-five years making it a tradition among its members, and for living up to the Lions Clubs International motto, "We Serve".




Ray Mueller
Mayor



OFFICE OF THE CITY MANAGER

Council Meeting Date: June 17, 2014
Staff Report #: 14-111

Agenda Item #: D-1

CONSENT CALENDAR:

Adopt a Resolution: a) Calling and Giving Notice of Holding a General Municipal Election for Three Seats on the Menlo Park City Council; b) Requesting that the City Council Consolidate the Election with the Gubernatorial General Election to Be Held on November 4, 2014; and, c) Contracting with the San Mateo County Chief Elections Officer for Election Services

RECOMMENDATION

Staff recommends that the City Council take action on the proposed resolution which formally calls for the election of three City Council seats, consolidates Menlo Park's general municipal election with the Gubernatorial General Election on November 4, 2014 and approves a contract with the County of San Mateo to render services for the election.

BACKGROUND

The General Municipal Election to elect members of the Menlo Park City Council is held in November of even numbered years. City Council members are elected to rotating four-year terms. The terms of three Councilmembers (Cline, Keith and Ohtaki) will expire this year. Historically, the City of Menlo Park consolidates its general municipal election with the County of San Mateo and requests the County to provide specialized services including the printing and mailing of ballot materials, establishing and operating of polling places and the counting of ballots.

ANALYSIS

The Elections Code requires the governing body to adopt a resolution calling for the November 2014 election (Attachment A). Menlo Park consolidates its general municipal election with the County of San Mateo. In order to contract with the San Mateo County Assessor County Clerk Recorder to render services, the City Council must adopt a resolution requesting that the Board of Supervisors approve consolidation and approve a service agreement which specifies the duties of the City and the County (Attachment B)

The following are important dates for the November 4, 2014 election:

July 1 – July 15

Between these dates, the City Clerk shall cause to be published a Notice of Election for three Council seats.

July 16 – August 8

Between these dates, is the Council candidate filing period. Nomination papers, declarations of candidacy and other election materials are available during this time from the City Clerk between established business hours. Paperwork must be filed by 5:00 p.m., the close of business, on August 8, 2014.

August 13

If an incumbent has not filed nomination papers by 5:00 p.m. on August 8, further nomination of candidates, other than incumbents, for the elective offices stated will be received by the City Clerk until 5:30 p.m., the close of business, on August 13, 2014.

Alternatives

There are no alternative actions as this action is required by the Elections Code.

IMPACT ON CITY RESOURCES

According to the San Mateo County Elections Office, the estimated cost of consolidated election services for the three City Council seats is approximately \$30,000. If a Measure is added to the ballot, the estimated total cost of the election is approximately \$40,000. Funds are included in the FY 2014-15 Budget.

POLICY ISSUES

N/A

ENVIRONMENTAL REVIEW

N/A

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
- B. Service Agreement for the Provision of Election Services between the City of Menlo Park and San Mateo County Chief Elections Officer & Assessor – County Clerk-Recorder

Report prepared by:
Pamela Aguilar
City Clerk

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK CALLING AND GIVING NOTICE OF HOLDING A GENERAL MUNICIPAL ELECTION FOR THREE CITY COUNCIL SEATS; REQUESTING ELECTION CONSOLIDATION WITH THE GUBERNATORIAL GENERAL ELECTION TO BE HELD ON NOVEMBER 4, 2014; AND CONTRACTING WITH THE SAN MATEO COUNTY CHIEF ELECTIONS OFFICER FOR ELECTIONS SERVICES

WHEREAS, the City Council of Menlo Park is calling a General Municipal Election to be held on Tuesday, November 4, 2014, for the purpose of electing three council members for full terms; and

WHEREAS, the General Municipal Election is to be consolidated with the Gubernatorial General Election to be held on the same date and that the City precincts, polling places and election officers of the two elections be the same, and that the San Mateo County Assessor-County Clerk-Recorder canvass the returns of the General Municipal Election and that the Election be held in all respects as if there were only one election.

NOW, THEREFORE BE IT RESOLVED that the City of Menlo Park orders as follows:

1. Pursuant to California Elections Code Section 10403, the City Council of Menlo Park is hereby consenting and agreeing to the consolidation of a General Municipal Election with the Presidential General Election to be held on November 4, 2014.
2. That the election precincts, polling places, voting booths and election officials in each of the precincts in which this election shall be held shall be the same as provided for the Gubernatorial General Election on said date, as prescribed by the ordinance, order, resolution or notice of the Board of Supervisors of San Mateo County calling, providing for or giving notice of such other election and which sets forth such precincts, voting booths, polling places and election officials.
3. The City Council further requests that the County Board of Supervisors permit County election official(s) be authorized to render services to the City relating to the conduct of said election. The services shall be of the administrative type normally performed by such County election official(s) in conducting elections including, but not limited to, checking registrations; printing and mailing sample ballots; ballots; candidates' statements; hiring election officers and arranging for polling places; providing and distribution of election supplies; and counting ballots and canvassing returns.
4. That the San Mateo Assessor-County Clerk-Recorder is hereby authorized to canvass the returns of the General Municipal Election, and that the election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

5. The City of Menlo Park recognizes that the costs incurred by the San Mateo Assessor-County Clerk-Recorder, by reason of this consolidation, will be reimbursed by the City of Menlo Park as specified in the Services Agreement that the City of Menlo Park is approving.
6. The City Clerk is hereby directed to submit a certified copy of this resolution to the Board of Supervisors of the County of San Mateo, and to the appropriate County election officials of San Mateo. The City Clerk is also directed to file a copy of the resolution with the San Mateo County Chief Elections Officer/County Clerk.
7. That the City Clerk shall certify to the passage and adoption of this resolution.

I, Pamela Aguilar, 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 seventeenth day of June, 2014, 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 seventeenth day of June, 2014.

Pamela Aguilar
City Clerk

**SERVICE AGREEMENT FOR THE PROVISION OF ELECTION SERVICES
BETWEEN THE CITY OF MENLO PARK AND
SAN MATEO COUNTY CHIEF ELECTIONS OFFICER & ASSESSOR - COUNTY CLERK - RECORDER**

This agreement, entered into this 17th day of June, 2014, by and between the City of Menlo Park (the "Municipality") and San Mateo County Chief Elections Officer & Assessor – County Clerk – Recorder (the "Chief Elections Officer");

WHEREAS, it is necessary and desirable that the Chief Elections Officer be retained for the purpose of conducting an election, described in more detail below, for the Municipality; and

WHEREAS, the Municipality has asked the Chief Elections Officer to conduct an election on November 4, 2014.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

SERVICES TO BE PERFORMED BY THE MUNICIPALITY:

- 1) Within the time frame set by statute, the Municipality will request the Board of Supervisors, through the Chief Elections Officer, to conduct an election relating to the Municipality on November 4, 2014, and will request the services of the Chief Elections Officer in relation to that election.
- 2) The Municipality will publish the Notice of Election and the Notice to File Declarations of Candidacy for the offices to be voted on and/or the Notice to File Arguments For or Against any measure.
- 3) The Municipality will submit to the Chief Elections Officer the titles and exact number of offices to be voted on, the names and ballot designations of the candidates for those offices, and/or the exact ballot measure wording to be voted on by the 85th day prior to the election, or by the 81st day prior to the election if Sections 10225, 10229, and 10407 of the Elections Code become applicable.
- 4) The Municipality will prepare and deliver to the Chief Elections Officer the ballot pamphlet information containing, as applicable, candidate designations and statements, ballot measure(s), tax rate statement(s), impartial analyses, arguments for or against measures, and rebuttals thereto.
- 5) The Municipality will review and sign off on the official ballot wording for measures.
- 6) The Municipality will complete any other non-delegable tasks required by law in relation to the election.
- 7) The Municipality shall maintain records/maps regarding the boundaries of the Municipality and will notify the Chief Elections Officer of any changes/additions to those boundaries.

SERVICES TO BE PERFORMED BY CHIEF ELECTIONS OFFICER:

- 1) The Chief Elections Officer will select the sample and official ballot printer(s) and translators.
- 2) The Chief Elections Officer will prepare and deliver all election information to the printers and translators.
- 3) The Chief Elections Officer will determine the appropriate translation and transliteration of all pertinent documents.
- 4) The Chief Elections Officer will issue, receive, and process vote by mail ballots.
- 5) The Chief Elections Officer will set up ADA compliant voting centers and polling places, publish any required notices, and conduct the election.
- 6) The Chief Elections Officer will provide services for any official recount or election contest, if applicable.

- 7) The Chief Elections Officer will conduct all aspects of the Canvass of Votes Cast. Pursuant to Section 10262 of the Elections Code, the Chief Elections Officer will submit a Certificate of Chief Elections Officer to the Municipality's governing body certifying the results of the election.
- 8) The Chief Elections Officer will conduct other various and miscellaneous election-related activities directly required to conduct the election itself. To the extent that the Municipality has obligations under law to perform various duties that relate to the election beyond those directly involved with conducting the election, those duties remain the responsibility of the Municipality. If the Municipality wishes to have any such duties performed by the Chief Elections Officer, the parties must mutually agree in advance in writing to have the Chief Elections Officer perform such duties. By way of example only, if the Municipality is required to send certain notices or adopt resolutions relating to the election, those duties remain duties of the Municipality.

TERMS

This agreement shall be in effect for the performance of all services incident to the preparation and conduct of the election to be held on November 4, 2014.

In the event the Chief Elections Officer is unable to perform services required under this Agreement as a result of employer/employee relation conditions, vendor conditions, or other conditions beyond the control of the Chief Elections Officer, the Chief Elections Officer will be relieved of all obligations under this Agreement. The Chief Elections Officer may terminate this agreement after giving 72 hours written notice, at which time the Chief Elections Officer will be relieved of all obligations under this agreement.

This agreement can be terminated by either party upon 30 days written notice.

COST FOR SERVICES

In consideration of the performance of services and supplies provided by the Chief Elections Officer, including any and all costs incurred during a recount or election contest that are not reimbursed by the voter requesting the recount or filing the contest as specified in the Elections Code, the Municipality shall pay to the Chief Elections Officer a sum equal to the full cost of the election, including all such services and supplies.

The Chief Elections Officer shall send an itemized invoice to the Municipality for all services provided pursuant to this Agreement after the election is conducted and all related costs are determined. Payment on the full amount of the invoice shall be due and the Municipality shall submit payment to the County of San Mateo within forty-five (45) days of the date of the invoice (the "Due Date"). If the amount is not paid in full within this time, interest shall accrue monthly at a rate of 0.25% per month (equivalent to 3% annually) on the unpaid balance starting at the Due Date. Thereafter, invoices will be sent and shall be payable within thirty (30) days of the date of the invoice, with interest being added each month for any unpaid balance.

MUNICIPALITY

Signature: _____ Date: _____

Print Name: _____

Title: _____

COUNTY

Signature: _____ Date: _____

Print Name: _____

Title: _____



COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-106

Agenda Item #: D-2

CONSENT CALENDAR: **Authorize the City Manager to enter into a One Year Contract with Hello Housing in an Amount Not to Exceed \$35,000 with an Option to Renew for up to Three Additional Years for Management of the City's Below Market Rate Housing Program and Purchase Assistance and Rehab Loan Portfolios**

RECOMMENDATION

Staff recommends the Council authorize the City Manager to enter into a contract for with Hello Housing in an annual amount not to exceed \$35,000 for management of the City's Below Market Rate (BMR) Housing Program and Purchase Assistance (PAL) and Rehab Loan Portfolios with an option for an additional three years of services based on performance and cost benefit analysis.

BACKGROUND

Menlo Park's BMR Program was created in 1988 to provide homeownership opportunities for low- and moderate-income families living or working in Menlo Park. The City currently has 63 occupied BMR units, with three more, located at 389 El Camino Real, in process. Currently, there are over 150 families on the BMR waiting list.

The City's PAL and Rehab Loan Programs were also created in the late 1980's. The PAL program was offered until last year to first time home buyers as a second mortgage loan designed to help home buyers qualify for a first mortgage loan. PAL loans are funded from the BMR fund and are for a 30 year term at a 5% rate. The City has over 70 PAL loans in its portfolio.

The Rehab Loan program was funded by the Redevelopment Agency and provided home improvement and emergency repair funds to income-qualified home owners in the Belle Haven neighborhood until the Redevelopment Agency was dissolved in early 2012. The City currently has 25 active Rehab loans.

With the elimination of the Housing Division in 2012, the City contracted with Palo Alto Housing Corporation (PAHC) for BMR program administration and with Hello Housing for loan portfolio management. This proposed contract would consolidate all of those

services under one provider. PAHC and Hello participated in a competitive bidding process for this contract and Hello's proposal represents the best value at lower cost for the City.

ANALYSIS

Bids for the management of the BMR program were received from both Hello Housing and PAHC with Hello Housing being the low bidder. PAHC does not offer loan portfolio management. Both Hello Housing and PAHC are non-profit organizations in the Bay area serving multiple communities' housing service needs.

IMPACT ON CITY RESOURCES

Given the recent Council approved changes to the BMR Guidelines, administration of the Below Market Rate housing program is an eligible cost that can be charged to the BMR Fund. The Fund currently has an undesignated balance of approximately \$5.5 million and this expense was included in the budget for the 2014-2015 fiscal year.

Following the dissolution of the Redevelopment Agency, the City's General Fund has been supporting the cost of managing the loan portfolio at a cost of approximately \$15,000 annually for the contract with Hello Housing and another \$15,000 for City staff oversight and support, given the complexity of the program. These costs will now be borne by the BMR Fund as an administrative expense.

POLICY ISSUES

Contracting out for housing services is consistent with Council goals.

ENVIRONMENTAL REVIEW

No environmental review 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. Contract and scope of work for Hello Housing

Report prepared by:
Cherise Brandell
Community Services Director

**AGREEMENT FOR SERVICES
BETWEEN THE CITY OF MENLO PARK
and
HELLO HOUSING**

THIS AGREEMENT, made and entered into at Menlo Park, California, this ____ day of June 2014, by and between the CITY OF MENLO PARK, a Municipal Corporation, hereinafter referred to as "CITY", and HELLO HOUSING, a California non-profit public benefit corporation, hereinafter referred to as "HELLO."

WITNESSETH:

WHEREAS, CITY desires to retain HELLO to provide administrative and management services for the Below Market Rate Housing Program, Purchase Assistance Loans, Emergency Rehab Loans and Rehab Loans in the City of Menlo Park for the Community Services Department.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS, PROMISES AND CONDITIONS of each of the parties hereto, it is hereby agreed as follows:

I. SCOPE OF WORK

In consideration of the payment by CITY to HELLO, as hereinafter provided, HELLO agrees to perform all the services as set forth in Exhibit "A", Scope of Work.

II. SCHEDULE FOR WORK

HELLO shall commence work immediately upon receipt of a "Notice to Proceed" from CITY. The "Notice to Proceed" date shall be considered the "effective date" of the Agreement, as used herein, except as otherwise specifically defined.

III. COMPENSATION AND PAYMENT

A. HELLO's fee for the services as set forth herein shall be considered as full compensation for all indirect and direct personnel, materials, supplies and equipment, and services incurred by HELLO and used in carrying out or completing the work, with specific services billed according to the budget detailed in Exhibit A attached.

B. As each payment is due, a statement describing the services performed shall be submitted to CITY by the HELLO. This statement shall include information as specified in "Billings" of Exhibit A attached.

C. Payments are due upon receipt of written invoices.

IV. EQUAL EMPLOYMENT OPPORTUNITY

A. HELLO, with regard to the work performed by it under this Agreement shall not discriminate on the basis of race, religion, color, national origin, sex, handicap, marital status or age in the retention of sub-consultants, including procurement of materials and leases of equipment.

V. ASSIGNMENT OF AGREEMENT AND TRANSFER OF INTEREST

A. HELLO shall not assign this Agreement, and shall not transfer any interest in the same (whether by assignment or notation), without prior written consent of the CITY thereto, provided, however, that claims for money due or to become due to HELLO from the CITY under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of an intended assignment or transfer shall be furnished promptly to the CITY.

B. In the event there is a change in the non-profit status of HELLO from the date of this Agreement is executed, then CITY shall be notified prior to the date of said change of status and CITY shall have the right, in event of such change of status, to terminate this Agreement upon notice to HELLO. In the event CITY is not notified of any such change in status, then upon knowledge of same, it shall be deemed that CITY has terminated this Agreement.

VI. INDEPENDENT WORK CONTROL

It is expressly agreed that in the performance of the service necessary for compliance with this Agreement, HELLO shall be and is an independent contractor and is not an agent or employee of CITY. HELLO has and shall retain the right to exercise full control and supervision of the services and full control over the employment, direction, compensation and discharge of all persons assisting HELLO in the performance of HELLO's services hereunder. HELLO shall be solely responsible for its own acts and those of its subordinates and employees.

VII. CONSULTANT QUALIFICATIONS

It is expressly understood that HELLO is skilled in the professional calling necessary to perform the work agreed to be done by it under this Agreement and CITY relies upon the skill of HELLO to do and perform said work in a skillful manner usual to the profession. The acceptance of HELLO's work by CITY does not operate as a release of HELLO from said understanding.

VIII. NOTICES

All notices hereby required under this Agreement shall be in writing and delivered in person or sent by certified mail, postage prepaid. Notices required to be given to CITY shall be addressed as follows:

Cherise Brandell, Community Services Director
701 Laurel Street.
City of Menlo Park
Menlo Park, California 94025

Notices required to be given to HELLO shall be addressed as follows:

Hello Housing
Mardie Oakes, Executive Director
1242 Market Street, 3rd Floor
San Francisco, CA 94102

Provided that any party may change such address by notice, in writing, to the other party and thereafter notices shall be addressed and transmitted to the new address.

IX. HOLD HARMLESS

HELLO shall defend, indemnify, save, and hold harmless the CITY and its officers and employees from any and all claims, costs and liability for any damages, sickness, death, or injury to person(s) or property, including without limitation all consequential damages, from any cause whatsoever arising directly or indirectly from, or connected with the operations or services of HELLO or its agents, servants, employees or subcontractors hereunder, save and except claims or litigation arising through the sole negligence or sole willful misconduct of the CITY or its officers or employees. HELLO shall reimburse the CITY for any expenditures, including reasonable attorneys' fees, that the CITY makes by reason of the matters that are the subject of this indemnification, and if requested by the CITY, HELLO shall defend any claims or litigation to which this indemnification provision applies at the sole cost and expense of the HELLO. The CITY shall reimburse HELLO for any expenditures, including reasonable attorneys' fees, if requested by HELLO, resulting from claims or litigation arising through the sole negligence or sole willful misconduct of the CITY or its officers or employees.

X. INSURANCE

A. HELLO shall not commence work under this Agreement until all insurance required under this paragraph has been obtained and such insurance has been approved by the City, with certificates of insurance evidencing the required coverage.

B. There shall be a contractual liability endorsement extending the HELLO's coverage to include the contractual liability assumed by HELLO pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the CITY, at the address shown in Section IX, of any pending cancellation of the policy. HELLO shall notify CITY of any pending change to the policy. All certificates shall be filed with the City.

1. Liability Insurance:

HELLO shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance (Commercial General Liability Insurance) on an occurrence basis as shall protect it while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as claims for property damage which may arise from HELLO's

operations under this Agreement, whether such operations be by HELLO or by any sub-consultant or by anyone directly or indirectly employed by either of them. The amounts of such insurance shall be not less than One Million Dollars (\$1,000,000) per occurrence and One Million Dollars (\$1,000,000), in aggregate or One Million Dollars (\$1,000,000) combined single limit bodily injury and property damage for each occurrence. HELLO shall provide the CITY with acceptable evidence of coverage, including a copy of all declarations of coverage exclusions. HELLO shall maintain Automobile Liability Insurance pursuant to this Contract in an amount of not less than five hundred thousand dollars (\$500,000) for each occurrence combined single limit or not less than two hundred fifty thousand dollars (\$250,000) for any one (1) person, and five hundred thousand dollars (\$500,000) for any one (1) accident, and one hundred thousand dollars, (\$100,000) property damage.

2. Professional Liability Insurance:

HELLO shall when requested by CITY maintain a policy of professional liability insurance, protecting it against claims arising out of the acts, errors, or omissions of HELLO pursuant to this Agreement, in the amount of not less than Two-Hundred-Fifty-Thousand Dollars (\$250,000) combined single limit. Said professional liability insurance is to be kept in force for not less than one (1) year after completion of services described herein.

C. CITY and its subsidiary agencies, and their officers, agents, employees and servants shall be named as additional insured on any such policies of comprehensive general and automobile liability insurance, except professional liability and worker's compensation, which shall also contain a provision that the insurance afforded thereby to the CITY, its subsidiary agencies, and their officers, agents, employees, and servants shall be primary insurance to the full limits of liability of the policy, and that if the CITY, its subsidiary agencies and their officers and employees have other insurance against a loss covered by a policy, such other insurance shall be excess insurance only.

D. In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, CITY, at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

E. Prior to the execution of this Agreement, any deductibles or self-insured retentions must be declared to and approved by CITY.

XI. RESPONSIBILITY AND LIABILITY FOR SUB-CONSULTANTS AND/OR SUBCONTRACTORS

Approval of or by CITY shall not constitute nor be deemed a release of responsibility and liability of HELLO or its sub-consultants and/or subcontractors for the accuracy and competency of documents and work, nor shall its approval be deemed to be an assumption of such responsibility by CITY for any defect in the documents prepared by HELLO or its sub-consultants and/or subcontractors.

XII. OWNERSHIP OF WORK PRODUCT

Work products of HELLO for this project, which are delivered under this Agreement or which are developed, produced and paid for under this Agreement, shall become the property of CITY. The reuse of HELLO's work products by City for purposes other than intended by this contract shall be at no risk to HELLO.

XIII. REPRESENTATION OF WORK

Any and all representations of HELLO, in connection with the work performed or the information supplied, shall not apply to any other project or site, except the project described in Exhibit "A" or as otherwise specified in Exhibit "A".

XIV. ASSIGNMENT OF PERSONNEL

HELLO shall assign only competent personnel to perform services pursuant to this agreement. If CITY asks HELLO to remove a person assigned to the work called for under this agreement, HELLO agrees to do so immediately regardless of the reason, or the lack of a reason, for CITY's request.

XV. INSPECTION OF WORK

It is HELLO's obligation to make the work product available for CITY's inspections and periodic reviews upon request by CITY.

XVI. BREACH OF AGREEMENT

A. This Agreement is governed by applicable federal and state statutes and regulations. Any material deviation by HELLO for any reason from the

requirements thereof, or from any other provision of this Agreement, shall constitute a breach of this Agreement and may be cause for termination at the election of the CITY.

B. The CITY reserves the right to waive any and all breaches of this Agreement, and any such waiver shall not be deemed a waiver of any previous or subsequent breaches. In the event the CITY chooses to waive a particular breach of this Agreement, it may condition same on payment by HELLO of actual damages occasioned by such breach of Agreement.

XVII. SEVERABILITY

The provisions of this Agreement are severable. If any portion of this Agreement is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect unless amended or modified by the mutual consent of the parties.

XVII. CAPTIONS

The captions of this Agreement are for convenience and reference only and shall not define, explain, modify, limit, exemplify, or aid in the interpretation, construction, or meaning of any provisions of this Agreement.

XIX. LITIGATION OR ARBITRATION

In the event that suit or arbitration is brought to enforce the terms of this contract, the prevailing party shall be entitled to litigation costs and reasonable attorneys' fees. The Dispute Resolution provisions are set forth on Exhibit "B", 'Dispute Resolution' attached hereto and by this reference incorporated herein.

XX. TERM OF AGREEMENT

This agreement shall remain in effect for the period of **July 1, 2014 through June 30, 2019**, unless extended, amended, or terminated in writing by the City.

XXI. ENTIRE AGREEMENT

This document constitutes the sole Agreement of the parties hereto relating to said project and states the rights, duties, and obligations of each party as of the document's

date. Any prior Agreement, promises, negotiations, or representations between parties not expressly stated in this document are not binding. All modifications, amendments, or waivers of the terms of this Agreement must be in writing and signed by the appropriate representatives of the parties to this Agreement.

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

City of Menlo Park
A Municipal Corporation

By _____

Title _____
"CITY"

Hello Housing
A California nonprofit public benefit
corporation

By _____

Title _____
"HELLO"

EXHIBIT "A"

**SCOPE OF WORK
LOAN PORTFOLIO**

ACTIVITIES

Over the term of this contract, HELLO shall perform the following loan servicing and administrative activities for the Purchase Assistance Loans, Emergency Rehab Loans and the Rehab Loans in the City of Menlo Park for the Community Services Department:

Website and 24-hour dedicated phone line	Place program information on Hello Housing's website and set up dedicated phone line.
New file digitization and on-boarding	Scan each individual document in each physical file and upload to database for easy reporting, document information access and snapshot view of compliance and payment status. Provide electronic copies of physical files to City.
Monitoring of existing portfolio	Annually, send up to 3 letters/phone calls requesting verification of occupancy and any other compliance requirements of program. If no response after 3 attempts, report to the City. Follow up available at an hourly rate. Twice annually send check in/how are you letters on status of first loans and soundness of ownership, and include information which demonstrates potential savings if households choose to refinance (e.g. comparing 6% interest on \$300,000 to 3.5% interest on \$300,000). All monitoring outreach attempts and results will be tracked in the database and reported to the City annually.
Refinance request reviews and subordination creation	Answer questions and supply a letter outlining acceptable first loan products for a refinance, required documentation needed and time line expectations for lenders and owners. Coordinate with Title Company and first lender for preliminary title report and loan terms in order to review and confirm that the refinance meets the program's guidelines. Prepare escrow instructions, subordination agreement, and request for notice of default and route for signatures. Follow up with Title on close of escrow, and status of City copies of recorded documents.
Loan Servicing	Generate payment coupons, receive, deposit and reconcile payments. Perform any necessary late, partial or non-payment follow up (up to 3 letters). Provide monthly summary of loans to City. Report to include date payment received, any past due information, and tracking of due date for loans that are currently deferred.
Exit survey	Send a survey to borrowers leaving the program to track the success of the program including equity gained, and what type of housing they are moving into (rental or market rate ownership).

BILLINGS

HELLO shall submit monthly invoices to the CITY per the following billing activities and rates. Payments are due upon receipt of invoices.

Commitment Fee (due 15 days after contract execution)	\$3500 one time fee
One-Time Set Up Costs	\$100 per file
Annual Compliance Monitoring	\$100 per file/year
Refinances	\$650 per file
Servicing of Loans with Monthly Payments	\$25 per file/month
Tracking of Loans with Deferred Payments	\$10 per file/month

ANNUAL COMPENSATION AFTER SET-UP YEAR

Annual costs can be renegotiated in May of each year of this contract by consent of both parties. If no new prices are agreed upon, the prior year's cost of services will continue.

SCOPE OF WORK BELOW MARKET RATE HOUSING PROGRAM

1. SCOPE OF SERVICES

HELLO agrees to manage and facilitate the sale of Below Market Rate (BMR) properties in Menlo Park for the CITY'S Department of Community Services. In the event of any discrepancy between any of the terms of HELLO's proposal and those of this agreement, the version most favorable to the CITY shall prevail. HELLO shall provide the following services:

1. Maintain existing BMR wait list (currently 186) - includes marketing to increase the applicant pool; evaluating applications for eligibility; mailing letters to applicants letting them know that they are eligible and added to waiting list and including print-out from database verifying their information; mailing letters of denial to applicants who are ineligible. It would also include updating any applicable information and responding to households on the waiting list who call or write in with questions related to where they are on the waiting list, the status of upcoming developments that may include BMR units, and other general questions related to affordable housing availability.
2. Certification of owner occupancy for BMR ownership units including annual update letters, requests for utility bills, waiting list update, foreclosures, current on HOA dues etc. Update status in database. The cost per unit file for 2A and 2B is \$100 (1 hour @ \$100/hr) \$3000 annually prorated by month. Charges to remain on the waitlist to help offset costs will be implemented and approved in advance by the City.
3. Subordination/Refinancing - Evaluate subordination requests to ensure they meet the program's Subordination Guidelines. Provide owner borrowers and their lenders with information about subordination requirements and process and maintain/revise all subordination application documents, including preparing documentation for BMR Restrictions, Notes and Deed of Trust, Subordination agreements, etc. Recorded documents will be sent to the City of Menlo Park Clerk's Office. The cost per unit would be \$1,000 (10 hours @ \$100/hr). Any charges for this service will be pre-approved by the City.
4. Sale of New BMR Units - Work with developer, their sales office, and City's contract realtor to arrange a timeline for completion and sale of BMR units (City must sell BMR units within the timeframe identified in the development's BMR Agreement). City's Realtor will inspect and approve BMR units as construction is completed. Working with developer and/or their sales office to obtain necessary information for determining the price of the BMR unit(s). Establish household size and income qualifications. Set the price of the BMR unit(s). Put together application packets including (but not limited to) purchase applications, detailed description of the property and

units, sales prices and floor plans, eligibility requirements, program requirements, and information on home purchase and home financing options. Invite eligible households on the waiting list to attend an applicant orientation meeting. Households must attend to receive an application packet. Typically a second smaller orientation is held for those who are unable to attend the first one. Plan, write content for, and conduct the first-time homebuyer/applicant orientation meetings. This will include information about the BMR Program, requirements for home purchase, and information about affordable home loan financing. Evaluate all applications to ensure that (1) applicants meet minimum eligibility requirements and (2) applicants appear "mortgage ready". Order credit reports to check credit scores if a recent credit report is unavailable. Write and send letters to applicants notifying them of their application status. Depending on the number of available units, invite the top few to get pre-approved for the purchase price with one of the program's mortgage lenders. Applicants then have a deadline to submit a pre-approval letter from their lender/broker. Work with buyers' lenders to ensure that their home financing/loans meet program requirements, this will include such things as having the signed loan application, title report, GFE, and Estimated Settlement Statement on file. Work with developer, realtor, lender, and title to ensure timely close of escrow. Get copies of purchase contract and all other relevant documents from realtor, keep one copy for file and original to City Clerk. Prepare all necessary documentations for new BMR unit (i.e., BMR Deed Restrictions, Notes and Deed of Trust, etc.) The BMR Deed Restrictions must be signed by the City before it can be recorded. Create files for new BMR owners. Ensure post closing title report shows BMR Deed Restrictions. Cost per unit \$2,000 (20 hours @ \$100/hr).

5. Resale of Existing Units - Process is similar to above but involves working with both the selling owner (instead of developer) and the buyer, selling in accordance with time limits in guidelines/deed restrictions. City will inspect unit and identify any repairs or improvements that need to be made, determine if significant improvements to the unit have been made and determine depreciated value of any improvements. PAHC will work with the City to determine re-sale price and work with owner to ensure they do everything they are required to do in accordance with the BMR timelines. PAHC will qualify potential buyers and prepare necessary documentations. The cost per unit would be \$2,500 (25 hours @ \$100/hr).
6. Financing Support - Stay up-to-date on current trends in the mortgage market, particularly for first-time homebuyers, related to underwriting processes and qualification criteria such as minimum credit score, down payment requirements, private mortgage insurance, and interest rates. Maintain knowledge of and provide clients with information about homebuyer purchase assistance programs such as those offered by HEART, CalHFA, FHA, and VA. Maintain information on where clients can access first-time homebuyer credit repair and financial/budget training. Make referrals and update resources as needed.

7. Additional Reimbursable Costs - postage and advertising.
8. Send all recorded originals to the City of Menlo Park, City Clerk, 701 Laurel Street, Menlo Park, CA 94025.

FIRST PARTY agrees to perform these services as directed by the CITY in accordance with the standards of its profession and CITY's satisfaction.

2. COMPENSATION

CITY hereby agrees to pay HELLO for the services according to the attached schedule of fees.

3. CHANGES IN WORK -- EXTRA WORK

In addition to services described in Section 1, the parties may from time to time agree in writing that HELLO, for additional compensation, shall perform additional services including but not limited to:

Change in the services because of changes in scope of the work.
Additional tasks not specified herein as required by the CITY.

The CITY and HELLO shall agree in writing to any changes in compensation and/or changes in HELLO's services prior to the commencement of any work. If HELLO deems work they have been directed to perform is beyond the scope of this agreement and constitutes extra work, HELLO shall immediately inform the CITY in writing of the fact. The CITY shall make a determination as to whether such work is in fact beyond the scope of this agreement and constitutes extra work. In the event that the CITY determines that such work does constitute extra work, it shall provide compensation to the HELLO in accordance with an agreed cost that is fair and equitable. This cost will be mutually agreed upon by the CITY and HELLO.

EXHIBIT "B"

DISPUTE RESOLUTION

B1.0 All claims, disputes and other matters in question between HELLO and CITY arising out of, or relating to, the contract documents or the breach thereof, shall be resolved as follows:

B2.0 Mediation

B2.1 The parties shall attempt in good faith first to mediate such dispute and use their best efforts to reach agreement on the matters in dispute. After a written demand for non-binding mediation, which shall specify in detail the facts of the dispute, and within ten (10) days from the date of delivery of the demand, the matter shall be submitted to a mutually agreeable mediator. The Mediator shall hear the matter and provide an informal opinion and advice, none of which shall be binding upon the parties, but is expected by the parties to help resolve the dispute. Said informal opinion and advice shall be submitted to the parties within twenty (20) days following written demand for mediation. The Mediator's fee shall be shared equally by the parties. If the dispute has not been resolved, the matter shall be submitted to arbitration in accordance with Paragraph 3.1.

B3.0 Arbitration

B3.1 Any dispute between the parties that is to be resolved by arbitration as provided in Paragraph 2.1 shall be settled and decided by neutral, binding arbitration. The arbitrator shall be a retired judge or justice, or an attorney with at least ten years of residential real estate law experience, unless the parties mutually agree to a different arbitrator, who shall render an award in accordance with substantive California law except as modified below. In all other respects, the arbitration shall be conducted in accordance with Part III, Title 9 of the California Code of Civil Procedure. Judgment upon the award of the arbitrator(s) may be entered in any court having jurisdiction. The parties shall have the right to discovery in accordance with Code of Civil Procedure Section 1283.05.

B3.2 Any demand for arbitration shall be writing and must be made within a reasonable time after the claim, dispute or other matter in question as arisen. In no event shall the demand for arbitration be made after the date that institution of legal or equitable proceedings based on such claim, dispute or other matter would be barred by the applicable statute of limitations.

B3.3 The arbitrator or arbitrators appointed must be former or retired judges, or attorneys at law with last ten (10) years' experience in residential real estate.

B3.4 All proceedings involving the parties shall be reported by a certified shorthand court reporter, and written transcripts of the proceedings shall be prepared and made available to the parties.

B3.5 The arbitrator or arbitrators must be made within and provide to the parties factual findings and the reasons on which the decisions of the arbitrator or arbitrators is based.

B3.6 Final decision by the arbitrator or arbitrators must be made within ninety (90) days from the date of the arbitration proceedings are initiated.

- B3.7** The prevailing party shall be awarded reasonable attorneys' fees, expert and non-expert witness costs and expenses, and other costs and expenses incurred in connection with the arbitration, unless the arbitrator or arbitrators for good cause determine otherwise.
- B3.8** Costs and fees of the arbitrator or arbitrators shall be borne by the non-prevailing party, unless the arbitrator or arbitrators for good cause determine otherwise.
- B3.9** The award or decision of the arbitrator or arbitrators, which may include equitable relief, shall be final, and judgment may be entered on it in accordance with applicable law in any court having jurisdiction over the matter.



COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-107

Agenda Item #: D-3

CONSENT CALENDAR: **Authorize the City Manager to Enter Into a Contract With Kidango Foods in an Amount Not to Exceed \$76,058 for the Delivery of Food Services at the Belle Haven Child Development Center for Fiscal Year 2014-15**

RECOMMENDATION

Staff recommends that the Council authorize the City Manager to enter into a contract with Kidango in an amount not to exceed \$76,058 for the delivery of food services at the Belle Haven Child Development Center for Fiscal Year 2014-15.

BACKGROUND

The City of Menlo Park has operated the Belle Haven Child Development Center (BHDC) for over 30 years. An important component of the program is the breakfast and lunch served to each child every day. Meal services must comply with the California Child and Adult Care Food Program (CACFP) meal pattern requirements (including quantity of food and food types for each age group) as well as the nutritional standards for breakfast and lunch as established by the United States Department of Agriculture (USDA). The BHDC receives meal reimbursements through the USDA based on income levels of families served as well as daily attendance. Contracts for food services must be renewed annually due to USDA requirements limiting the length of a contract to one year and disallowing automatic renewal provisions. The contract for food services must also be submitted to the California Department of Education in order to ensure compliance with all the provisions and standards set forth by the USDA.

The BHDC is licensed for 96 children but currently, due to State budget cuts, is only operating three class rooms full time and one classroom for a half day, lowering the total number of children regularly enrolled. The program has an average daily meal count of approximately 78 breakfasts and 66 lunches. The difference in meal counts for breakfast and lunch is due to providing only breakfast to the part-day program children. The Center is currently contracted by the State to remain open for 246 days a year, which results in the need for approximately 35,425 meals per year. Staff is not anticipating any change in operations during Fiscal Year 2014-15 that would impact these numbers.

ANALYSIS

Bids for the delivery of breakfast and lunch were solicited only from Kidango as they are the only local food vendor providing meals according to the CACFP regulations. Last year, Kidango was the only formal bidder for the contract, although bid packages were sent to four other potential bidders. Kidango's proposed pricing matches the prices of the current fiscal year's contract.

Kidango provides a variety of menu options, nutrition education for parents and children, sack lunches for field trips, daily milk and fresh fruit. Kidango meals are prepared fresh daily from their central kitchen located in Fremont, California that is licensed, and inspected by the Alameda County Health Department. The Kidango program exceeds the requirements of the USDA Child Care Food Program. They strive to provide meals that are both nutritious and delicious. Kidango meals contain no high fructose corn syrup, no added sugar or salt and no nitrates or nitrites in the meats. They use baked goods containing whole grains and homemade recipes with whole foods. Kidango's nutrition staff makes special meals to meet children's dietary restrictions and incorporate multi-cultural meals to introduce the children to an array of tastes and textures. Kidango prepares meals encouraging agencies to support family style dining and exposes children to new foods, promotes a relaxed eating atmosphere, and fosters conversation and learning.

Kidango is an environmental and energy conscious company. They use no disposable food containers in their kitchen or to transport their food. They use energy efficient appliances and insulated food storage containers that maintain food temperature for up to four hours. They have virtually no food waste and all their food labels are dissolvable in the dishwasher. They have also offered to cut down the daily waste at Belle Haven CDC by offering to wash reusable dishes on a daily basis.

The City receives reimbursement from the USDA through the Child Care Food Program for a fixed amount for each child's meals. The current reimbursement rate varies based on the child's family income and ranges from a base rate of \$ 0.28 to \$1.58 for breakfast, \$0.28 to \$2.93 for lunch, and \$0.07 to \$0.80 for snacks. Fiscal 2013-14 data indicates that of the children qualifying for a meal subsidy, approximately 8 percent qualified for the base reimbursement rate, 21 percent qualified for the reduced-price reimbursement rate and 67 percent qualified for full subsidy reimbursement rate. At the per meal prices quoted in the bid, the full-year cost for seventy-eight breakfasts and sixty-six lunches per day would be \$76,058.

IMPACT ON CITY RESOURCES

The contract with Kidango will not exceed the amount of \$76,058 for approximately twelve months of service. Additional food costs for materials obtained by City staff directly, (extra snacks, condiments, dry goods, etc.) are estimated at \$8,118 resulting in a maximum annual cost of food services for the program of \$84,176. It is estimated that the City will receive a maximum of \$89,306 in Federal grant reimbursements (breakfast,

lunch and snacks), resulting in no cost to the City's General Fund for the food program at the CDC.

POLICY ISSUES

The recommendation does not represent any change to existing City policy.

ENVIRONMENTAL REVIEW

Approval of the contract is not deemed a project under the California Environmental Quality Act.

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. Kidango Meal Service Proposal for FY 2014-15

Report prepared by:
Natalie Bonham
Program Supervisor- BHCDC

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Community Services Department ✓

Date: April 14, 2014
 To: Food Vendors
 From: Natalie Bonham, Program Supervisor, Belle Haven CDC
 Subject: Food Service Proposal FY 2014/2015

The City of Menlo Park is accepting proposals for food services for the Belle Haven Child Development Center located at 410 Ivy Drive in Menlo Park. The City of Menlo Park will be awarding a contract for Breakfast and Lunch for a one-year period beginning July 1, 2014 through June 30, 2015.

The meals to be served under this contract must meet the requirements of Title 22 of the State Health and Welfare Code and Title 7 Code of Federal Regulations, Part 226, Child and Adult Care Food Program (CACFP) Regulations.

Food Service Vendors and Belle Haven Child Development Center Responsibilities:
(These responsibilities are outlined in the attached CACFP contract)

The Vendor and Belle Haven Child Development Center are to operate in accordance with the current CACFP regulations.

Vendor shall prepare breakfast and lunch meals, that met the minimum requirements as to the nutritional content as specified by the CACFP schedule B-meal pattern (attached) which is excerpted from the Title 7 code of federal regulations, part 226.20.

Vendor shall maintain all necessary records on the nutritional components and quantities of the breakfast and lunches delivered to the BHCDC and make said records available for inspection by State and Federal authorities upon request.

Vendor shall provide the necessary utensils, plates and napkins.

Vendor shall prepare the breakfast and lunch meals at their site. This preparation site shall maintain the appropriate state and local health certifications for the facility.

The number of breakfast and lunches prepared by the Vendor shall be equal to the number of breakfast and lunches requested by Belle Haven CDC. The Belle Haven CDC shall be obligated to accept and pay for the number of breakfast and lunches requested

but not served. The Vendor shall not be obligated to provide any breakfast or lunches on days when Belle Haven CDC is not in session.

Belle Haven CDC shall pay the Vendor \$ 1.40 for breakfast and \$ 3.03 for lunches. Vendor should indicate whether the cost of milk is or is ~~not~~ included in the per day rate of breakfast and lunch. KF

The Vendor shall provide all equipment necessary to transport the breakfast and lunches. Belle Haven CDC shall provide all personnel necessary to serve and supervise the consumption of the breakfast and lunches.

Belle Haven CDC shall be responsible for receiving the breakfast and lunches from the Vendor. The receiving time shall be no later than 8:15am for Breakfast and 11:15 am for Lunch.

The Vendor shall be responsible for the condition or care of said meal until Belle Haven CDC accepts delivery/receipt and Belle Haven CDC shall be responsible for maintaining the proper temperature of the breakfast and lunch components until they are consumed.

Belle Haven CDC shall return to the Vendor any/all property owned by the Vendor on a daily basis.

The Vendor shall provide Belle Haven CDC no later than one (1) week prior to the end of each month, a monthly menu covering the breakfast and lunches to be served for the following month. The Vendor shall submit to Belle Haven CDC the itemized invoices for the breakfast and lunches prepared by the Vendor on the 10th day of each month. Belle Haven CDC shall submit payment to the Vendor in such form as required by Vendor on or before the 10th day of the following month.

When requested by Belle Haven CDC, the Vendor shall provide Belle Haven CDC with sack lunches for field trips which meet the CACFP regulations.

Belle Haven CDC shall notify the Vendor at least 5 working days in advance when lunches are required for field trip. The cost per sack lunch shall remain the same as for the regular lunches.

The Vendor shall assume all liability for proper use and protection of commodities assigned to it by Belle Haven CDC.

Gifts or exchanges of commodities are not permitted. Until it is consumed by the student, the food prepared remains the property of the state and federal governments and Belle Haven CDC. It cannot be sold, given away, or exchanged for other goods.

The Vendor and Belle Haven CDC shall have dual indemnification and hold its officers, employees and agents harmless from any and all liability, cost or expense arising out of the performance of the agreement.

Belle Haven CDC and the Vendor shall comply with all applicable federal, state and local statutes and regulations with regard to the preparation and consumption of meals, which meet the CACFP requirements, including but not limited to, all applicable nondiscrimination. All records maintained by Belle Haven CDC and the Vendor shall be open to inspection by proper federal, state and local authorities in accordance with applicable statutes and regulations.

The agreement shall be in effect commencing July 1, 2014 with an initial term of 12 months ("Initial Term") ending June 30, 2015. The Agreement shall terminate at the end of the Initial Term if written notice to terminate is given by either party at least thirty days (30) prior to the last day of the Initial Term.

The business and information relating to the execution of the agreement and the services thereof, including kitchen visitations, shall be directed to the Vendor's designated Director of Food Services.

The City of Menlo Park requires sample breakfast and lunch menus with this bid.

INSTRUCTIONS FOR USE

CHILD CARE STANDARD FOOD SERVICE VENDING AGREEMENT (DELIVERY)

The attached sample is a *Standard Agreement To Furnish Food Service* in the Child and Adult Care Food Program (CACFP); it can be used when an agency (or center) contracts with a food service vendor for meals that will be claimed for reimbursement under the CACFP. This agreement can be used when you contract with a school or other authorized public entity for the purchase of meals. If you contract with a commercial vendor or non-public agency, this agreement may be used **only** if the annual aggregate value of your food service contract is less than the limits specified below. If the annual aggregate value of the food service contract is over the limits identified below, formal contracting procedures, as outlined in Title 7 Code of Federal Regulations, Part 226.22, **are required**.

Public and Private Agencies: For purchases of meals, food, supplies, equipment, and other goods and services with an aggregate cost over \$100,000 in a fiscal year, you must follow formal bid procedures. Small purchase procedures are allowed only if the aggregate cost is less than \$100,000.

The agreement must be signed by both the agency and the vendor. This agreement contains the requirements outlined in the Code of Federal Regulations. **No deletions of clauses or items will be allowed without the approval of the Nutrition Services Division.** The *Schedule B – Meal Pattern for Older Children* is a required part of the agreement. Additional clauses may be added to bring the agreement into conformance with applicable State or local laws governing your agency. And, if approved by the Nutrition Services Division, additional clauses may be added by either the agency or the vendor.

If you are a public agency, you can use your customary form of contract **if that form incorporates all of the provisions set forth in Sec. 226.6(i) of the Code of Federal Regulations**. A request to use your customary form must be submitted in writing to the Nutrition Services Division prior to the execution of the contract.

An agreement is valid for one year only. A new agreement must be executed annually. Submit a photocopy of each annual agreement to the CACFP for review **prior** to beginning program operations covered under the agreement. Copies of the completed agreement and all amendments must be retained by both the agency and the vendor. If only one original agreement is signed, we recommend that you retain it in your files.

If you have any questions regarding the use of this agreement or need clarification of the regulatory requirements for contracting, please call the Nutrition Services Division at (916) 445-0850 or toll free at (800) 952-5609.

VENDOR #:
AGREEMENT #:

**STANDARD AGREEMENT TO FURNISH FOOD SERVICE
BETWEEN A CHILD AND ADULT CARE FOOD PROGRAM AGENCY
AND A FOOD SERVICE VENDOR**

THIS ENTERED INTO ON THIS FIRST DAY OF July, 2014 BY
MONTH YEAR

AND BETWEEN CITY OF MENLO PARK, HEREINAFTER REFERRED TO AS THE
NAME OF AGENCY

AGENCY, AND KIDANGO HEREINAFTER REFERRED TO AS THE
NAME OF FOOD SERVICE MANAGEMENT COMPANY

VENDOR.

WHEREAS, IT IS NOT WITHIN THE CAPABILITY OF THE AGENCY TO PREPARE SPECIFIED MEALS UNDER THE CHILD AND ADULT CARE FOOD PROGRAM (CACFP) FOR ENROLLED PARTICIPATING ADULTS; AND

WHEREAS, THE FACILITIES AND CAPABILITIES OF THE VENDOR ARE ADEQUATE TO PREPARE SPECIFIED MEALS FOR THE AGENCY'S FACILITY(IES); AND

WHEREAS, THE VENDOR IS WILLING TO PROVIDE SUCH SERVICES TO THE AGENCY ON A COST REIMBURSEMENT BASIS.

THEREFORE, BOTH PARTIES HERETO AGREE AS FOLLOWS:

THE VENDOR AGREES TO:

- PREPARE THE MEALS (INCLUSIVE/EXCLUSIVE) OF MILK FOR BELLE HAVEN CHILD DEVELOPMENT CTR
NAME OF SITE
 DELIVERY TO THE AGENCY AT 410 IVY DRIVE, MENLO PARK, CA BY 11:15am
ADDRESS OF SITE TIME
 EACH WEEKDAY, IN ACCORDANCE WITH THE NUMBER OF MEALS REQUESTED AND
* WEEKDAY OR AS APPROPRIATE

AT THE COST(S) PER MEAL LISTED BELOW:

BREAKFAST	\$ <u>1.40</u>	EACH	LUNCH	\$ <u>3.03</u>	EACH
SUPPLEMENT/SNACK	\$ <u>N/A</u>	EACH	SUPPER	\$ <u>N/A</u>	EACH

- ASSURE THE AGENCY THAT NO TITLE III(C) FUNDS HAVE BEEN APPLIED TO THE COST OF OR TITLE III(C) COMMODITIES USED FOR THE PREPARATION OF THESE MEALS.

* Negotiable time frame but should be no longer than 24 hours.

VENDOR #:
AGREEMENT #:

**STANDARD AGREEMENT TO FURNISH FOOD SERVICE
BETWEEN A CHILD AND ADULT CARE FOOD PROGRAM AGENCY
AND A FOOD SERVICE VENDOR**

3. PROVIDE THE AGENCY, FOR APPROVAL, A PROPOSED MENU FOR EACH MONTH AT LEAST * 7 DAYS PRIOR TO THE BEGINNING OF THE MONTH TO WHICH THE MENU APPLIES. ANY CHANGES TO THE MENU MADE AFTER AGENCY APPROVAL, MUST BE AGREED UPON BY THE AGENCY AND DOCUMENTED ON THE MENU RECORDS.
4. ASSURE THAT EACH MEAL PROVIDED TO THE AGENCY UNDER THIS CONTRACT MEETS THE MINIMUM REQUIREMENTS AS TO THE NUTRITIONAL CONTENT AS SPECIFIED BY THE CHILD AND ADULT CARE FOOD PROGRAM'S SCHEDULE B--MEAL PATTERN FOR OLDER CHILDREN (ATTACHED) WHICH IS EXCERPTED FROM THE TITLE 7 CODE OF FEDERAL REGULATIONS, PART 226.20.
5. MAINTAIN COST RECORDS SUCH AS INVOICES, RECEIPTS, AND/OR OTHER DOCUMENTATION THAT SHOWS THE PURCHASE, OR AVAILABILITY TO THE VENDOR, OF MEAL COMPONENTS, AS ITEMIZED IN THE MEAL PREPARATION RECORDS.
6. MAINTAIN FULL AND ACCURATE RECORDS WHICH DOCUMENT: (1) THE MENUS LISTING ALL MEALS PROVIDED TO THE AGENCY DURING THE TERM OF THIS CONTRACT; (2) A LISTING OF ALL NUTRITIONAL COMPONENTS OF EACH MEAL; AND, (3) AN ITEMIZATION OF THE QUANTITIES OF EACH COMPONENT USED TO PREPARE SAID MEAL. THE VENDOR AGREES TO PROVIDE MEAL PREPARATION DOCUMENTATION BY USING YIELD FACTORS FOR EACH FOOD ITEM AS LISTED IN THE USDA FOOD BUYING GUIDE WHEN CALCULATING AND RECORDING THE QUANTITY OF FOOD PREPARED FOR EACH MEAL.
7. MAINTAIN, ON A DAILY BASIS, AN ACCURATE COUNT OF THE NUMBER OF MEALS, BY MEAL TYPE, PREPARED FOR THE AGENCY. MEAL COUNT DOCUMENTATION MUST INCLUDE THE NUMBER OF MEALS REQUESTED BY THE AGENCY.
8. ALLOW THE AGENCY TO INCREASE OR DECREASE THE NUMBER OF MEAL ORDERS, AS NEEDED, WHEN THE REQUEST IS MADE WITHIN * 24 HOURS OF THE SCHEDULED DELIVERY TIME.
9. PRESENT TO THE AGENCY AN INVOICE, ACCOMPANIED BY REPORTS, NO LATER THAN THE * 7th DAY OF EACH MONTH THAT ITEMIZES THE PREVIOUS MONTH'S DELIVERY. THE VENDOR AGREES TO FORFEIT PAYMENT FOR MEALS WHICH ARE NOT READY WITHIN 1 HOUR OF THE AGREED UPON DELIVERY TIME, ARE SPOILED, OR UNWHOLESOME AT THE TIME OF DELIVERY, OR DO NOT OTHERWISE MEET THE MEAL REQUIREMENTS CONTAINED IN THIS AGREEMENT.
10. PROVIDE THE AGENCY WITH A COPY OF CURRENT HEALTH CERTIFICATIONS FOR THE FOOD SERVICE FACILITY IN WHICH IT PREPARES MEALS FOR USE IN THE CACFP. THE VENDOR SHALL ENSURE THAT ALL HEALTH AND SANITATION REQUIREMENTS OF THE CALIFORNIA RETAIL FOOD FACILITIES LAW AND CHAPTER 4 OF THE CALIFORNIA HEALTH AND SAFETY CODE ARE MET AT ALL TIMES.
11. OPERATE IN ACCORDANCE WITH CURRENT CACFP REGULATIONS.
12. RETAIN ALL REQUIRED RECORDS FOR A PERIOD OF THREE (3) YEARS AFTER THE END OF THE FISCAL YEAR TO WHICH THEY PERTAIN (OR LONGER, IF AN AUDIT IS IN PROGRESS) AND, UPON REQUEST, MAKE ALL ACCOUNTS AND RECORDS PERTAINING TO THE AGREEMENT AVAILABLE TO THE CERTIFIED PUBLIC ACCOUNTANT HIRED BY THE AGENCY, REPRESENTATIVES OF THE CALIFORNIA STATE DEPARTMENT OF EDUCATION, THE U. S. DEPARTMENT OF AGRICULTURE, AND THE U.S. GENERAL ACCOUNTING OFFICE FOR AUDIT OR ADMINISTRATIVE REVIEW AT A REASONABLE TIME AND PLACE.
13. NOT SUBCONTRACT FOR THE TOTAL MEAL, WITH OR WITHOUT MILK, OR FOR THE ASSEMBLY OF THE MEAL.

* Negotiable time frame but should be no longer than 24 hours.

VENDOR #:
AGREEMENT #:

**STANDARD AGREEMENT TO FURNISH FOOD SERVICE
BETWEEN A CHILD AND ADULT CARE FOOD PROGRAM AGENCY
AND A FOOD SERVICE VENDOR**

THE VENDOR CERTIFIES:

1. NEITHER IT NOR ITS PRINCIPALS ARE PRESENTLY DEBARRED, SUSPENDED, PROPOSED FOR DEBARMENT, DECLARED INELIGIBLE, OR VOLUNTARILY EXCLUDED FROM PARTICIPATION IN THIS TRANSACTION BY ANY FEDERAL DEPARTMENT OR AGENCY.

WHERE THE BIDDER IS UNABLE TO CERTIFY TO ANY OF THE STATEMENTS IN THIS CERTIFICATION, SUCH AGENCY SHALL ATTACH AN EXPLANATION TO THIS PROPOSAL.

2. AS REQUIRED BY THE STATE DRUG-FREE WORKPLACE ACT OF 1990 (GOVERNMENT CODE SECTION 8350 ET. SEQ.) AND THE FEDERAL DRUG-FREE WORKPLACE ACT OF 1988, AND IMPLEMENTED AT TITLE 34 CODE OF FEDERAL REGULATIONS, PART 85, SUBPART F, FOR GRANTEEES, AS DEFINED AT TITLE 34 CODE OF FEDERAL REGULATIONS, PART 85, SECTIONS 85.605 AND 85.610, THE BIDDER CERTIFIES THAT IT WILL CONTINUE TO PROVIDE A DRUG-FREE WORKPLACE.

THE AGENCY AGREES TO:

1. REQUEST BY TELEPHONE NO LATER THAN DAILY 9:30AM MON-FRI
WEEKLY 9:30 THURSDAY AN ACCURATE NUMBER OF
TIME OF DAY AND DAY OF WEEK
MEALS TO BE DELIVERED TO THE AGENCY ON EACH WEEKDAY/FOLLOWING WEEK. NOTIFY THE
WEEKDAY OR AS APPROPRIATE
VENDOR OF NECESSARY INCREASES OR DECREASES IN THE NUMBER OF MEAL ORDERS WITHIN * _____ HOURS OF THE SCHEDULED DELIVERY TIME. ERRORS IN MEAL ORDER COUNTS MADE BY THE AGENCY SHALL BE THE RESPONSIBILITY OF THE AGENCY.
2. ENSURE THAT AN AGENCY REPRESENTATIVE RECEIVES THE MEALS FOR EACH SITE, AT THE SPECIFIED TIME ON EACH SPECIFIED DAY. THIS INDIVIDUAL WILL INSPECT AND SIGN FOR THE REQUESTED NUMBER OF MEALS. THIS INDIVIDUAL WILL VERIFY THE TEMPERATURE, QUALITY, AND QUANTITY OF EACH MEAL DELIVERED. THE AGENCY ASSURES THE VENDOR THAT THIS INDIVIDUAL WILL BE TRAINED AND KNOWLEDGEABLE IN THE RECORD KEEPING AND MEAL REQUIREMENTS OF THE CACFP, AND IN HEALTH AND SANITATION PRACTICES.
3. PROVIDE PERSONNEL TO SERVE MEALS, CLEAN THE SERVING AND EATING AREAS, AND ASSEMBLE TRANSPORT CARTS AND AUXILIARY ITEMS FOR RETURN TO THE VENDOR NO LATER THAN 11:5AM
TIME EACH DAY
4. NOTIFY THE VENDOR WITHIN 3 DAYS OF RECEIPT OF THE NEXT MONTH'S PROPOSED MENU OF ANY CHANGES, ADDITIONS, OR DELETIONS, WHICH WILL BE REQUIRED IN THE MENU REQUEST.
5. PROVIDE THE VENDOR WITH A COPY OF TITLE 7 CODE OF FEDERAL REGULATIONS, PART 226; THE CHILD AND ADULT CARE FOOD PROGRAM SCHEDULE B--MEAL PATTERN FOR OLDER CHILDREN; AND THE USDA FOOD BUYING GUIDE (AS APPLICABLE); AND ALL OTHER TECHNICAL ASSISTANCE MATERIALS PERTAINING TO THE FOOD SERVICE REQUIREMENTS OF THE CACFP. THE AGENCY WILL, WITHIN 24 HOURS OF RECEIPT FROM THE STATE AGENCY, ADVISE THE VENDOR OF ANY CHANGES IN THE FOOD SERVICE REQUIREMENTS OF THE CACFP.

* Negotiable time frame but should be no longer than 24 hours.

VENDOR #:
AGREEMENT #:

**STANDARD AGREEMENT TO FURNISH FOOD SERVICE
BETWEEN A CHILD AND ADULT CARE FOOD PROGRAM AGENCY
AND A FOOD SERVICE VENDOR**

6. PAY THE VENDOR BY THE NET 30 DAY OF EACH MONTH THE FULL AMOUNT AS PRESENTED ON THE MONTHLY ITEMIZED INVOICE. THE AGENCY AGREES TO NOTIFY THE VENDOR WITHIN 48 HOURS OF RECEIPT OF ANY DISCREPANCY IN THE INVOICE

TERMS OF THE AGREEMENT:

THIS AGREEMENT WILL TAKE EFFECT COMMENCING July 1, 2014 AND SHALL BE FOR A PERIOD OF ONE CALENDAR YEAR. IT MAY BE TERMINATED BY WRITTEN NOTIFICATION GIVEN BY EITHER PARTY HERETO THE OTHER PARTY AT LEAST 30 DAYS PRIOR TO THE DATE OF TERMINATION.

SCHOOL FOOD AUTHORITY VENDING TO AN AGENCY:


PER TITLE 7, CODE OF FEDERAL REGULATIONS, PART 226.20 (o), AGENCIES WHICH VEND FROM A SCHOOL THAT PARTICIPATES IN THE NATIONAL SCHOOL LUNCH AND SCHOOL BREAKFAST PROGRAMS MAY USE THE SCHOOL'S MEAL PATTERN. ENTER THE SCHOOL MEAL INITIATIVE (SMI) PLANNING OPTION(S) YOU WILL USE AND SUBMIT A MENU TO THE AGENCY FOR NSD'S APPROVAL IF YOU WILL NOT USE THE STANDARD CACFP MEAL PATTERN:

If the Agency agrees to the menu planning option, the school will train the Agency by: N/A

AGENCY:

Agrees to allow the school to use the SMI menu planning option noted above (submit menu for NSD's approval):
Yes No

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT AS OF THE DATES INDICATED BELOW:

VENDOR OFFICIAL SIGNATURE 	AGENCY OFFICIAL SIGNATURE
VENDOR OFFICIAL NAME (PLEASE TYPE) PAUL MILLER	AGENCY OFFICIAL NAME (PLEASE TYPE)
TITLE EXECUTIVE DIRECTOR	TITLE
TELEPHONE NUMBER 510 897 6924	TELEPHONE NUMBER
DATE 5/15/2014	DATE

**SCHEDULE B
CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN**

NSD 2050B (REV. 07/03)

VENDOR #:
AGREEMENT #:

BREAKFAST	AGES ONE THROUGH TWO YEARS	AGES THREE THROUGH FIVE YEARS	AGES SIX THROUGH TWELVE YEARS
MILK, FLUID (2 YEARS AND OLDER MUST BE SERVED 1% OR NON-FAT)	½ CUP	¾ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	¼ CUP	½ CUP	½ CUP
GRAINS/BREADS (WHOLE GRAIN OR ENRICHED): BREAD OR ROLLS, MUFFINS, ETC. OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS) OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	½ SLICE ½ SERVING ¼ CUP OR ½ OZ ¼ CUP	½ SLICE ½ SERVING ½ CUP OR ½ OZ ¼ CUP	1 SLICE 1 SERVING ¾ CUP OR 1 OZ ½ CUP
LUNCH OR SUPPER			
MILK, FLUID (2 years and older must be served 1% or NON- FAT)	½ CUP	¾ CUP	1 CUP
VEGETABLE AND/OR FRUIT (TWO OR MORE KINDS)	¼ CUP TOTAL	½ CUP TOTAL	¾ CUP TOTAL
GRAINS/BREAD (WHOLE GRAIN OR ENRICHED): BREAD OR ROLLS, MUFFINS, ETC. OR COOKED PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	½ SLICE ½ SERVING ¼ CUP	½ SLICE ½ SERVING ¼ CUP	1 SLICE 1 SERVING ½ CUP
MEAT/MEAT ALTERNATES LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED) OR ALTERNATE PROTEIN PRODUCTS ***** OR CHEESE (NATURAL OR PROCESSED) OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE OR EGG (LARGE) OR COOKED DRIED BEANS OR DRIED PEAS * OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS** OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES	1 OZ 1 OZ 1 OZ ¼ CUP OR 2 OZ ½ EGG ¼ CUP 2 TBSP ½ OZ** ½ CUP OR 4 OZ	1 ½ OZ 1 ½ OZ 1 ½ OZ ¾ CUP OR 3 OZ ¾ EGG ¾ CUP 3 TBSP ¾ OZ** ¾ CUP OR 6 OZ	2 OZ 2 OZ 2 OZ ½ CUP OR 4 OZ 1 EGG ½ CUP 4 TBSP 1 OZ** 1 CUP OR 8 OZ
SNACKS (SELECT TWO OF THESE FOUR COMPONENTS)***			
MILK, FLUID (2 YEARS AND OLDER MUST BE SERVED 1% OR NON-FAT)	½ CUP	½ CUP	1 CUP
VEGETABLE, FRUIT, OR FULL-STRENGTH (100%) JUICE	½ CUP	½ CUP	¾ CUP
GRAINS OR BREADS (WHOLE GRAIN OR ENRICHED): BREAD OR ROLLS, MUFFINS, ETC. OR COLD DRY CEREAL (VOLUME OR WEIGHT, WHICHEVER IS LESS) OR COOKED CEREAL, PASTA, NOODLE PRODUCTS, OR CEREAL GRAINS	½ SLICE ½ SERVING ¼ CUP OR ½ OZ ¼ CUP	½ SLICE ½ SERVING ½ CUP OR ½ OZ ¼ CUP	1 SLICE 1 SERVING ¾ CUP OR 1 OZ ½ CUP
MEAT/MEAT ALTERNATES LEAN MEAT, FISH, OR POULTRY (EDIBLE PORTION AS SERVED) OR ALTERNATE PROTEIN PRODUCTS ***** OR CHEESE (NATURAL OR PROCESSED) OR COTTAGE CHEESE, CHEESE FOOD/CHEESE SPREAD SUBSTITUTE OR EGG (LARGE) OR YOGURT, PLAIN OR FLAVORED, UNSWEETENED OR SWEETENED**** OR COOKED DRIED BEANS OR DRIED PEAS* OR PEANUT BUTTER, REDUCED-FAT PEANUT BUTTER, SOY NUT BUTTER, OR OTHER NUT OR SEED BUTTERS OR PEANUTS, SOY NUTS, TREE NUTS, ROASTED PEAS, OR SEEDS OR AN EQUIVALENT QUANTITY OF ANY COMBINATION OF THE ABOVE MEAT/MEAT ALTERNATES	½ OZ ½ OZ ½ OZ ⅙ CUP OR 1 OZ ½ EGG ¼ CUP ⅙ CUP 1 TBSP ½ OZ	½ OZ ½ OZ ½ OZ ⅙ CUP OR 1 OZ ½ EGG ¼ CUP ⅙ CUP 1 TBSP ½ OZ	1 OZ 1 OZ 1 OZ ¼ CUP OR 2 OZ ½ EGG ½ CUP ¼ CUP 2 TBSP 1 OZ

**SCHEDULE B
CHILD AND ADULT CARE FOOD PROGRAM
MEAL PATTERN FOR OLDER CHILDREN**


NSD 2050B (REV. 07/03)

- * DRIED BEANS OR DRIED PEAS MAY BE USED AS A MEAT ALTERNATE OR AS A VEGETABLE COMPONENT; BUT CANNOT BE COUNTED AS BOTH COMPONENTS IN THE SAME MEAL.
- ** NO MORE THAN 50 PERCENT OF THE REQUIREMENT SHALL BE MET WITH NUTS OR SEEDS. NUTS OR SEEDS SHALL BE COMBINED WITH ANOTHER MEAT/MEAT ALTERNATE TO FULFILL THE REQUIREMENT. TO DETERMINE COMBINATIONS, 1 OZ. OF NUTS OR SEEDS IS EQUAL TO 1 OZ. OF COOKED LEAN MEAT, POULTRY, OR FISH. ROASTED PEAS CAN COUNT AS A MEAT ALTERNATE OR VEGETABLE COMPONENT, BUT CANNOT BE COUNTED AS BOTH IN THE SAME MEAL.
- *** JUICE CANNOT BE SERVED WHEN MILK IS SERVED AS THE ONLY OTHER COMPONENT.
- **** IF YOGURT IS USED AS THE MEAT COMPONENT IN SUPPLEMENTS, MILK CANNOT BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT. COMMERCIALY ADDED FRUIT OR NUTS IN FLAVORED YOGURT CANNOT BE USED TO SATISFY THE SECOND COMPONENT REQUIREMENT IN SUPPLEMENTS.

Menu subject to change

Lunch –April 2014

Lunch Served 11:15-1:15 PM


Monday	Tuesday	Wednesday	Thursday	Friday
	1 Whole Grain Spaghetti and Meatballs Garden Salad Fresh Fruit Milk	2 Whole Grain Bean and Cheese Burritos Salsa, Corn Pears Milk	3 Turkey Burgers Slider Bun Green Beans Fresh Fruit Milk	4 Tuna on Goldfish Bread Veggie Sticks Mixed Fruit Milk
7 Homemade Macaroni and Cheese Peas and Carrots Peaches Milk	8 Sweet and Sour Chicken Brown Rice Cole Slaw Fresh Fruit, Milk	9 Homemade Lentil Soup Tandoori Naan Baby Carrots Pears, Milk	10 Kidango Tacos w/Ground Turkey, Cheese, Lettuce, Salsa Fresh Fruit Milk	11  Make Your Own Egg Salad on English Muffin Sliced Tomatoes Fresh Fruit, Milk
14 Penne Pasta Marinara w/Mozzarella Mixed Vegetables Peaches Milk	15 Isaac's BBQ Chicken Corn Muffin Green Beans Fresh Fruit Milk	16 Minestrone Soup Whole Wheat Breadsticks Pears Milk	17  Chicken Parmesan Butter Noodles (Egg) Italian Vegetables Fresh Fruit, Milk	18 Cheese on Whole Wheat Garden Salad Mixed Fruit Milk
21 Shepherd's Pie w/Ground Turkey, Mashed Potatoes, Peas and Carrots Peaches, Milk	22 Carol's Chicken and Waffles Green Beans Fresh Fruit Milk	23 Mixed Bean Wrap Tortilla Corn Pears Milk	24 Teriyaki Chicken Brown Rice Cole Slaw Pineapple Milk	25 Turkey and Cheese Rollups Veggie Sticks Fresh Fruit Milk
28 Pancit with Chicken and Veggies Peaches Milk	29  Bird's Nest Beans and Rice Baby Spinach "Grass" Fresh Fruit Milk	30 Grilled Chicken Breast Couscous Mixed Vegetables Pears Milk		

All Meals Meet CACFP Requirements Minimum Requirements; Toddler- 1/2 cup milk, 1 oz Meat/Meat Alternate, 1/2 cup fruit/veg, 1/2 slice bread; Preschool- 3/4 cup milk, 1.5 oz Meat/Meat Alternate, Fruit/Veg 1/2 Cup, Bread 1/2 Slice. School Age: 1 cup milk, 2 oz Meat/ Meat Alternate, Fruit/veg 3/4 cup, Bread 1 slice. Nutrition Department: 510-933-3960. T= Toddler

Menu subject to change

Breakfast – April 2014

Breakfast Served 7:00-9:30am

Monday	Tuesday	Wednesday	Thursday	Friday
	1 Whole Wheat English Muffin and Jam Peaches Milk	2 Whole Grain Pancakes Fresh Fruit Milk	3 Whole Wheat Toast Pears Milk	4 Kix Cereal Bananas Milk
7 Cheerios Oranges Milk	8 Whole Grain Waffle Sticks Peaches Milk	9 French Toast Fresh Fruit Milk	10 Bagels and Cream Cheese Pears Milk	11 Bran Flakes Bananas Milk
14 Rice Krispies Oranges Milk	15 Whole Wheat English Muffin Peaches Milk	16 Whole Grain Pancakes Fresh Fruit Milk	17 Blueberry Muffin Pears Milk	18 Corn Flakes Bananas Milk
21 Rice Chex Oranges Milk	22 Whole Grain Waffle Sticks Peaches Milk	23 French Toast Fresh Fruit Milk	24 Bagels and Cream Cheese Pears Milk	25 Kix Cereal Bananas Milk
28 Cheerios Oranges Milk	29 Whole Wheat English Muffin Peaches Milk	30 Whole Grain Pancakes Fresh Fruit Milk		

All Meals Meet CACFP Requirements Minimum Requirements; Toddler- 1/2 cup milk, 1/2 cup fruit/veg, 1/2 slice/serving bread; Preschool- 3/4 cup milk, Fruit/Veg 1/2 Cup, Bread 1/2 Slice/serving; School Age-1 cup milk, Fruit/veg 1/2 cup, Bread 1 slice/serving. Nutrition Department: 510-933-3960. **T= Toddler substitution**



COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-116

Agenda Item #: D-4

CONSENT CALENDAR: Authorize the City Manager to enter into a Contract with Folger Graphics in an Amount Not to Exceed \$68,000 for Printing and Postage for the Activity Guide and Menlo Focus Newsletter for Fiscal Year 2014-15

RECOMMENDATION

Staff recommends the Council authorize the City Manager to enter into a contract with Folger Graphics in an amount not to exceed \$68,000 for printing and postage for the Activity Guide and Menlo Focus newsletter for fiscal year 2014-15.

BACKGROUND

Each year the City of Menlo Park produces four issues of the Activity Guide, a 60 – 70 page catalogue featuring all of the recreation and social services programs available to Menlo Park and surrounding communities' residents. Over 25,000 copies are printed and mailed.

The City also produces the Menlo Focus newsletter three times a year, a 12 page, full color informational newsletter sent to all residences and businesses in Menlo Park (over 18,000 addresses). The City contracts for printing and postage of these publications annually.

ANALYSIS

Bids for printing and postage of the City's main publications were received from five vendors, with costs ranging from over \$100,000 to \$61,000. The lowest bidder is located in King City and does not provide the high level of on-site service provided by Folger Graphics, the second lowest bidder. Folger Graphics, which has been printing the City's publications for several years, was selected due to their competitive pricing, high quality service and record of responsive, prompt service.

IMPACT ON CITY RESOURCES

The cost of printing and postage for the City's publications has been included in the Community Services budget for next fiscal year and the Folger Graphics bid was well within the budgeted amount at \$63,731. A small contingency has been added to this request to allow for overprinting, rush costs and corrections if needed.

POLICY ISSUES

Contracting out for printing services is consistent with Council goals.

ENVIRONMENTAL REVIEW

No environmental review 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. Bid Summary

Report prepared by:
Noreen Bickel
Community Services Manager

2014-2015 Activity Guide Bids

	60 Page Activity Guide	68 Page Activity Guide	72 Page Activity Guide	Menlo Focus (3 editions)	Postage	TOTAL ESTIMATE
American Printing	\$18,176.00	\$18,685.00	\$20,668.00	\$23,676.00	\$19,371.00	\$100,576.00
Casey Printing	\$8,134.00	\$8,173.84	\$8,934.72	\$16,795.74	\$19,371.00	\$61,409.30
Evergreen	\$9,272.00	\$9,814.00	\$11,237.00	\$12,027.00	\$21,594.00	\$63,944.00
Folger Graphics	\$8,700.00	\$9,125.00	\$9,750.00	\$16,785.00	\$19,371.00	\$63,731.00
Fong & Fong	\$12,851.07	\$13,407.99	\$14,781.32	\$29,442.36	\$19,371.00	\$89,853.74

Estimated Postage Based on Previous Invoices	
Activity Guide Annual	\$11,088.00
<u>Menlo Focus Annual</u>	<u>\$8,283.00</u>
TOTAL EST. POSTAGE	\$19,371.00

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-115

Agenda Item #: D-5

CONSENT CALENDAR: **Approve a Resolution Authorizing the City Manager to Execute an Agreement with the Bay Area Climate Collaborative, ABM, and ChargePoint to Install Four Electric Vehicle Charging Stations in Menlo Park with Grant Funds from the California Energy Commission**

RECOMMENDATION

Staff recommends that Council approve a resolution (Attachment A) that authorizes the City Manager to execute an agreement with the Bay Area Climate Collaborative, ABM, and ChargePoint to install four electric vehicle charging stations in Menlo Park with grant funds from the California Energy Commission.

BACKGROUND

In November 2013, staff joined the Bay Area Climate Collaborative's (BACC) Bay Area Charge Ahead Project (BayCAP). BayCAP is a region-wide collaboration led by the BACC, which is a project of the Silicon Valley Leadership Group Foundation (a 501c3 organization). The mission of the BACC is to accelerate the region's transition to a clean energy economy through the promotion of sustainable mobility, clean energy, and energy efficiency.

BayCAP was developed to apply for grant funds from the California Energy Commission (CEC) to install electric vehicle charging stations across the Bay Area. The project will provide a total of 152 Level 2 charging ports, all in dual port configurations in high-utilization destination locations. Menlo Park would receive four of these stations; two would be located in Parking Plaza II, one in Parking Plaza V, and one at the City's Civic Center campus. Menlo Park is the only city participating in the project from San Mateo County. Other cities and counties that are participating include Campbell, Cupertino, Los Gatos, Mountain View, Palo Alto, Stanford University, Sunnyvale, and San Mateo County.

The CEC awarded the grant to BayCAP this month. The grant covers the cost of the charging stations and installation costs of up to \$4,500 per station. The value of the grant is estimated to be \$12,500 per station, which equates to a \$50,000 grant for Menlo Park's four stations. There is an annual match of \$4,480 required from the City to

pay for the network service fee, software upgrades, station programming, cellular connections, and 24/7 driver support. The matching cost also covers warranty for the stations in the second year (first year warranty is free).

To meet the milestones under the CEC's grant criteria, staff is recommending that the Council authorize the City Manager to execute an "Approval to Proceed" agreement with BACC, ABM, and ChargePoint for the installation of the four charging stations upon final receipt and due diligence review of the agreement. A draft copy of the agreement is included in Attachment B. The stations are expected to be installed in February 2015.

ANALYSIS

All the stations installed under the BayCAP projects will be ChargePoint CT 4000 series, and all are in the dual-port configuration because this is the most economical approach on a per-port basis. Menlo Park will own and maintain the stations. All dual port chargers can be concurrently energized at charging rates of up to 6.6 kW.

Under the BayCAP project, the City will receive the charging stations for free from ChargePoint. ABM will install the stations for free up to a fixed price of \$4,500 per station. If a site requires additional upgrades beyond the \$4,500, the City will be responsible for covering these costs or can opt to not install the charging station. The grant funds, master contract, and overall project management will be handled by BACC. Thus, no direct funds will be provided to the City, which will save staff time, and expedite the installation of the charging stations.

The City will be responsible for paying for the ChargePoint network that allows electric vehicle drivers to set up a charging session. This will cost approximately \$1,840 per year for all stations. ChargePoint has provided a 25% reduction in network service fees. In addition, the City will be responsible for any extended warranties beyond one year of operation. This will cost approximately \$2,640 annually for all stations, and is optional.

The grant covers preventive maintenance for two years. Additional costs in the future may include continuing the preventive maintenance program, at a cost of \$200 per port or \$3,200 annually for all of Menlo Park's stations.

In summary, to operate the stations for the first year will cost the City \$1,840, the second year will cost \$4,480 and up to \$7,680 annually after the third year, plus nominal electricity costs (estimated \$12 per day). There also may be minor costs associated for signs on charging station locations and designating parking spots as electric vehicle only parking.



Fee-Based Charging

If we choose to charge a fee for the use of chargers, BayCAP requires that Menlo Park set charging rates between \$1.00 and \$1.50 per hour for use of the charger. This may or may not include separate charges for parking per the City's usual parking policies.

Staff intends to provide free charging for the first six months of operation in order to study and monitor potential demand. In addition, Staff is not proposing to make any exceptions to the parking time limits for charging stations in downtown unless there are issues identified after the first six months of operation.

Greenhouse Gas Reductions

In June 2013, Council established a greenhouse gas reduction target of 27% below 2005 levels target by 2020. To achieve this goal, the City needs to reduce 103,256 tons through local strategies.

Installing four electric vehicle charging stations in Menlo Park is consistent with the City's Five Year Climate Action Plan Strategy. The City was set to develop an electric vehicle readiness plan in fiscal year 2015-16. However, due to the opportunity cost of the grant funding, Staff delayed other Climate Action Plan strategies to apply for this grant. Staff estimates that these four stations will reduce 50 tons of greenhouse gas emissions annually, helping the city to meet less than 1% (out of 100%) of its needed GHG reductions.

IMPACT ON CITY RESOURCES

The City will be receiving free charging stations and free installation (up to \$4,500) per station from a CEC grant. The estimated value of all four stations is \$50,000. The City will be responsible for operating and maintaining the stations. The first year will cost the City \$1,840, the second year will cost \$4,480, and after the third year, cost will increase up to \$7,680 annually, plus electricity costs.

POLICY ISSUES

Installing Electric Vehicle Charging Stations is consistent with implementing the five year Climate Action Plan Strategy adopted by City Council, and will help the City in achieving its 27% greenhouse gas reduction target.

ENVIRONMENTAL REVIEW

The installation of electric vehicle charging stations are exempt under Class 11 Accessory Structure-Section 15311 as stations are considered an accessory to existing parking lots, and are also exempt under Class 1 Existing Structures- Section 15301(e)(1) as stations will not increase 50 percent or 2,500 square feet (whichever is lesser) of the floor area of existing parking lots. Staff filed a Notice of Exemption on May 8, 2014.

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
- B. Draft Agreement

Report prepared by:
Rebecca L. Fotu
Environmental Program Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE BAY AREA CLIMATE COLLABORATIVE, ABM, AND CHARGEPOINT TO INSTALL ELECTRIC VEHICLE CHARGING STATIONS IN MENLO PARK WITH GRANT FUNDING FROM THE CALIFORNIA ENERGY COMMISSION

WHEREAS, the California Energy Commission awarded funds for the Bay Area Charge Ahead Project (BayCAP), a partnership project with the Bay Area Climate Collaborative (BACC), ABM and ChargePoint, to install electric vehicle charging stations in the Bay Area; and

WHEREAS, the City is participating in the BayCAP project for the deployment of four (4) charging stations that will increase electric vehicle readiness; and

WHEREAS, installing electric vehicle charging stations is consistent with the City's Five Year Climate Action Plan Strategy to help meet the City's greenhouse gas reduction target of 27% below 2005 levels by 2020; and

WHEREAS, the hardware and installation is covered by the grant with funds flowing directly to ABM for the hardware and installation services;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MENLO PARK:

1. Accepts free electric vehicle charging stations and free installation (up to \$4,500) in Menlo Park from the BayCAP funded by the California Energy Commission.
2. Accepts that the BACC will manage grant funds with chargers being provided by ChargePoint and installation being provided by ABM (up to \$4,500) at no cost to the City.
3. Authorizes the City Manager to execute the BACC, ChargePoint, and ABM "approval to proceed" agreement for the installation of the charging stations upon receipt and due diligence review.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on June 17, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this seventeenth day of June, 2014.

Pamela Aguilar
City Clerk

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CEVA / California EV
Alliance



Bay Area Charge Ahead Project – Approval to Proceed

Installation of Level 2 EV Supply Equipment (EVSE) Execution of ChargePoint Master Software Services Agreement

Date	June __ , 2014
Site Host Entity	City of _____
Address of Site Host Entity	
Primary Contact Name & Title	
Primary Contact Phone	
Primary Contact Email	
Authorizing Official Name & Title	
Authorizing Official Phone	
Authorizing Official E-mail	

I. Project Summary

The Bay Area Charge Ahead Project 2 (BayCAP2) is a multi-jurisdictional project led by the California EV Alliance (CEVA) to procure and install Level 2 Electric Vehicle Supply Equipment (EVSE) – a.k.a., EV chargers – in specified locations throughout the greater Bay Area. The project is funded by the California Energy Commission (CEC) via the PON-13-606 solicitation award approved on May 14, 2014. Upon completion, the Bay Area Charge Ahead 2 project will install a total of 38 dual port Level 2 chargers, for a total of 74 Level 2 charge ports, including _____ **charging stations (with a total of ___ charge ports)** located in the **City of _____**.

II. Purpose of this Approval to Proceed

This document provides the approval for ABM to ship and install the CEC-funded Level 2 charging stations at the approved addresses identified by the Site Host; and identifies for each of the relevant parties (the California EV Alliance, the Site Host, ABM, and ChargePoint) the roles, responsibilities, terms, and conditions for installation, maintenance, and operation of the charging stations.

III. Partner Roles

- **The California EV Alliance (CEVA)** – a California nonprofit corporation, is the awardee of California Energy Commission grant support. CEVA will provide overall project management services, including contract oversight, fiscal administration, and reporting to the CEC. CEVA has contracted

with ABM for charging installation services, and with The Bay Area Climate Collaborative for project management support.

- **ABM**, a national leader in EV infrastructure and energy management services, will provide installation, commissioning, and maintenance services for the project charging stations, and will provide a portion of the required matching funds.
- **ChargePoint** – a leading charging equipment manufacturer – will provide Level 2 networked chargers and network operating services, including payment processing, cloud-based charge station information services, and software upgrades.
- **The Site Host Entity** will:
 - **Complete required CEQA documentation** specified by the California Energy Commission (CEC).
 - **Provide access to charge station locations in their jurisdiction** designated in the PON-13-606 application (or a suitable alternative in the event that the original site is deemed infeasible to install.)
 - **Provide all necessary permits for the project**
 - **Collaboratively identify the most appropriate location for the chargers within the designated site**, taking into account convenience for both the EV driver and other users of the facility, visibility, accessibility, and cost. (Please note that site cost guidelines are highlighted below in the Siting Requirements and Scope of Work sections.) In the event that a location preferred by the Site Host cannot be installed by ABM within the project budget, a new site will be selected which is responsive to the Siting Guidelines indicated below. The California EV Alliance will assist the parties in coming to consensus on final siting as needed.
 - **Oversee installation with ABM**, and assign an administrative contact authorized to set up the ChargePoint online station management account before the stations are activated.
 - **Contract with ChargePoint to provide charge station network operating services** during the 2014-2016 project performance period – as defined in the attached Master Software Services Agreement and in fulfillment of CEC local match requirements affirmed in the Site Host Letter of Participation included as part of the CEC PON-13-606 grant submittal.
 - **Maintain public accessibility for all chargers** on a 24/7 basis.
 - **Maintain stations in good operating condition** during the 2014-2016 project operating period.
 - **Provide adequate insurance** per CEC requirements.
 - **Operate the chargers in compliance with a *Site Host Pricing Policy*** that meets grant requirements defined in the California EV Alliance response to PON-13-606 and summarized herein.

IV. Siting Requirements

ABM will install Level 2 ChargePoint charging stations at the designated sites identified through collaboration between the Site Host and ABM. In the event that these sites are deemed by ABM to be cost-prohibitive, or pose other obstacles to effective installation, maintenance, or operation, a new site will be identified that meets the selection criteria identified by the CEC and by the California EV Alliance (CEVA), and which is mutually satisfactory to the Site Host, CEC, CEVA, and ABM. Alternatively, the Site Host may choose to:

- Upgrade their electrical infrastructure with their own resources to bring the desired site into cost compliance, or;
- Contract with ABM to perform the incremental site upgrades. (See the attached form in Section XV, Exhibit B of this document, where optional additional services may be identified).

In the event that the original site is deemed infeasible, all reasonable efforts will be made to identify a new site that corresponds to the following site selection criteria originally identified in the CEVA grant proposal to the CEC:

- **Location:** Select a high-demand, high-visibility location that conforms to CEC criteria for safety, ease of access/ingress, shelter, safety, lighting, and ADA access.
- **Electricity:** Select a location where AC Level 2 (240V/40A) electrical supply is or can be made available with relative ease and minimal cost. (Note that the average cost of installation is projected at a market value of approximately \$4500 per site, which will limit panel upgrades and conduit runs.) More cost details are available in the ABM Scope of Work (Section V below).
- **Signage:** Minimum signage of xxxxxxxx is required by CEVA/CEC. The relevant signage must comply with the Manual on Uniform Traffic Control Devices (MUTCD) and California Vehicle Codes (CVC), ensuring that signs are high enough, easily visible, and provide clear and accurate information on parking and charging policies.
- **Equipment Protection:** EV chargers should be placed where they can be best protected from physical damage by such measures as curbs, wheel stops, setbacks, bumper guards, and concrete-filled steel bollards, while simultaneously taking into consideration ease of access to the charger, mobility of users, and foot traffic in the area.
- **Public Safety:** Chargers should be located in areas with proper ventilation and away from potential hazards including traffic, explosive materials, flammable vapors, liquids and gases, combustible dust or fibers, materials that ignite spontaneously on contact with air, flood-prone areas, and areas that might be prone to vandalism.
- **Duration of Use:** AC Level 2 charger sites should focus on locations where PEV owners will be parked for significant, though shorter, periods of time (e.g., one to six hours).
- **Shelter:** When possible, choose locations with nearby shelter to protect users from weather when connecting their vehicle to the charger. (However, chargers are designed to be safely operated in exposed locations in the rain, with no danger of electrical shock.)
- **Accessibility:** To the extent feasible, EV charger locations within a site will be accessible in accordance with the draft Governor's Office of Planning & Research guidelines on ADA access.
- **Security:** Locations should be selected that are secure for users at all times of day and night and relatively secure from vandalism (e.g., in well-lighted, well-traveled areas.)

If no qualifying site is identified within the Site Host jurisdiction that satisfies the requirements of all parties, then the California EV Alliance, with the concurrence of the California Energy Commission, may propose a new site in another jurisdiction.

V. Overview of ABM Scope of Work

Under contract with the California EV Alliance, ABM will provide the following installation services at designated Site Host locations:

- Turn-key EVSE installation project management
- Delivery, installation and activation of ChargePoint stations

- Site analysis, station placement recommendation (in collaboration with Site Hosts), engineering, and installation management
- Quarterly maintenance (see description herein)
- ChargePoint warranty support
- Installations by ABM will be provided within the parameters outlined below
- (INSERT THREE ABM SCOPES here).
 -
 -
 -

VI. ABM Warranty, Installation Services, and Limitations

- **Warranty:** ChargePoint provides a one-year manufacturer’s equipment warranty. ABM labor and construction material are under warranty for one year after installation; all new work is done to local NEC code requirements. ABM is not responsible for the condition or capacity of the existing electrical systems. ABM is not responsible for any vandalism that occurs during or after the installation of materials. The cost of City permits and electrical engineering and engineered drawings (if applicable) are not included as part of the CEC-funded installation, although regular construction drawings are included. The CEC prohibits use of its funds for permitting. Local site hosts must cover permit costs.
- **Signal Boosting Equipment:** At times, signal boosting antennae may be required for the wireless features of ChargePoint EV charging stations to function properly. Due to the nature of wireless signals, possible interference, line of sight obstructions, etc., one or more antennae could be needed. During the original site visit, ABM will make efforts to determine the need for signal boosting equipment, and will provide such equipment to the extent feasible within the overall project cost framework. However, it is possible that supplementary signal boosting equipment may be needed in the future. If the need should arise, or if the cost exceeds what is feasible within the CEC grant cost parameters, a separate proposal will be provided for signal boosting equipment.
- **ADA and Accessibility Requirements:** All ADA requirements determined by municipal or state agencies are the responsibility of the Site Host. ABM is responsible for the installation of the electrical system(s) necessary to the specific scope outlined for the EV chargers specified. It does not include surface modifications, striping removal, re-striping, etc. that may be necessary to comply with ADA or Accessibility Requirements. Also, any material changes to the electrical scope caused by ADA or Accessibility requirements are considered as additional to ABM services provided through CEC funding.
 - INSERT ADDITIONAL INFORMATION ON ADA REQUIREMENTS HERE
- **Wheel Stops and Bollards:** Reasonable measures will be taken to install stations in a safe location set back to avoid contact from vehicles. Unless specified in the mutually agreed construction plan, bollards and wheel stops are not included. If additional protection is desired

or required by the City, bollards or wheel stops can be procured and installed with the city's own resources.

VII. ABM Terms and Conditions

- A. **Contractor Access to Site:** The Site Host shall permit ABM ("Contractor"), free and timely access to areas and equipment, and allow Contractor to start and stop the equipment as necessary to perform required services. All planned work under this Agreement will be performed during Contractor's normal working hours.
- B. **Workmanship & Warranty:** Contractor warrants that the workmanship hereunder shall be free from defects for one year from date of installation. If any replacement part or item of equipment proves defective, Contractor will extend to Customer the benefits of any warranty Contractor has received from the manufacturer. Removal and reinstallation of any equipment or materials repaired or replaced not under a manufacturer's warranty will be at Customer's expense and at the rates then in effect.
- C. **Alteration to Scope of Work:** Any alteration to, or deviation from, the scope of work in this Agreement involving extra work, cost of material or labor will become an extra charge (fixed-price amount or on a time-and-material basis at Contractor's rates then in effect) over the sum stated in this Agreement.
- D. **Liability for Delay:** Contractor shall not be liable for any delay, loss, damage, or detention caused by unavailability of machinery, equipment or materials, delay of carriers, strikes, including those by Contractor's employees, lockouts, civil or military authority, priority regulations, insurrection or riot, action of the elements, forces of nature, or by any cause beyond its control.
- E. **Hold Harmless:** To the fullest extent permitted by law, Site Host shall indemnify and hold harmless Site Host, its agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from the performance of work hereunder, provided that such claim, damage, loss or expense is caused in whole or in part by any active or passive act or omission of Site Host, anyone directly or indirectly employed by Site Host, or anyone for whose acts Site Host may be liable, regardless of whether it is caused in part by the negligence of Contractor.
- F. **OSHA Provisions:** Site Host shall make available to Contractor's personnel all pertinent Material Safety Data Sheets (MSDS) pursuant to OSHA's Hazard Communication Standard Regulations.
- G. **Toxic and Hazardous Substances:** Site Host's obligation under this proposal; and any subsequent contract does not include the identification, abatement or removal of asbestos or any other toxic or hazardous substances, hazardous wastes or hazardous materials. In the event such substances, wastes, or materials are encountered, Contractor's sole obligation will be to notify the Site Host of their existence. Contractor shall have the right thereafter to suspend its work until such substances, wastes, or materials and the resultant hazards are removed. The time for completion of the work shall be extended to the extent caused by the suspension and the contract price equitably adjusted.
- H. **Damage Limitation:** UNDER NO CIRCUMSTANCES, WHETHER ARISING IN CONTRACT, TORT (INCLUDING NEGLIGENCE), EQUITY OR OTHERWISE, WILL CONTRACTOR BE RESPONSIBLE FOR LOSS OF USE, LOSS OF PROFIT, INCREASED OPERATING OR MAINTENANCE EXPENSES, CLAIMS OF SITE HOST'S TENANTS OR CLIENTS, OR ANY SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES.

- I. **Solutions for Electrical Load Reduction or Balancing:** In the event that the Site Host’s site does not have sufficient electrical infrastructure to support the addition of EV charging infrastructure, ABM may offer options or potential solutions that would help reduce or balance current electrical loads within a facility. Some options are designed to free up electrical capacity while others are designed to minimize peak load spikes and their resulting demand fees. Any such solutions will be implemented only upon Customer approval.
- J. **Site Host Options to Perform Certain Functions of the Project:** In the event the scope of work is above the anticipated budget (hours, material or dollars) to successfully perform the project, the Site Host has the option to perform certain functions of the scope themselves with their own qualified and licensed resources. The Site Host shall work in good faith and in cooperation with Contractor to ensure a successful project. A separate agreement to complete the work will be required with ABM and the California EV Alliance for the Site Host to remain eligible for CEC funding on the modified project scope of work.

VIII. ABM Preventive Maintenance Program and Funding

The California Energy Commission requires that applications for funding under PON-13-603 “must include a maintenance plan for continued reliable operation and unforeseen breakdowns of the electric vehicle supply equipment.” (Application Guidelines, p. 9) To fulfill this requirement, the California EV Alliance has negotiated a maintenance plan with ABM that will cover Site Host charging stations for a two year period following their installation. (Note that the formal term of the CEC project is anticipated to be from the date of execution of the CEC contract with the California EV Alliance through June 30, 2016.) To cover Year 1 of the project period, ABM will donate (as local match) the entire value of the maintenance plan based on its Manufacturers’ Suggested Retail Price (MSRP), which is \$200 per charge port for the year. In Year 2, ABM will discount the Plan by 50%, providing \$100 per charge port as match, while CEC funds will provide the balance of \$100 per port to ensure continuity of maintenance across all charging stations in the Project. The following chart outlines the funding commitments of ABM and the CEC.

BayCAP2 Maintenance Plan: Discount Pricing in Program Years 1 - 2					
Program Year	Annual MSRP Maintenance Plan (per Charge Port for quarterly inspection)	ABM Local Match (50% discount for BayCAP Quarterly Plan)	Site Host Contribution	CEC Funding	% Discount to Site Host
Year 1	\$200	\$200	\$0	\$0	100%
Year 2	\$200	\$100	\$0	\$100	100%

ABM Maintenance Scope of Work

- **Software Monitoring:** ABM will monitor on a daily basis the ChargePoint network software to detect failure modes and promptly address the problem, either through software adjustments or dispatch of a technician to the site, if authorized by the site host.
- **Software Upgrades:** ABM will work with ChargePoint to ensure rapid and seamless deployment of software upgrades.

- **Monitoring and re-programming of pricing:** ABM will assist Site Hosts in monitoring (and re-programming as necessary) their pricing approach to EV parking and charging services.
- **Monitor and report key EVSE data:** ABM will monitor and report key EVSE utilization data, including charge session frequency, length, energy utilization, and payment history.
- **Quarterly On-site Maintenance Scope of Work:** An ABM technician will visit Site Host locations in person on a quarterly basis to undertake the following maintenance activities:
 - **Maintain equipment finishes:** ABM will clean the display, head and pedestal/base unit with ABM Green Care cleanser and microfiber cloth; inspect and clean cord and J-1772 receptacle, apply cable protective Green Care coating, and clean all aluminum and plastic parts with microfiber cloths and Green Care cleansers. (Note that ABM Green Care products are LEED certified for green maintenance processes.)
 - **Activate "ChargePoint" session** and perform visual inspection of electrical components and initiate the charging station self-test processes. Minor repairs and recalibration can often be done on site while technician is performing service to eliminate return trips and minimize down time of the equipment.
- **ChargePoint warranty repair work:** All charging station warranty related repair work will be processed through ChargePoint if such repairs are the responsibility of the manufacturer.
- **Non-Warranty work – option of pre-authorized work:** All non-warranty work such as vandalism repair or damage to EVSE equipment shall be estimated prior to repairs. At the option of the Site Host, this work could be immediately addressed under a “Not To Exceed” threshold of \$750.00 (or other amount) pre-approved by the site host. If authorized, ABM will perform work on a time and materials basis. Any agreement for pre-authorized repairs (if so desired) will be executed by ABM and the Site Host independently of this Notice to Proceed.

IX. Network Services Fees

The ChargePoint network services fee is \$230 per year per port, and covers software upgrades, station programming, cellular connections, and 24/7 driver support. THE TWO-YEAR NETWORK SERVICES FEE MUST BE PAID IN FULL PRIOR TO THE COMMISSIONING OF CHARGING STATIONS. ABM will invoice the Site Host on behalf of ChargePoint, and shall provide proof of Site Host payment within 30 days to the California EV Alliance in fulfillment of CEC project reporting requirements.

X. ChargePoint One Year Warranty and Optional Extended Warranty

The first year ChargePoint warranty is included free with all charging stations included in the Project. An optional extended warranty covers one or two additional years (parts only) for \$660 per Charging Station per year. If a Site Host wishes to extend the ChargePoint warranty, it must be specified at the time of equipment order and paid within 30 days.

XI. Site Host Pricing Policy Requirements

The California Energy Commission requires Site Hosts to implement a plan to optimize the use of the charging site to allow multiple EVs to use the charging equipment during a typical day, and to prohibit utilization of a charging station “beyond a reasonable period of time.” In alignment with this goal, the Site Host shall implement the Pricing Plan identified in their Letter of Participation included in response

to the CEC solicitation PON-13-603. The standard (default) Plan developed for all BayCAP project participants calls for the following elements to be administered by the Site Host. (Note that variations from this Plan may be acceptable, but need to be discussed and approved by the California EV Alliance and included as part of this Notice to Proceed.)

- A. Fee-Based Charging:** Site hosts shall set charging rates between \$1.00 and \$1.50 per hour for use of the charger. This may or may not include separate charges for parking per the jurisdiction's usual parking policies. Fees may be calculated based on duration of stay, energy consumed (kWh), or a combination of the two.
- B. Graduated Pricing Based on Duration of Stay:** Site hosts shall raise the fee for occupying the EVSE-equipped space by a sufficient increment to encourage turnover of the space and thus greater availability and utilization (in charging mode) for EV drivers. It is recommended that this approach be implemented after approximately four hours of charging at the lower cost rate – particularly in cases where utilization rates are observed to be very high (70% or more) and available alternative charging facilities are limited. Site hosts may also consider a lower evening or weekend rate for EVs (similar to most existing parking policies) to encourage responsible off-peak use. (In particular, lots proximate to multi-unit residential buildings could provide a lower-cost overnight rate with a higher daytime rate that incentivizes overnight EVSE users to make way for daytime visitors and commuters.)
- C. EVSE Revenue and Cost Monitoring:** Pricing strategies should be reviewed on a semi-annual basis to ensure that expenses for sustaining charger operations are covered to the maximum extent feasible and appropriate. In most cases, fees for charger operations set in the \$1/hr. range (or equivalent kWh) should be adequate to cover energy costs, transaction fees, the ChargePoint network services fee, and (beginning with Year 3 of the Project) the (optional) continuation of the ABM Maintenance Plan. In rare cases where the charger is not yet being well-utilized, there may be a modest operating subsidy required.

XII. Disposition of Equipment: The California Energy Commission solicitation terms and conditions only addresses the disposition of equipment purchased with grant funds if they have a unit cost greater than \$5,000 and a useful life of greater than one year. The ChargePoint EV charging stations have a unit cost LESS than \$5,000. In the event that the charging stations DID cost more than \$5,000, the CEC indicates that “recipients may continue to utilize equipment purchased with Energy Commission funds as long as the use is consistent with the intent of the original Grant Agreement.” Please note that there are no disposition requirements for equipment purchased with match share funding.

XIII. Summary of Equipment and Services Provided Under This Agreement:

CITY OF _____	
Summary of Charging Station Installation and Agreements for ChargePoint (CPI) Network Services and ABM Maintenance	
Description	Cost
A. Quantity/Type of Charging Stations: ChargePoint CT 4000 dual port Level 2 Charging Stations Total Number of Charging Ports: _____ Ports	Paid by CEC with CPI discount as local match
B. Location of Charging Stations: 1. _____ Charging Stations at (INSERT Street Address, City, and Zip Code, and general location within parking lot or facility.) 2. _____ Charging Stations at (INSERT Address and location information on Exhibit A, etc.)	
C. <u>Required</u> Two-Year ChargePoint Network Services Agreement: (\$230 per port x 2 years x total number of ports = total price)	\$
D. <u>Included</u> Two-Year ABM Cleaning and Maintenance Service (\$200 per year per charge port – included as local match)	Paid by ABM & included as local match
E. <u>Optional</u>: 2nd or 2nd/3rd Year ChargePoint Extended Warranty (parts only): (# of Charging Stations x \$660 per year x # of years = total price)	\$
F. <u>Additional (optional) installation or equipment upgrades specified in Exhibit B below</u> (including parts and services):	\$
Total Costs Paid by Site Host (sum of Sections C-F above):	\$

XIV. ChargePoint Master Software Services Agreement

INCLUDE MSSA HERE

XV. ChargePoint Warranty Information

INCLUDE WARRANTY HERE

Exhibit A: Site Address and Location Information

Exhibit B: Additional (optional) Infrastructure Upgrade & Installation Services:

APPROVAL TO PROCEED

The signatures below indicate agreement by all named parties with this Approval to Proceed with the installation of charging equipment and related services under the terms and conditions outlined in this document and in the Bay Area Charge Ahead Project grant application and award from the California Energy Commission.

Site Host Authorized Signature **Printed Name & Title**

Date

ABM Authorized Signature **Printed Name & Title**

Date

California EV Alliance Authorized Signature **Printed Name & Title**

Date

ChargePoint Authorized Signature **Printed Name & Title**

Date



PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-112

Agenda Item #: D-6

CONSENT CALENDAR: **Approve Removing All Rebate Caps for the Lawn Be Gone Program for Residential, Commercial, and Multifamily Accounts**

RECOMMENDATION

Staff recommends removing all rebate caps for the Lawn Be Gone Program for residential, commercial and multifamily accounts.

BACKGROUND

In November 2011, Council authorized participation in the BAWSCA's Lawn Be Gone Rebate Program that provides an incentive to motivate Menlo Park Water District customers to voluntarily replace their lawn areas with a water efficient landscape.

In January 2013, Council responded to low participation levels in the program by approving to:

1. Offer a match to Bay Area Water Supply and Conservation Agency's (BAWSCA) per square foot rebate up to 1,500 square feet for residential and 15,000 square feet for commercial. After the square footage thresholds have been met, the regular BAWSCA rebate would be applied; and
2. Increase the maximum rebate cap for residential from \$500 to \$3,000; and
3. Increase the maximum rebate cap from \$3,000 to \$20,000 for multifamily and commercial customers with a maximum budget of \$40,000 available each year; and
4. Implement a Landscape Efficiency Assistance Design program in conjunction with the Lawn Be Gone Program to help overcome the "how to design" barrier experienced by many customers.

Currently, the rebate is \$2.00 per square foot (sf) of lawn replaced for Menlo Park Municipal Water District customers. As a participating agency in BAWSCA's Lawn Be Gone Program, the City receives a state grant that covers \$0.37 per square foot (or 19%) of the rebate. The average cost to convert a lawn is between \$3.00 per square foot.

Implementing the above strategies removed barriers to participation in the Lawn Be Gone Program for Menlo Park Municipal Water District customers, and increased participation. Previously, the water district had a participation rate of two accounts per year before the strategies were implemented with no commercial or multifamily account participation. By the end of this fiscal year, 11 residential projects, one multifamily, and one commercial account will be completed. As a result, Menlo Park's water district has the highest participation rate in the BAWSCA membership due to the aggressive marketing, complimentary design assistance program, and additional incentives provided to customers. Additionally, BAWSCA has asked staff to present our strategies to other agencies.

However, due to established goals in the City's Urban Water Management Plan, the recent drought conditions, and feedback from potential and existing participants, staff is recommending that Council remove all rebate caps in order to maximize participation. This would allow an unlimited rebate of \$2.00 per square foot of lawn converted.

ANALYSIS

The City's Urban Water Management Plan directs the water district to provide financial incentives to customers to install water efficient landscapes to meet new state requirements to reduce water consumption by 20% by 2020(SBx7-7). The Lawn Be Gone program has a participation goal of 400 accounts or 10% of Menlo Park's Water District customers by 2020. This would require at least 50 lawn conversions per year to keep the City's Water District on the path towards meeting SBx7-7 requirements. Although participation has been increased, the water district is still below the targets established in the water management plan. In addition, Menlo Park's water district has been directed to voluntarily conserve 10% of water supplies due to the drought. Increasing participation in the program will help Menlo Park maintain and achieve this directive.

Therefore, staff is recommending that Council remove the rebate caps to maximize participation. Menlo Park has larger landscaped areas, and the cap presents a barrier to converting additional square footage of existing lawns. For example, SLAC National Laboratories wanted to convert 13,000 square feet, but converted less due to the rebate cap restrictions. The commercial budget would still remain the same at \$40,000 per year.

Palo Alto Water District has also increased their rebate to \$2.00 per square foot and has also removed the rebate cap to maximize participation.

IMPACT ON CITY RESOURCES

Removing the rebate caps will not change the existing budget for the program. A future problem that could arise is fund depletion where there are more customers that want to participate. In this event, staff would return to Council to seek direction on whether to increase the budget or reduce incentives in order to meet program demand.

POLICY ISSUES

The program will assist Menlo Park Municipal Water District in meeting Senate Bill x7-7 requirement to reduce water consumption 20% by 2020. In addition, the Urban Water Management Plan approved by Council in June 2011 directs the City to use a lawn conversion program to reduce water consumption with a participation goal of 400 or 10% of customer accounts by 2020. This requires 50 accounts to participate in the Lawn Be Gone Program per year. Removing the rebate cap will help the City's Water District meet the participation goal.

In addition, implementing the Lawn Be Gone Rebate Program is consistent with the City's General Plan Policy 1-H-1 that encourages community designs that conserve resources and minimize waste, and will assist in meeting the 10% voluntary water reductions due to the drought.

ENVIRONMENTAL REVIEW

None 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

None

Report prepared by:
Rebecca L. Fotu
Environmental Programs Manager

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COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-109

Agenda Item D-7

CONSENT CALENDAR: **Authorize the City Manager to Enter into Master Professional Agreements with Kutzman and Associates, Shums Coda Associates, Interwest Consulting Group, and John J. Heneghan, Consulting Geotechnical and Civil Engineer for Building Permitting and Inspection Contract Services**

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to enter into master professional agreements for five year periods for the purpose of continuing the provision of the following contract services:

- 1) Plan check, permitting and inspection services with Kutzmann and Associates, Shums Coda Associates and Interwest Consulting Group; and
- 2) Geological plan check services with John J. Heneghan, Consulting Geotechnical and Civil Engineer (John Heneghan).

BACKGROUND

The City has utilized contract services through the master professional agreement process to augment City staff on an as-needed basis over the past two decades. The use of master professional agreements establishes continuity with contract personnel that are familiar with the regulations and policies of the City of Menlo Park and helps to streamline the work of the Building Division. City Council authorization is required for the City Manager to execute master professional agreements in excess of his financial authority.

The most recent master professional agreements for building contract services were authorized by Council on July 14, 2009 for a five year period. The City subsequently entered into master professional agreements for a period of five years with Kutzman and Associates, Shums Coda Associates and John Heneghan. Current master professional agreements expire on June 30, 2014. These agreements supplement staff on an as-needed basis to provide services in a timely manner.

In August of 2013, the City contracted with Interwest Consulting Group under the City Manager's authority for permitting and inspection services. The need for the additional service provider was a direct result of the increase in development and construction-related activity. The additional staffing has allowed for prompt processing of permit applications as well as providing better customer service to the public. The contract expires June 30, 2014.

ANALYSIS

The City currently is budgeted for a 0.75 full time equivalent (FTE) staff plan checker, three building inspectors, and three development services technicians. As part of the draft 2014-15 budget, and in recognition of the unusually high level of development activity, three new limited term positions are proposed to supplement the existing Building Division staff. Even with the new limited term positions, the Building Division will continue to use contract services as a part of its overall resource management strategy. Specifically, contract plan checkers are used to review plans for large projects that would be too time consuming for staff to review without impacting service levels for smaller projects and for their added expertise in reviewing complex mechanical, electrical, and plumbing plans. Additionally, contract plan checkers are used to augment staff during busy times to maintain service levels. Master agreements are used with multiple firms in order to ensure prompt plan review turnaround and to take advantage of specialized expertise.

The staff building inspectors verify construction projects are being built to approved plans, specifications, and current City Building Codes. Inspection services have been significantly impacted due to the Facebook West Campus, 1460 El Camino Real/San Antonio office/residential project, 555 Glenwood Avenue conversion to a Marriott Residence Inn, and a significant increase in single family residential development projects resulting in long waits between the day an inspection is scheduled and the day the inspection is provided. Contract building inspectors are used to augment staff during busy times to maintain service levels. Master agreements with multiple firms are used in order to ensure staff's ability to find the additional staffing when needed.

The development service technicians process and issue building and encroachment permits in addition to responding to public inquiries and other tasks. Staff's ability to process the permits in a timely manner was adversely impacted by the increase in development activity. The use of contract services has allowed a return to expected service levels.

Given the on-going high level of development activity, staff believes that the continued use of contract services is essential to being able to provide a full range of services in a streamlined and timely manner.

In preparation for renewed master agreements, staff mailed a Request for Qualifications on May 1, 2014 to the following firms:

Plan Check, Inspection, and Permitting

Kutzman and Associates
Shums Coda Associates
Interwest Consulting Group
West Coast Code Consultants

Consulting Geologist

Cornerstone Earth Group
John J. Heneghan
Murray Engineering Inc.

Statements of qualifications were submitted by all of the firms except Cornerstone Earth Group and Murray Engineers Inc. Staff is recommending entering into master professional agreements with four firms. West Coast Code Consultants was not selected due to the City's limited experience with their work. They are currently on the City's list of approved third party plan check firms. Third party plan check firms are used by applicants when there is a need for very fast plan check turnaround times. Facebook is currently using West Coast Code Consultants as a third party plan check firm extensively to keep the on-going changes to their east campus on schedule. Staff intends to assess the quality and timeliness of their work as we build experience with the firm.

All of the firms selected have a long and successful history with the City as consultants. Staff's request for a five year term for the master professional agreements is based on these firms consistent quality of service and competitive costs. The master professional agreements can be terminated through notification as stipulated in the agreement and issue a new request for qualifications if the quality of work or service level is unsatisfactory. A more detailed discussion of the selected firms is provided below.

Plan Check, Permitting and Inspection Services

Kutzman and Associates has been under contract with the City for more than twenty years. The firm is comprised of licensed structural engineers and certified plans examiners. The typical turn-around time for a large project is 20 days from receipt of plans, 10 days from receipt of plans for most other projects, and five days for review of rechecks. Kutzman and Associates has been the primary plan check consultant for over twenty years because of their consistency in the quality of the plan review and turn-around times.

Shums Coda Associates is comprised of licensed architects, structural engineers and certified building inspectors many who began their careers in the building design community. The typical turn-around time is 10 days from receipt of plans for most projects, and five days for review of rechecks. Larger projects can take longer depending on the size and level of complexity. Shums Coda Associates has been an approved third party plan check firm for the past nine years, a plan check consultant under a master professional agreement for the last five years, and has provided plan check services at the City offices. They are currently reviewing the plans for the St.

Anton project on Haven Avenue and are providing a building inspector to augment the City's building inspection staff.

Interwest Consulting Group is comprised of licensed architects, structural engineers, certified plans checkers, certified building official, certified building inspectors, and certified permit technicians. They have been an approved third party plan check firm for over 15 years and are currently under contract providing permitting support to the City.

Kutzman and Associates, Shums Coda Associates, and Interwest Consulting Group fees are consistent with industry standards, competitive with each other, and therefore were not a deciding factor in the selection process. Based on qualifications and past performance, staff is requesting that the City Council authorize the City Manager to enter into master professional agreements with the three firms.

Geotechnical Plan Check Services

Since 1968, the Building Division has been using a geotechnical consultant to review the geotechnical component of projects located in the Sharon Heights area of the city, as well as larger residential and commercial projects in the rest of the city.

For 38 years the City has utilized the services of John Heneghan to conduct the City's geotechnical review. Mr. Heneghan has expert knowledge of the unique geological problems associated with the Sharon Heights area. Mr. Heneghan has consistently provided staff with a complete written review within one week of receiving all associated project documents. A fast review time is critical in providing applicants and plan checkers with a timely overall review for the project. Mr. Heneghan's fees are consistent with industry standards. Based on qualifications and past performance, staff is recommending that the City Council authorize the City Manager to enter into a master professional services agreement with John Heneghan.

IMPACT ON CITY RESOURCES

The budgeted amount for building contract services proposed in Fiscal Year 2014-15 is \$1.2 million. The revenues to support the building contract services are fully covered by building permit fees. Expenditures to support building contract services will be proposed in future Fiscal Year budgets based on the level of building activity in each of those years.

Geotechnical review services are structured as pass-through fees. The fee charged to the applicant by the City is the same as the fee charged to the City by the contractor with the addition of a \$25 administrative fee per project to cover the cost of staff time. The geotechnical review fee is a fixed fee that is paid at the time of project submittal.

POLICY ISSUES

This action is consistent with past practice in other areas in which master professional agreements have been established to streamline the request for proposal and purchase requisition process on a per project basis.

ENVIRONMENTAL REVIEW

The master professional agreements are not deemed a project under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE

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

ATTACHMENTS

None

Report prepared by:

Ron La France
Building Official

Report reviewed by:

Arlinda Heineck
Community Development Director

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ADMINISTRATIVE SERVICES DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-118

Agenda Item #: D-8

CONSENT CALENDAR: **Authorize the City Manager to Enter into a Contract with BEAR Data Solutions in an Amount Not to Exceed \$150,000 for Contract Assistance in Information Technology for Fiscal Year 2013-14 and 2014-15**

RECOMMENDATION

Staff recommends the Council authorize the City Manager to expand the existing contract with BEAR Data Solution in an amount not to exceed a total of \$150,000 for technology support during fiscal year 2013-14 and 2014-15.

BACKGROUND

The Information Technology (IT) budget includes a total of 3.5 positions. During the past year, Information Technology has contracted for technology support using BEAR Data Solutions, in lieu of filling the authorized ½ time position in IT. Contracting for technology services has increased the capacity of the IT staff, enabling the regular staff to focus on more complex and/or more urgent technology projects

IT has a number of projects that are backlogged for several reasons:

1. The IT Manager was left unfilled for the past year while the need for a manager was evaluated,
2. Technology creates a number of opportunities to improve service delivery to our business partners, but requires a high level of technological and management expertise to execute; and
3. The demand for IT time to work on projects exceeds the capacity of the current staffing level.

Staff is recommending continuation of the use of BEAR Data Solutions for contracting out. BEAR Data provides initial screenings of applicants, assessing their skill set and knowledge set for the City's work environment. As needed, a number of applicants are interviewed prior to contracting with BEAR Data.

The arrangement has been successful this past year. While we recommend continuing contracting for IT assistance, the cumulative amount spent will exceed the City Managers financial authority.

ANALYSIS

BEAR Data Solutions was selected due to their competitive pricing, high quality service and record of providing highly-qualified candidates. Staff is recommending City Council authorize up to \$150,000 over the two-year period for the use of contract assistance. It is often difficult to fill part-time positions since most applicants are seeking a more reliable income stream. We anticipate using the Contract service full time for approximately six or seven months, instead of part-time assistance for the full year.

With the new IT Manager in place, staff will be evaluating the ongoing capacity of the IT Division during the coming fiscal year.

IMPACT ON CITY RESOURCES

The cost of contracting IT services is well within the budgeted amount for both years.

POLICY ISSUES

Contracting out for services is consistent with Council goals.

ENVIRONMENTAL REVIEW

No environmental review 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

None

Report prepared by:
Starla Jerome-Robinson
Assistant City Manager



**CITY COUNCIL
SPECIAL AND REGULAR MEETING
DRAFT MINUTES**

Tuesday, June 3, 2014
6:30 P.M.

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

6:30 P.M. CLOSED SESSION (1st floor Council Conference Room, Administration Building)

Mayor Mueller called the Closed Session to order at 6:30 p.m. Council member Keith was absent.

Public Comment:

Dani O'Connor, Menlo Park employee, asked Council to bring the negotiations to a close and stated that SEIU employees take their responsibilities very seriously and the delay is affecting morale.

CL1. Closed Session pursuant to Government Code Section §54957 to conference with labor negotiators regarding labor negotiations with the Police Officers Association (POA) and Service Employees International Union (SEIU)

Attendees: Alex McIntyre, City Manager, Starla Jerome-Robinson, Assistant City Manager, Bill McClure, City Attorney, Gina Donnelly, Human Resources Director, Drew Corbett, Finance Director, and Charles Sakai, Labor Attorney

7:00 P.M. REGULAR SESSION

Mayor Mueller called the meeting to order at 7:07 p.m. with all Council members present.

Mayor Mueller led the pledge of allegiance.

REPORT FROM CLOSED SESSION

There is no reportable action from the Closed Session held earlier this evening.

ANNOUNCEMENTS

Mayor Mueller stated that the agenda has been amended to move two items previously under Regular Business now to Informational Items. See Items I3 and I4.

At this time, Mayor Mueller called **Item C**, *Public Comment*, out of order.

Public Comment:

- Henry Riggs spoke in opposition to the Specific Plan initiative and supports the community engagement process used to adopt the current Specific Plan
- Sara Leslie spoke in opposition to the Specific Plan initiative and supports the City Council
- Katie Ferrick spoke in favor of the Downtown Specific Plan that was approved and the process that was used
- Roy Thiele-Sardina gave a brief presentation regarding traffic on El Camino Real in relation to the current Specific Plan and the Specific Plan initiative
- Scott Lohman spoke regarding the potential overcrowding of schools that might occur as a result of the Specific Plan initiative
- Skip Hilton spoke in opposition of the Specific Plan initiative and stated that it has not gone through a proper review and has not been vetted by the community

- Peter Carpenter spoke in opposition to the Specific Plan initiative and its unintended unknown consequences ([handout](#))
- Mickie Winkler spoke in opposition to the Specific Plan initiative and the voter approval requirement for all future changes if the initiative is adopted
- Edward Moritz expressed concerns regarding the Specific Plan initiative
- Katherine Strehl expressed concerns regarding the signature gathering and information relayed regarding the Specific Plan initiative
- Richard Li spoke regarding misinformation being relayed by the Specific Plan initiative proponents
- John Boyle urged the Council to carefully examine and challenge the Specific Plan initiative ([handout](#))
- Adina Levin spoke regarding unintended environmental and economic consequences of the Specific Plan
- Jim Wiley spoke regarding Agenda Item D6 and recommended approval of the funding

At this time, Mayor Mueller called **Item A1**, *Proclamation*, out of order.

A1. Proclamation for Menlo Park City School District Measure W ([proclamation](#))

Mayor Mueller presented the proclamation to Tricia Barr, Stephanie Chen, Katie Ferrick, Stacey Jones, Andrea Potischman, Sarah Leslie

Superintendent Maurice Ghysels recognized the efforts and leadership of the recipients.

At this time, Mayor Mueller called **Item B1**, *Bicycle Commission Quarterly Report*, out of order.

B1. Bicycle Commission quarterly report on the status of their 2-year work plan

Chair William Kirsch reported that the commission has added three new members and that they are working on their next 2-year Work Plan, also facilitating a Complete Streets policy. He highlighted some of the commission's recent achievements including installation of green lane treatments and identification of funding.

SS. STUDY SESSION

SS1. Information on the City's Water Policy, Including Sources, Uses, and Conservation
([Staff report #14-101](#))([presentation](#))

Joint presentation by Public Works Director Chip Taylor, Nicole Sandkulla of the Bay Area Water Supply and Conservation Agency (BAWSCA) and Iris Priestaf of Todd Groundwater

Public Comment:

- Scott Marshall, Environmental Quality Commission (EQC) Chairperson, conveyed the recommendation of the EQC
- Allan Bedwell, EQ Commissioner, supports a comprehensive water policy for the City and specifically criteria for use requests under drought conditions or growth situations
- Mitch Slomiak, EQ Commissioner speaking as an individual, spoke regarding the need for long term policy guidelines for water management, creek protection, and the fair allocation of water usage
- Steve Steinhart, Sharon Heights HOA, encouraged Council to gather and ascertain options for water storage, distribution and management
- Bill Beasley, Sharon Heights, urged the Council to seek alternative water sources and not to use drinking water
- Paul Kirincich supports the comments of Bill Beasley
- Lorne Eltherington inquired whether the Council will allow a definitive study to be conducted on this topic
- Peter Drekmeier, Tuolumne River Trust, spoke regarding the resolution on groundwater and the benefit of collaborating with other local agencies

- Rich Petit stated that the Sharon Heights should switch to using groundwater and that the golf course is willing to pay the costs for drilling, construction and maintenance
- Ed Sarraillt urged the Council to carefully review different options
- Tim Robertson asked Council to proceed with a study, use ground water to replace drinking water and broaden water uses
- Richard Recht asked Council to consider all options regarding water
- Phil Scott, West Bay Sanitary District, briefly reviewed the District's recycled water project
- Mark Melbye stated the City would benefit from further research
- Mary Kuechler spoke regarding water conservation and discouraged the Council from allowing a privacy entity to sponsor the drilling of a well.
- Chris Straube encouraged Council to consider all proposals
- Jerry Hearn spoke regarding the resolution on groundwater and encouraged Council to engage stakeholders in gathering information and decision making
- Tess Byler spoke in support of the groundwater resolution
- Robin Driscoll urged dialogue to establish a working relationship between the water company and the largest irrigation customer
- Remy Malan stated he lives near Jack Lyle Park and expressed concerns regarding subsidence and the drilling of a well
- Steve Schmidt expressed concerns allowing a private entity to use public water
- Eric Brandenburg supports the use of ground water during drought conditions
- Brielle Johnck expressed concern regarding the language of the proposed resolution
- David Alfano supports the City proceeding with a water policy, reviewing best practices in other jurisdictions and discouraged any further consideration of drilling a well
- Adina Levin supports proceeding with a water management policy, partnering with neighboring jurisdictions and deferring consideration of a new well
- Marjorie Zimmerman supports a model water policy for good water management
- Steve Knox supports collaboration to gather more information regarding groundwater and recycled water in order to allow Council to make informed decisions

Council discussion ensued regarding due diligence in conducting further research, considering the use of groundwater as an alternative source, the use and fair allocation of recycled water, refresh rates during a drought, desalination, and the need for a groundwater management plan.

There was consensus among Council to direct staff to defer consideration of the Sharon Heights Golf Course well while continuing to pursue a possibility for recycled water as an alternate source for irrigation. In addition, Council directed staff to evaluate a City-wide water policy.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation for Menlo Park City School District Measure W

This item was called earlier in the meeting.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Bicycle Commission quarterly report on the status of their 2-year work plan

This item was called earlier in the meeting.

B2. Consider applicant for appointment to fill one vacancy on the Bicycle Commission

[\(Staff report #14-103\)](#)

ACTION: Councilmember Keith nominated Jonathan Weiner and was seconded by Councilmember Ohtaki. By acclamation Jonathan Wiener is appointed to the Bicycle Commission for a term to expire on April 30, 2016.

C. PUBLIC COMMENT #1

This item was called earlier in the meeting.

D. CONSENT CALENDAR

- D1.** Waive the second reading and adopt **Ordinance 1007** regarding the use of automated license plate readers and neighborhood surveillance cameras ([Staff report #14-091](#))
- D2.** Authorize the Public Works Director to accept the work performed by Omega Electric to furnish and install a new uninterruptible power supply system for the Administration Building ([Staff report #14-092](#))
- D3.** Award a contract for the replacement of the boiler and expansion tank at the Menlo Park public library to American Air Conditioning in the amount of \$74,466 and authorize a total project budget of \$90,466 for the equipment, contingency and administration ([Staff report #14-093](#))
- D4.** Adopt **Resolution 6203** accepting dedication of a storm drainage easement at 20 Kelly Court and authorize the City Manager to sign the certificate of acceptance for the easement ([Staff report #14-094](#))
- D5.** Authorize the Public Works Director to accept the work performed by Bear Electrical Solutions, Inc. for the Oak Grove Avenue and Merrill Street Intersection In-Pavement Lighted Crosswalk Project ([Staff report #14-097](#))
- D6.** Authorize the City Manager to execute funding agreement among the San Francisquito Creek Joint Powers Authority and its member agencies for construction of the San Francisquito Creek Flood Reduction, Ecosystem Restoration and Recreation Project from San Francisco Bay to Highway 101 ([Staff report #14-098](#))
- D7.** Approval of the lease dated April 29, 2014 with Peninsula Volunteers, Inc. for the Little House located in Nealon Park, 800 Middle Avenue, Menlo Park, California ([Staff report #14-102](#))
- D8.** Accept Council minutes for the meetings of April 29, 2014, and May 6, 13, and 20, 2014 ([Attachment](#))

Mayor Mueller pulled Item D6 for public comment and further discussion.

ACTION: Motion and second (Keith/Ohtaki) to approve items D1-D5 and D7-D8 on the Consent Calendar with the notation that Mayor Pro Tem Carlton and Councilmember Ohtaki vote NO on Item D1, *Waive the second reading and adopt **Ordinance 1007** regarding the use of automated license plate readers and neighborhood surveillance cameras*, passes unanimously.

D6. Authorize the City Manager to execute funding agreement among the San Francisquito Creek Joint Powers Authority and its member agencies for construction of the San Francisquito Creek Flood Reduction, Ecosystem Restoration and Recreation Project from San Francisco Bay to Highway 101.

Public Comment:

- Brielle Johnck asked that project elements and preferred projects be clearly defined
- Mitch Slomiak asked Council to include language in the agreement directing the City Manager to communicate the City's request to remove floodwalls from the list of solution options

- Steve Schmidt supports the removal of floodwalls as a consideration
- Len Materman, San Francisquito Creek JPA Director, spoke regarding projects the JPA is currently reviewing and undertaking

There was consensus among Council to have the topic of floodwalls brought forth as a Council Digest item.

ACTION: Motion and second (Keith/Ohtaki) to authorize the City Manager to execute funding agreement among the San Francisquito Creek Joint Powers Authority and its member agencies for construction of the San Francisquito Creek Flood Reduction, Ecosystem Restoration and Recreation Project from San Francisco Bay to Highway 101 passes unanimously.

E. PUBLIC HEARING

E1. Adopt a resolution authorizing collection of a regulatory fee at existing rates to implement the local City of Menlo Park Storm Water Management Program for Fiscal Year 2014-15 ([Staff report #14-095](#))

Staff presentation by Assistant Public Works Director Ruben Nino

Mayor Mueller opened the Public Hearing. There was no public comment.

Motion and second (Cline/Ohtaki) to close the Public Hearing passes unanimously.

ACTION: Motion and second (Keith/Ohtaki) to adopt **Resolution 6204** authorizing collection of a regulatory fee at existing rates to implement the local City of Menlo Park Storm Water Management Program for Fiscal Year 2014-15 passes unanimously.

E2. Adopt a resolution recommending that the San Mateo County Flood Control District impose basic charges at existing rate and increasing the additional charges for funding the Fiscal Year 2014-15 Countywide National Pollutant Discharge Elimination System General Program ([Staff report #14-096](#))

Staff presentation by Assistant Public Works Director Ruben Nino

Mayor Mueller opened the Public Hearing. There was no public comment.

Motion and second (Keith/Ohtaki) to close the Public Hearing passes unanimously.

ACTION: Motion and second (Cline/Ohtaki) to adopt **Resolution 6205** recommending that the San Mateo County Flood Control District impose basic charges at existing rate and increasing the additional charges for funding the Fiscal Year 2014-15 Countywide National Pollutant Discharge Elimination System General Program passes unanimously.

E3. Public Hearing on Fiscal Year 2014-15 budget and capital improvement program ([Staff report #14-099](#))([presentation](#))

Staff presentation by City Manager Alex McIntyre and Finance Director Drew Corbett

Mayor Mueller opened the Public Hearing.

Public Comment:

- Bill Weseloh requested Council to budget funds to restore Rachel Bentley paintings ([handout](#))
- Adina Levin supports adding a staff position to help achieve Council's goals regarding climate action and to also examine transportation issues as they relate to greenhouse gas reduction

- Mitch Slomiak requested Council to budget a full-time position to focus on climate action
- Mickie Winkler spoke regarding outsourcing and insourcing services

Motion and second (Carlton/Cline) to close the Public Hearing passes unanimously.

At 12:04 a.m. Mayor Mueller exited the Council chambers and Mayor Pro Tem Carlton presided the meeting. At 12:09 a.m. Mayor Mueller returned.

ACTION: Motion and second (Keith/Ohtaki) to approve an amendment to the budget that two thousand dollars be allocated for the restoration of Rachel Bentley paintings passes unanimously.

F. REGULAR BUSINESS - None

G. CITY MANAGER'S REPORT

City Manager McIntyre announced that Public Works Director Chip Taylor has accepted a job with the City of Millbrae and has named Transportation Manager Jesse Quirion Interim Public Works Director.

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

11. Update on multi-city affordable housing nexus study and impact fee feasibility for commercial and residential development ([Staff report #14-100](#))
12. Update on the consultant selection process for the General Plan Update and M-2 Area Zoning Update ([Staff report #14-104](#))
13. Memorandum of Understanding on Friendship Cooperation between the City of Menlo Park and Changping District, Beijing, the People's Republic of China ([Attachment](#))
14. Memorandum of Understanding supporting a prosperous Sister City relationship between the City of Menlo Park and Luan in Anhui Province, the People's Republic of China ([Attachment](#))

Regarding Items 13 and 14, there was consensus among Council to form a subcommittee comprised of Mayor Mueller and Mayor Pro Tem Carlton to review these items and bring back them for Council consideration at a future meeting in August.

J. COUNCILMEMBER REPORTS - None

K. PUBLIC COMMENT #2

There was no public comment.

L. ADJOURNMENT at 12:26 a.m. on June 4, 2014.

Pamela Aguilar
City Clerk



PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-108

Agenda Item #: E-1

PUBLIC HEARING:

Adopt a Resolution Overruling Protests, Ordering the Improvements, Confirming the Diagram, and Ordering the Levy and Collection of Assessments at the Existing Fee Rates for the Sidewalk Assessments and Increasing the Fee Rates by 2.99% for the Tree Assessments for the City of Menlo Park Landscaping Assessment District for Fiscal Year 2014-15

RECOMMENDATION

Staff recommends that the City Council adopt a Resolution (Attachment A) overruling protests, ordering the improvements, confirming the diagram, and ordering the levy and collection of assessments at the existing fee rates for the sidewalk assessments and increasing the fee rates by 2.99% for the tree assessments for the City of Menlo Park Landscaping Assessment District for Fiscal Year 2014-15.

BACKGROUND

In 1983, the City of Menlo Park established a Landscaping Assessment District for the proper care and maintenance of City street trees. In 1990, an assessment for the repair and maintenance of sidewalks and parking strips was added to the Landscaping Assessment District. The District levies assessments on parcels in Menlo Park to generate funds to pay for the maintenance of public trees and the repair of sidewalks in the public right-of-way damaged by City street trees. Each year, the City must act to continue the collection of assessments.

On May 13, 2014, the City Council adopted Resolution No. 6199 preliminarily approving the Engineer's Report and Resolution No. 6200 stating its intention to order the levy and collection of assessments for the Landscaping Assessment District in FY 2014-15. The staff report is included as Attachment B.

ANALYSIS

The Engineer's Report for the Menlo Park Landscaping District for Fiscal Year 2014-15 proposes a 2.99% increase to the tree assessments and no increases to the sidewalk assessments. The action taken by the City Council on May 13, 2014, initiated the

period in which any property owners can protest the amount of their proposed assessments. No protests have been received as of the date of this staff report. Prior to taking any final action, the Council must conduct the Public Hearing and give direction regarding any protests received. If the Council confirms and approves the assessments by adopting the Resolution. The levies will be submitted to the County Auditor/Controller for inclusion on the property tax roll for FY 2014-15.

IMPACT ON CITY RESOURCES

If the Council does not adopt the attached resolution, the impact on City resources will be \$758,891 which represents the total amount of the estimated tree and sidewalk assessments to be received in the FY 2014-15.

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

Environmental review is not required for this action.

PUBLIC NOTICE

Public Notification consists of posting the agenda, with this item being listed, at least 72 hours prior to the meeting, and publishing legal notices on June 4, 2014 and June 11, 2014 in The Daily News.

ATTACHMENTS

- A. Resolution
- B. Staff Report #14-081, dated May 13, 2014

Report prepared by:
Erendira Romero
Business Manager

Ruben Niño
Assistant Public Works Director

RESOLUTION NO.**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
OVERRULING PROTESTS, ORDERING THE IMPROVEMENTS, CONFIRMING
THE DIAGRAM, AND ORDERING THE CONTINUATION AND COLLECTION
OF ASSESSMENTS AT THE EXISTING FEE RATES FOR THE SIDEWALK
AND INCREASING THE FEE RATES BY 2.99% FOR THE TREE
ASSESSMENTS FOR THE CITY OF MENLO PARK LANDSCAPING
ASSESSMENT DISTRICT FOR FY 2014-15**

WHEREAS, on the twenty-eighth day of January, 2014, said Council adopted Resolution No. 6192, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District for Fiscal Year 2014-15, pursuant to provisions of Article XIII D of the California Constitution and the Landscaping and Lighting Act of 1972; and

WHEREAS, said Council thereupon duly considered said report and each and every part thereof and found that it contained all the matters and things called for by the provisions of said Act and said Resolution No. 6192, including (1) plans and specifications of the existing improvements and the proposed new improvements; (2) estimate of costs; (3) diagram of the District; and (4) an assessment according to benefits; all of which were done in the form and manner required by said Act; and

WHEREAS, said Council found that said report and each and every part thereof was sufficient in every particular and determined that it should stand as the report for all subsequent proceedings under said Act, whereupon said Council pursuant to the requirements of said Act, appointed Tuesday, the seventeenth day of June, 2014, at the hour of 7:00 p.m. or soon thereafter of said day in the regular meeting place of said Council, Council Chambers, Civic Center, 701 Laurel Street, Menlo Park, California 94025, as the time and place for hearing protests in relation to the continuation and collection of the proposed assessments for said improvements, including the maintenance or servicing, or both, thereof, for FY 2014-15; and

WHEREAS, on June 17, 2014, at the hour of 7:00 p.m. or soon thereafter at 701 Laurel Street, Menlo Park, California, the Public Hearing was duly and regularly held as noticed, and all persons interested and desiring to be heard were given an opportunity to speak and be heard, and all matters and things pertaining to the levy were fully heard and considered by this Council, and all oral statements and all written protests or communications were duly considered; and

WHEREAS, persons interested, objecting to said improvements, including the maintenance or servicing, or both, thereof, or to the extent of the assessment district, or any zones therein, or to the proposed assessment or diagram or to the Engineer's estimate of costs thereof, filed written protests with the City Clerk of said City at or before the conclusion of said hearing, and all persons interested desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the continuation and collection of the assessments for said improvements, including the maintenance or servicing, or both, thereof, were fully heard and considered by said Council.

NOW, THEREFORE, BE IT RESOLVED, AND IS HEREBY FOUND, DETERMINED, AND ORDERED AS FOLLOWS:

1. That protests against said improvements, including the maintenance or servicing, both, thereof, or to the extent of the assessment district or any zones therein, or to the proposed

continued assessment or diagram, or to the Engineer's estimate of costs thereof, for FY 2014-15 be, and each of them are hereby overruled.

2. That the public interest, convenience, and necessity require and said Council does hereby order the continuation and collection of assessments pursuant to said Act, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in said Engineer's Report and made a part hereof by reference thereto.
3. That the City of Menlo Park Landscaping District and the boundaries thereof benefited and to be assessed for said costs for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, are situated in Menlo Park, California, and are more particularly described by reference to a map thereof on file in the office of the City Clerk of said City. Said map indicates by a boundary line the extent of the territory included in said District and the general location of said District.
4. That the plans and specifications for the existing improvements and for the proposed improvements to be made within the assessment district-contained in said report, be, and they are hereby, finally adopted and approved.
5. 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 it is hereby, finally adopted and approved.
6. That the public interest and convenience require, and said Council does hereby order the improvements to be made as described in, and in accordance with, said Engineer's Report, reference to which is hereby made for a more particular description of said improvements.
7. That the diagram showing the exterior boundaries of the assessment district referred to and described in Resolution No. 6192 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 it 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, finally approved and confirmed.
8. That the continued assessment of the total amount of the costs and expenses of the said 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, and the maintenance or servicing, or both, thereof and of the expenses incidental thereto contained in said report be, and the same is hereby, finally approved and confirmed.
9. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the continued assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

10. That said Engineer's Report for FY 2014-15 be, and the same is hereby, finally adopted and approved as a whole.
11. That the City Clerk shall forthwith file with the Auditor of San Mateo County the said continued assessment, together with said diagram thereto attached and made a part thereof, as confirmed by the City Council, with the certificate of such confirmation thereto attached and of the date thereof.
12. That the order for the levy and collection of assessment for the improvements and the final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the continued assessment as contained in said Report, as hereinabove determined and ordered, is intended to and shall refer and apply to said Report, or any portion thereof, as amended, modified, revised, or corrected by, or pursuant to and in accordance with any resolution or order, if any, heretofore duly adopted or made by this Council.
13. That the San Mateo County Controller and the San Mateo County Tax Collector apply the City of Menlo Park Landscaping District assessments to the tax roll and have the San Mateo County Tax Collector collect said continued assessments in the manner and form as with all other such assessments collected by the San Mateo County Tax Collector.

I, Pamela Aguilar, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting by the City Council of the City of Menlo Park on the seventeenth day of June, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City, this seventeenth day of June, 2014.

Pamela Aguilar
City Clerk

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 13, 2014
Staff Report #: 14-081

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 2014-15 which Proposes an Increase of 2.99 percent to the Tree Portion of the Assessment and No Increase to the Sidewalk Portion of the Assessment; Adopt a Resolution of Intent to Order the Levy and Collection of Assessments for the Menlo Park Landscaping District for Fiscal Year 2014-15; and Set the Date for the Public Hearing for June 17, 2014

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 2014-15, which proposes an increase of 2.99% to the tree portion of the assessment and no increase to the sidewalk portion of the assessment (Attachment A);
2. Adopt a Resolution of Intention to order the levy and collection of assessments for the City of Menlo Park Landscaping District for Fiscal Year 2014-15 pursuant to the Landscaping and Lighting Act of 1972 (Attachment B); and;
3. Set the date for the Public Hearing for June 17, 2014.

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 28, 2014, the City Council adopted Resolution No. 6192 describing the improvements

and directing the preparation of an Engineer's Report for the Landscaping District for FY 2014-15. 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 2014-15. 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 the 2.99 percent increase to the tree portion of the assessment, and set a public hearing for June 17, 2014, 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 2014-15 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

Table I shows the proposed budget for street tree maintenance expenses and revenues for FY 2014-15. The 2.99 percent increase represents a \$2.20 annual increase in a typical single family property.

Table I Tree Maintenance Assessments Proposed FY 2014-15 Budget	
Projected Beginning Fund Balance	\$241,229
Estimated Revenues:	
Tree Assessment Revenue (2.99% increase)	\$562,575
General Fund Contribution	<u>214,000</u>
	\$776,575
Estimated Expenses:	
Street Tree Maintenance	\$641,826
Debris Removal (Street Sweeping)	211,889
Administration & County Collection of Assessment Fees	<u>94,378</u>
	\$948,093
Projected Ending Fund Balance	\$69,711

Staff estimates that tree maintenance expenditures will exceed revenues by approximately \$171,518 in FY 2014-15, which will result in a FY 2014-15 ending fund balance of approximately \$69,711. The tree portion of the assessment was last increased in FY 2009-10 by 5 percent from \$57.39 per SFE to \$60.26. The proposed increase of 2.99 percent to the tree maintenance portion of the assessment will help in balancing the budget of revenues meeting expenditures and getting the City to a tree maintenance trimming and evaluation schedule of once every five years. In addition, the contract with West Coast Arborists, Inc., the City's current tree service company will expire in November 2014 and staff has sent out request for proposals. It is anticipated that there will be an increase in cost for these services due to the cost for these services has not increased in the past two years.

The General Fund contribution towards tree maintenance will be \$214,600 for FY 2014-15. 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 \$214,000 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. Table II shows the proposed budget for sidewalk, curb, gutter and parking strip repair and replacement expenses and revenues for FY 2014-15.

Table II Sidewalk Repair Assessments Proposed FY 2014-15 Budget	
Projected Beginning Fund Balance	\$184,816
Estimated Revenues:	
Sidewalk Assessment Revenue (no rate increase)	\$196,316
General Fund CIP Contribution for sidewalk repair	<u>120,000</u>
	\$316,316
Estimated Expenses:	
Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement	\$300,000
Administration & County Collection of Assessment Fees	<u>20,655</u>
	\$320,655
Projected Ending Fund Balance	\$180,477

Staff estimates that the sidewalk repair program will have budgeted expenses that exceed revenues by approximately \$4,339 in FY 2014-15. The projected FY 2014-15 ending fund balance is approximately \$180,477. Recently, staff was able to address minor tripping hazards as part of the annual sidewalk repair program by implementing a horizontal sawcutting method of removal that leaves a smooth uniform surface. This approach reduces the need for complete concrete removal, better efficiency and budget control. Therefore, staff is not recommending any increase to the sidewalk repair assessments for FY 2014-15.

Table III Annual Tree Assessment Rates Proposed FY 2014-15 (2.99% increase from FY 2013-14)		
Property Type	Properties with Trees	Properties without Trees
Single-family	\$62.06 per Parcel	\$31.03 per Parcel
R-2 Zone, in use as single-family	\$62.06 per Parcel	\$31.03 per Parcel
Condominium/ Townhouse	\$55.85 per Unit \$279.27 max. per Project	\$27.93 per Unit \$139.64 max. per Project
Other Multi-family	\$49.65 per Unit \$248.24 max. per Project	\$24.82 per Unit \$124.12 max. per Project
Commercial	\$62.06 per 1/5 acre \$310.30 max. per Project	\$31.03 per 1/5 acre \$155.15 max. per Project
Industrial	\$62.06 per 1/5 acre \$310.30 max. per Project	\$31.03 per 1/5 acre \$155.15 max. per Project
Parks, Educational	\$62.06 per Parcel	\$31.03 per Parcel
Miscellaneous, Other	\$0.00 per Parcel	\$0.00 per Parcel

Table IV	
Property Type	Annual Sidewalk Assessment Rates Proposed FY 2014-15 (no increase from FY 2013-14)
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 17, 2014. 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 2014-15.

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 percent. Any change in the CCI in excess of 3 percent is cumulatively reserved and can be used to increase the assessment rate in years in which the CCI is less than 3 percent. The change in the CCI from December 2012 to December 2013 was 5.25 percent.

The maximum authorized assessment rate for fiscal year 2014-15 (based on accumulated unused CCI increases excess reserves from prior years) are \$98.46 per single family equivalent (SFE) benefit unit for tree maintenance and \$43.96 per single family equivalent (SFE) benefit unit for sidewalk maintenance without another ballot proceedings. The estimated budget in the Engineer’s Report proposes an increase to assessments for the tree portion for 2014-15 to increase by 2.99 percent from FY 2013-14 at the rate of \$60.26 per SFE to \$62.06 per SFE and \$28.70 per SFE for sidewalk maintenance (same as FY 2013-14). 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, 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 \$758,891 (the total amount of the proposed tree and sidewalk assessments).

Staff recommends increasing the tree maintenance assessment rate but not 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 2014-15.

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 2014

Report prepared by:
Eren Romero
Business Manager

Ruben Niño
Assistant Public Works Director

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ADMINISTRATIVE SERVICES DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-110

Agenda Item #: F-1

REGULAR BUSINESS:

Adopt Resolutions: Adopting the 2014-15 Budget and Capital Improvement Program; Establishing the Appropriations Limit for 2014-15; Establishing a Consecutive Temporary Tax Percentage Reduction in Utility Users' Tax Rates; Determining the Continued Need for Imposition of the Utility Users' Tax per Section 3.14.310 of the Municipal Code; and Adopting the Salary Schedule for 2014-15

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolutions, which:

1. Adopt the City of Menlo Park 2014-15 budget and capital improvements program (Attachment A and Exhibit A);
2. Establish the City's appropriations limit for the 2014-15 fiscal year (Attachment B);
3. Establish a consecutive temporary reduction in Utility Users' Tax rates to continue the current one percent tax rate on all utilities as of October 1, 2014 (Attachment C);
4. Make findings that the Utility Users' Tax is necessary for the financial health of the City (Attachment D);
5. Adopt the salary schedule for 2014-15 (Attachment E and Exhibit A).

BACKGROUND

The City Manager's proposed fiscal year 2014-15 budget was delivered to Council on May 22, 2014, and it was posted to the City's website that same day. The City Manager also introduced the budget to the public via a comprehensive [budget workshop](#), which was held on May 27, 2014. Finally, a public hearing on the proposed budget was held on June 3, 2014. At the June 3rd public hearing, Council passed a motion to make one amendment to the budget, which was to include \$2,000 in funding to initiate the restoration of historical paintings owned by the City, which was requested by the Historical Association.

As noted in the public hearing staff report, the operating budget was developed using the guidance Council provided at its January 27, 2014, goal setting workshop, and all of Council's priority goals have been included in the fiscal year 2014-15 budget being proposed for adoption. In addition, the capital improvement program has been reviewed by all of the appropriate boards and commissions, with their feedback provided to Council at the March 18, 2014, Council meeting where the 5-year capital improvement program was presented.

In addition to adopting the fiscal year 2014-15 budget and capital improvement program, there are four other actions included as a part of this agenda item. These actions include adopting resolutions related to the City's appropriations limit, Utility Users' Tax, and employee salary schedule. Each of these actions is discussed in more detail in the following section of this report.

ANALYSIS

Fiscal Year 2014-15 Proposed Budget

The Citywide budget being proposed for adoption for fiscal year 2014-15 is \$72.1 million. This includes a \$46.5 million General Fund budget, as well as \$8.1 million for water operations and a \$6.9 million capital improvement program. Some of the major capital improvement program projects with funding in fiscal year 2014-15 include the Sand Hill Road Signal Interconnect (\$1.5 million), the El Camino Real/Ravenswood Northbound Right Turn Lane Design and Construction (\$1.0 million), and the Water System Master Plan (\$500,000).

For the General Fund, both revenues and expenditures are slightly under \$46.5 million. As previously noted, Council approved one amendment to the proposed budget. This amendment increases the total expenditure budget by \$2,000 and has been incorporated into the operating budget of the City Manager's Office. This addition to the budget is funded by the General Fund and reduces the budgeted surplus from \$29,408 to \$27,408.

The resolution to adopt the fiscal year 2014-15 budget and capital improvement program is included as Attachment A to this report. The resolution includes an accompanying exhibit that outlines the appropriations by fund that establishes the \$72,141,769 Citywide budget.

Fiscal Year 2014-15 Appropriations Limit

The appropriations limit, which was originally established in 1979 by Proposition 4, places a maximum limit on the appropriations of tax proceeds that can be made by the state, school districts, and local governments in California. The appropriations limit is set on an annual basis and is revised each year based on population growth and cost of living factors. The purpose of the appropriations limit is to preclude state and local governments from retaining excess revenues, which are required to be redistributed back to taxpayers and schools. California Government Code requires that the City annually adopt an appropriations limit for the coming fiscal year. The resolution to

adopt the appropriations limit for fiscal year 2014-15 is included as Attachment B to this report.

The appropriations limit for the City of Menlo Park for fiscal year 2014-15 is \$49,308,784, while the proceeds of taxes subject to the appropriations limit is \$30,583,860. Therefore, the City is well below its appropriations limit for fiscal year 2014-15.

Utility Users' Tax (UUT) Rate Considerations

The City's Utility Users' Tax (UUT) became effective April 1, 2007, imposing the voter-approved maximum 3.5% tax on gas, electrical, and water usage, and the maximum 2.5% tax on cable, telephone, and wireless services. On July 19, 2007, the City Council approved a reduction in the tax rate on all utilities to 1%, which became effective on October 1, 2007. Since that time, Council has annually adopted a resolution to maintain a consecutive temporary tax reduction in Utility Users' Tax rates, which has continued the one percent tax rate on all utilities. These temporary tax rate reductions are allowable for a period of up to twelve months, and therefore must be acted upon annually.

A resolution making the finding that the continuation of the tax reduction will not have an adverse impact on the City's ability to meet its financial obligations is included as Attachment C. Should Council not adopt this resolution, the original tax percentages will be automatically reinstated as of October 1, 2014.

Additionally, the Utility Users' Tax Ordinance requires the City to review the need for the tax every other year. A resolution affirming that the UUT is necessary for the financial health of the City is included as Attachment D. A two-thirds vote is necessary to maintain the tax, and should a two-thirds vote affirming the continued need for the UUT not be achieved, this tax will be discontinued as of December 31, 2014.

The fiscal year 2014-15 budget estimates total UUT revenues of \$1.13 million. This projection is based on the assumption that Council will establish a continuation of the temporary tax reduction that keeps that UUT at the current one percent rate, and that the Council will affirm that UUT is necessary for the financial health of the City.

Salary Schedule

Government Code Section 20636(b)(1) requires a publicly available pay schedule for public agencies. This section was further clarified by California Code of Regulations (CCR) Section 570.5 to require that the pay schedule be annually approved and adopted by the agency's governing body. Council approved the City's unrepresented employees salary schedule on December 10, 2013 (Staff Report 13-191), and at that time, staff indicated that the full salary schedule would be reviewed and updated annually and returned for Council's approval as a part of the annual budget process.

The resolution adopting the salary schedule for 2014-15 is included as Attachment E, with Exhibit A to the attachment containing the actual salary schedule. All current

classifications represented by the various bargaining units, as well as unrepresented employees, are included. Other changes include the addition of a minimum pay range for the classifications in the Confidential employee unit, and the addition of the Public Works Superintendent, City Manager and City Attorney classifications in the unrepresented management and professional employee unit. Salary ranges for unrepresented employees have been updated consistent with the Control Point Policy. Changes range between minus 3 percent and plus 3 percent. On average the salary changes are less than ½ percent.

IMPACT ON CITY RESOURCES

The fiscal year 2014-15 budget being proposed for adoption, including the amendment approved at the June 3rd public hearing, provides for General Fund revenues of \$46,484,555 and expenditures of \$46,457,147. This leaves an operating surplus in the amount of \$27,408 and establishes an estimated ending fund balance in fiscal year 2014-15 of \$24.2 million.

POLICY ISSUES

Presentation of the City Manager's proposed budget is consistent with the City's budgeting process and represents no changes in City policy.

ENVIRONMENTAL REVIEW

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 adopting the fiscal year 2014-15 budget and capital improvement program
- B. Resolution establishing the appropriations limit for fiscal year 2014-15
- C. Resolution temporarily reducing the Utility Users' Tax rate effective October 1, 2014
- D. Resolution determining that the Utility Users' Tax is necessary for the financial health of the City.
- E. Resolution establishing the salary schedule for fiscal year 2014-15.

Report prepared by:
Drew Corbett
Finance Director

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK ADOPTING THE BUDGET FOR FISCAL YEAR 2014-15 AND
ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR THE
FISCAL YEAR**

WHEREAS, the City of Menlo Park, acting by and through its City Council, having considered the proposed budget document dated June 2014 and related written and oral information at the meeting held June 17, 2014, and the City Council having been fully advised in the matter and good cause appearing therefore.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby adopt the budget for the fiscal year 2014-15 as set forth in the proposed budget presented to the City Council; and

BE IT FURTHER RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby adopt the Capital Improvement Program for the fiscal year as set forth in the draft budget presented to the City Council.

I, Pamela Aguilar, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on the seventeenth day of June 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this seventeenth day of June 2014.

Pamela Aguilar
City Clerk

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	General Fund	Literacy Grants	Public Library	Vintage Oaks Landscape	Sharon Hills Park	Supplemental Law Enforcement Services	Transportation Impact Fees	Solid Waste Service	Landfill Post-Closure	Downtown Parking Permits	Recreation In-Lieu	Bedwell Bayfront Park Maintenance
OPERATING BY DEPARTMENT												
City Council	392,849											
City Attorney	346,353											
City Manager's Office	3,215,844											
Community Development	4,774,695											
Community Services	7,808,232											
Finance	1,540,456							52,948				
Human Resources	1,063,179											
Library	2,268,284	200,534	20,765									
Police	15,394,959					100,000				21,400		
Public Works	7,004,095			10,190	13,000		115,406	292,000	358,345	102,545	0	112,372
Total Operating	43,808,946	200,534	20,765	10,190	13,000	100,000	115,406	344,948	358,345	123,945	0	112,372
CIP Expenditures *												
Administration Building Carpet Replacement												
Administration Building Emergency Generator												
Bay Levee Project												
Belle Haven Child Development Center Flooring Replacement												
Belle Haven Pool Analysis and Audit											100,000	
Chrysler Pump Station Improvements												
City Buildings (Minor)												
Council Chambers Mics/Voting Equipment												
Council Chambers Audio/Video												
Downtown Parking Utility Underground												
Downtown Streetscape Improvement Project												
El Camino Real/Ravenswood NB Right Turn Lane Design and Construction												1,020,000
Emergency Water Tank												
Energy Audit of City Administration												
Facility Energy Retrofit												
Fire Plans and Equipment Replacement at Council Chambers, Onetta Harris Community Center, and Library												
General Plan Update												
Heritage Tree Ordinance Program Evaluation												
High Speed Rail Coordination												
Implement Strategic Plan to Improve Public Area Trash and Recycling Citywide												65,000
Library Landscaping												
Library Space Needs Study												
Middle Avenue bike Lane Feasibility Study												
<i>CIP expenditures continued</i>												
Overnight Parking App												
Park Improvements (Minor)												

Francis Mack Trust	Library Donations	Below Market-Rate Housing	Measure A Tax	Highway Users Tax	Landscape/Tree Assessment	Sidewalk Assessment	Storm Water Management (NPDES)	Construction Impact Fee	Miscellaneous Funds	Library GO Bond 1990	Recreation GO Bond 2002
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OPERATING BY DEPARTMENT

City Council											
City Attorney											
City Manager's Office											
Community Development											
Community Services		81,500							700		
Finance											
Human Resources											
Library	32,626	62,544									
Police											
Public Works			1,499,561	18,232	893,416	20,590	339,295	61,441			
Total Operating	32,626	62,544	81,500	1,499,561	18,232	893,416	20,590	339,295	61,441	700	0

CIP Expenditures *

- Administration Building Carpet Replacement
- Administration Building Emergency Generator
- Bay Levee Project
- Belle Haven Child Development Center Flooring Replacement
- Belle Haven Pool Analysis and Audit
- Chrysler Pump Station Improvements
- City Buildings (Minor)
- Council Chambers Mics/Voting Equipment
- Council Chambers Audio/Video
- Downtown Parking Utility Underground
- Downtown Streetscape Improvement Project
- El Camino Real/Ravenswood NB Right Turn Lane Design and Construction
- Emergency Water Tank
- Energy Audit of City Administration
- Facility Energy Retrofit
- Fire Plans and Equipment Replacement at Council Chambers, Onetta Harris Community Center, and Library
- General Plan Update
- Heritage Tree Ordinance Program Evaluation
- High Speed Rail Coordination
- Implement Strategic Plan to Improve Public Area Trash and Recycling Citywide
- Library Landscaping
- Library Space Needs Study
- Middle Avenue bike Lane Feasibility Study
- CIP expenditures continued*
- Overnight Parking App
- Park Improvements (Minor)

	General Capital Improvement	Library Addition	Water Capital Improvement	Water Operating	Workers' Compensation	Liability/Fire Insurance	Other Post-Employment Benefits	Vehicle Replacement	TOTAL
OPERATING BY DEPARTMENT									
City Council									392,849
City Attorney					4,098	139,273			489,724
City Manager's Office									3,215,844
Community Development									4,774,695
Community Services									7,890,432
Finance				633,596	597,384	681,177			3,505,561
Human Resources					92,301		822,882		1,978,362
Library		40,000							2,624,753
Police									15,516,359
Public Works			16,569	7,535,829				359,200	18,752,086
Total Operating	0	40,000	16,569	8,169,425	693,783	820,450	822,882	359,200	59,140,665
CIP Expenditures *									
Administration Building Carpet Replacement	400,000								400,000
Administration Building Emergency Generator	9,820								9,820
Bay Levee Project	140,000								140,000
Belle Haven Child Development Center Flooring Replacement	50,000								50,000
Belle Haven Pool Analysis and Audit									100,000
Chrysler Pump Station Improvements	350,000								350,000
City Buildings (Minor)	325,000								325,000
Council Chambers Mics/Voting Equipment	4,934								4,934
Council Chambers Audio/Video	4,934								4,934
Downtown Parking Utility Underground	400,000								400,000
Downtown Streetscape Improvement Project	80,000								80,000
El Camino Real/Ravenswood NB Right Turn Lane Design and Construction									1,020,000
Emergency Water Tank			96,399						96,399
Energy Audit of City Administration	10,334								10,334
Facility Energy Retrofit	14,575								14,575
Fire Plans and Equipment Replacement at Council Chambers, Onetta Harris Community Center, and Library	60,000								60,000
General Plan Update	662,646								662,646
Heritage Tree Ordinance Program Evaluation	50,000								50,000
High Speed Rail Coordination	50,000								50,000
Implement Strategic Plan to Improve Public Area Trash and Recycling Citywide									65,000
Library Landscaping	300,000								300,000
Library Space Needs Study	130,000								130,000
Middle Avenue bike Lane Feasibility Study	6,069								6,069
<i>CIP expenditures continued</i>									
Overnight Parking App	70,000								70,000
Park Improvements (Minor)	150,000								150,000

	General Fund	Literacy Grants	Public Library	Vintage Oaks Landscape	Sharon Hills Park	Supplemental Law Enforcement Services	Transportation Impact Fees	Solid Waste Service	Landfill Post-Closure	Downtown Parking Permits	Recreation In-Lieu	Bedwell Bayfront Park Maintenance
Playground Equipment Assessment and Replacement											30,000	
Pope/Chaucer Bridge Replacement												
Radio Infrastructure Replacement												
Reroof Reservoir #2												
Retractable Lights Installation at Gymnasium, Gymnastics, and Family Recreation Centers												
Sand Hill Road Signal Interconnect							1,495,000					
Sharon Heights Pump Station Replacement Design												
Sidewalk Repair Program												
Sidewalks on Santa Cruz Ave Study												
Storm Drain Improvements												
Street Resurfacing Project												
Urban Water Management Plan												
Valparaiso Safe Route Plan												
Water Main Replacement Project												
Water Rate Study												
Water System Master Plan												
Willow Road Improvements @ Newbridge							7,977					
Willow Road Signal Interconnect												
Willow Road /VA Hospital Entrance												
Willow Oaks Dog Park Renovation											50,000	
Willow Place Bridge Abutment Repairs												
Total CIP	0	0	0	0	0	0	2,522,977	65,000	0	0	180,000	0
Transfers	2,648,200											
Debt Service												
TOTAL APPROPRIATION	46,457,146	200,534	20,765	10,190	13,000	100,000	2,638,383	409,948	358,345	123,945	180,000	112,372

* CIP Expenditures include the staffing costs for projects that will be continued from 2013-14.

	Francis Mack Trust	Library Donations	Below Market-Rate Housing	Measure A Tax	Highway Users Tax	Landscape/Tree Assessment	Sidewalk Assessment	Storm Water Management (NPDES)	Construction Impact Fee	Miscellaneous Funds	Library GO Bond 1990	Recreation GO Bond 2002
Playground Equipment Assessment and Replacement												
Pope/Chaucer Bridge Replacement												
Radio Infrastructure Replacement												
Reroof Reservoir #2												
Retractable Lights Installation at Gymnasium, Gymnastics, and Family Recreation Centers												
Sand Hill Road Signal Interconnect												
Sharon Heights Pump Station Replacement Design												
Sidewalk Repair Program							180,062					
Sidewalks on Santa Cruz Ave Study												
Storm Drain Improvements												
Street Resurfacing Project					98,086							
Urban Water Management Plan												
Valparaiso Safe Route Plan												
Water Main Replacement Project												
Water Rate Study												
Water System Master Plan												
Willow Road Improvements @ Newbridge												
Willow Road Signal Interconnect				6,596								
Willow Road /VA Hospital Entrance				6,596								
Willow Oaks Dog Park Renovation												
Willow Place Bridge Abutment Repairs												
Total CIP	0	0	0	13,192	98,086	0	180,062	0	0	0	0	0
Transfers												
Debt Service											437,175	1,641,804
TOTAL APPROPRIATION	32,626	62,544	81,500	1,512,753	116,318	893,416	200,652	339,295	61,441	700	437,175	1,641,804

* CIP Expenditures include the staffing costs for projects that will be continued from 2013-14.

	General Capital Improvement	Library Addition	Water Capital Improvement	Water Operating	Workers' Compensation	Liability/Fire Insurance	Other Post-Employment Benefits	Vehicle Replacement	TOTAL
Playground Equipment Assessment and Replacement									30,000
Pope/Chaucer Bridge Replacement	60,000								60,000
Radio Infrastructure Replacement	26,000								26,000
Reroof Reservoir #2			300,000						300,000
Retractable Lights Installation at Gymnasium, Gymnastics, and Family Recreation Centers	150,000								150,000
Sand Hill Road Signal Interconnect									1,495,000
Sharon Heights Pump Station Replacement Design	20,556		10,634						31,190
Sidewalk Repair Program	119,938								300,000
Sidewalks on Santa Cruz Ave Study	8,370								8,370
Storm Drain Improvements	110,000								110,000
Street Resurfacing Project	179,950								278,036
Urban Water Management Plan			100,000						100,000
Valparaiso Safe Route Plan	6,069								6,069
Water Main Replacement Project			148,380						148,380
Water Rate Study			50,000						50,000
Water System Master Plan			500,000						500,000
Willow Road Improvements @ Newbridge									7,977
Willow Road Signal Interconnect									6,596
Willow Road /VA Hospital Entrance									6,596
Willow Oaks Dog Park Renovation									50,000
Willow Place Bridge Abutment Repairs	60,000								60,000
									0
Total CIP	4,009,195	0	1,205,413	0	0	0	0	0	8,273,925
Transfers									2,648,200
Debt Service									2,078,979
TOTAL APPROPRIATION	4,009,195	40,000	1,221,982	8,169,425	693,783	820,450	822,882	359,200	72,141,769

* CIP Expenditures include the staffing costs for projects that will be continued from 2013-14.

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK ESTABLISHING APPROPRIATIONS LIMIT FOR FISCAL YEAR
2014-15**

WHEREAS, Article XIII B of the Constitution of the State of California places various limitations on the City's powers of appropriation; and

WHEREAS, Division 9 (commencing with Section 7900) of the Government Code implements said Article XIII B and requires that each local jurisdiction shall, by resolution, establish its appropriations limit for the following year; and

WHEREAS, the County of San Mateo population percentage change over the prior year is 1.17 percent and the growth in the non-residential assessed valuation due to construction within the City is 0.12 percent, both factors in calculating the appropriations limit.

NOW THEREFORE, BE IT RESOLVED that the City Council of Menlo Park at its regular meeting of June 17, 2014 hereby establishes the appropriations limit as the amount of \$49,308,784 for Fiscal Year 2014-15, calculated in accordance with the provisions of Division 9 (commencing with Section 7900) of the California Government Code.

I, Pamela Aguilar, 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 seventeenth day of June, 2014, 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 seventeenth day of June, 2014.

Pamela Aguilar
City Clerk

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RESOLUTION NO.**RESOLUTION OF THE CITY OF MENLO PARK ESTABLISHING A
TEMPORARY TAX PERCENTAGE REDUCTION IN THE UTILITY
USERS' TAX PURSUANT TO SECTION 3.14.130 OF THE CITY OF
MENLO PARK MUNICIPAL CODE**

WHEREAS, Ordinance 950 of the City Council of the City of Menlo Park Adopting a Utility Users' Tax became effective upon approval by a majority of voters at the General Election of November 7, 2006; and

WHEREAS, Ordinance 950 established Chapter 3.14 of the City of Menlo Park Municipal Code, this chapter known as the "Utility Users' Tax Ordinance"; and

WHEREAS, the Utility Users' Tax Ordinance Section 3.14.130 allows the City Council to enact a Temporary Tax Percentage Reduction for a period of no more than twelve (12) months; provided adequate written notice is given to all affected service suppliers; and

WHEREAS, the City Council established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2007-08, effective October 1, 2007; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2008-09, effective October 1, 2008; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2009-10, effective October 1, 2009; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2010-11, effective October 1, 2010; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2011-12, effective October 1, 2011; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2012-13, effective October 1, 2012; and

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2013-14, effective October 1, 2013; and

WHEREAS, the City Council is not prohibited from adopting consecutive temporary tax percentage reductions as provided by Section 3.14.130 of the Utility Users' Tax Ordinance; and

WHEREAS, the City Council now finds that a consecutive temporary tax reduction shall not adversely affect the City's ability to meet its financial obligations as contemplated in the budget for the fiscal year 2014-15, considered and adopted at its regular meeting of June 17, 2014.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo at its regular meeting of June 17, 2014 hereby establishes a temporary reduction in the Utility Users' Tax rate, maintaining the current reduced rate of one percent (1.0%) for taxes imposed by sections 3.14.040 through 3.14.070 for a period of no more than twelve (12) months, effective October 1, 2014. No other provisions of the Utility Users' Tax Ordinance are affected by this resolution. Nothing herein shall preclude the City Council from modifying the tax rate set herein during said twelve month period.

I, Pamela Aguilar, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on the seventeenth day of June 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this seventeenth day of June 2014.

Pamela Aguilar
City Clerk

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK DETERMINING THAT THE UTILITY USERS' TAX, PERSUANT TO SECTION 3.14 OF THE CITY OF MENLO PARK MUNICIPAL CODE, IS NECESSARY FOR THE FINANCIAL HEALTH OF THE CITY

WHEREAS, Ordinance 950 of the City Council of the City of Menlo Park Adopting a Utility Users' Tax became effective upon approval by a majority of voters at the General Election of November 7, 2006; and

WHEREAS, Ordinance 950 established Chapter 3.14 of the City of Menlo Park Municipal Code, this chapter known as the "Utility Users' Tax Ordinance"; and

WHEREAS, the Utility Users' Tax Ordinance Section 3.14.310 requires the City Council to review the need for the tax not later than June 30, 2008, and every two years thereafter by a two-thirds vote; and

WHEREAS, the City Council finds that the Utility Users' Tax is necessary for the financial health of the City pursuant to the Utility Users' Tax Ordinance Section 3.14.310.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Menlo Park at its regular meeting of June 17, 2014 hereby finds and determines that the Utility Users' Tax imposed by Section 3.14 of the City of Menlo Park Municipal Code is necessary for the financial health of the City.

I, Pamela Aguilar, 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 seventeenth day of June, 2014, 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 seventeenth day of June, 2014.

Pamela Aguilar
City Clerk

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK CONSOLIDATING AND AMENDING THE SALARY SCHEDULE

WHEREAS, PURSUANT TO California Government Code 20636(b)(1), the City Council shall periodically adopt a pay schedule for all City employees; and

WHEREAS, the Government Code of Regulations (CCR) Section 570.5 further clarifies that the pay schedule be approved and adopted by the governing body; and

WHEREAS, the pay schedule consolidates all of the currently approved salaries from the various Memoranda of Understandings for represented employee as well as for all unrepresented employees; and

WHEREAS, in addition to his general powers as administrative head, and not as a limitation thereon, it shall be the City Manager's duty and he shall have the power to amend the Management and Confidential Employees Compensation System as necessary in accordance with the Management Pay for Performance System for Employees in Positions Classified as Management and Confidential; and

WHEREAS, when the City Council adopted the Executive Management and Confidential pay ranges December 10, 2013, City Council was advised that the consolidated salary ranges would be presented with the 2014-15 Budget;

WHEREAS, all of the ranges have previously been approved except the updates to the unrepresented employees, which average less than ½% but vary by classification between a 3% increase in the range and a 3% reduction in the range; and

WHEREAS, the only other changes to employee salary ranges are:

The addition of the City Manager and City Attorney to the salary schedule; and
Adding the Public Works Superintendent salary range as lateral to the Community Services Superintendent; and
Adding a minimum range for the Confidential salary ranges; and
Actual titles may differ for some unrepresented employees (titles will not impact the salary ranges);

NOW, THEREFORE BE IT RESOLVED, that the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore do hereby approve the recitals set forth above and the Salary Schedule attached hereto as Exhibit A, incorporated herein by this reference.

BE IT FURTHER RESOLVED that any enacted compensation provisions contained in previous resolutions of the City Council are hereby superseded and replaced by the compensation provisions contained in this Resolution, except for the Commander salary range previously established on June 14, 2011 which remains the same at \$139,200-\$174,000.

I, Pamela Aguilar, 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 17th day of June 2014, 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 17th day of June 2014.

Pamela Aguilar
City Clerk

Job Title	Employee Unit	FLSA	Top Step	MIN/Annual	MAX/Annual	MIN/Hourly	MAX/Hourly
Library Page	SEIU	N	E	22,821.97	27,241.34	10.9721	13.0968
Recreation Leader	SEIU	N	E	22,821.97	27,241.34	10.9721	13.0968
Senior Recreation Leader	SEIU	N	E	27,241.34	32,516.85	13.0968	15.6331
Recreation Aide	SEIU	N	E	29,153.49	34,799.02	14.0161	16.7303
Transportation Driver	SEIU	N	E	30,472.62	36,357.78	14.6503	17.4797
Library Clerk	SEIU	N	E	31,109.31	37,130.29	14.9564	17.8511
Senior Library Page	SEIU	N	E	31,109.31	37,130.29	14.9564	17.8511
Teacher's Aide	SEIU	N	E	31,851.66	37,962.70	15.3133	18.2513
Night Clerk	SEIU	N	E	33,292.69	39,701.79	16.0061	19.0874
Gymnastics Instructor	SEIU	N	E	33,988.03	40,571.23	16.3404	19.5054
Literacy Assistant	SEIU	N	E	38,787.01	46,388.37	18.6476	22.3021
Office Assistant I	SEIU	N	E	38,787.01	46,388.37	18.6476	22.3021
Child Care Teacher - Title 22	SEIU	N	E	42,453.22	50,796.72	20.4102	24.4215
Office Assistant II	SEIU	N	E	43,412.30	51,988.77	20.8713	24.9946
Program Assistant	SEIU	N	E	43,412.30	51,988.77	20.8713	24.9946
Library Assistant I	SEIU	N	E	44,379.09	53,135.26	21.3361	25.5458
Accounting Assistant I	SEIU	N	E	47,445.63	56,936.26	22.8104	27.3732
Building Custodian I	SEIU	N	E	47,445.63	56,936.26	22.8104	27.3732
Child Care Teacher - Title 5	SEIU	N	E	47,445.63	56,936.26	22.8104	27.3732
Office Assistant III	SEIU	N	E	47,445.63	56,936.26	22.8104	27.3732
City Service Officer	SEIU	N	E	48,502.48	58,271.41	23.3185	28.0151
Library Assistant II	SEIU	N	E	48,502.48	58,271.41	23.3185	28.0151
Maintenance I - Community Services	SEIU	N	E	48,502.48	58,271.41	23.3185	28.0151
Maintenance I - Parks	SEIU	N	E	48,502.48	58,271.41	23.3185	28.0151
Maintenance I - Streets	SEIU	N	E	48,502.48	58,271.41	23.3185	28.0151
Maintenance I - Trees	SEIU	N	E	48,502.48	58,271.41	23.3185	28.0151
Maintenance I - Water	SEIU	N	E	48,502.48	58,271.41	23.3185	28.0151
Maintenance I - Building Maintenance	SEIU	N	E	50,796.72	60,969.58	24.4215	29.3123
Accounting Assistant II	SEIU	N	E	51,988.77	62,393.55	24.9946	29.9969
Building Custodian II	SEIU	N	E	51,988.77	62,393.55	24.9946	29.9969
Secretary	SEIU	N	E	51,988.77	62,393.55	24.9946	29.9969
Library Assistant III	SEIU	N	E	53,135.26	63,863.49	25.5458	30.7036
Maintenance II - Parks	SEIU	N	E	53,135.26	63,863.49	25.5458	30.7036
Maintenance II - Streets	SEIU	N	E	53,135.26	63,863.49	25.5458	30.7036
Maintenance II - Trees	SEIU	N	E	53,135.26	63,863.49	25.5458	30.7036
Police Records Officer	SEIU	N	E	53,135.26	63,863.49	25.5458	30.7036
Community Development Technician	SEIU	N	E	54,417.79	65,325.10	26.1624	31.4063
Development Services Technician	SEIU	N	E	54,417.79	65,325.10	26.1624	31.4063
Water Service Worker	SEIU	N	E	54,417.79	65,325.10	26.1624	31.4063
Community Services Officer	SEIU	N	E	55,654.14	66,928.99	26.7568	32.1774
Contract Specialist	SEIU	N	E	55,654.14	66,928.99	26.7568	32.1774
Maintenance II - Building Maintenance	SEIU	N	E	55,654.14	66,928.99	26.7568	32.1774
Police Records Training Officer	SEIU	N	E	55,654.14	66,928.99	26.7568	32.1774
Property and Court Officer	SEIU	N	E	55,654.14	66,928.99	26.7568	32.1774
Environmental Programs Specialist	SEIU	N	E	56,936.26	68,398.30	27.3732	32.8838
Librarian I	SEIU	N	E	56,936.26	68,398.30	27.3732	32.8838
Custodial Services Supervisor	AFSCME	N	E	57,916.66	69,525.20	27.8445	33.4256
Engineer Technician I	SEIU	N	E	58,271.41	70,092.88	28.0151	33.6985
Traffic Engineering Technician I	SEIU	N	E	58,271.41	70,092.88	28.0151	33.6985
Administrative Assistant	SEIU	N	E	59,597.41	71,614.82	28.6526	34.4302

Job Title	Employee Unit	FLSA	Top Step	MIN/Annual	MAX/Annual	MIN/Hourly	MAX/Hourly
Gymnastics Program Coordinator	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Program Supervisor - Title 22	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Program Supervisor - Title 5	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Recreation Program Coordinator	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Youth Services Coordinator	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Deputy City Clerk	SEIU	N	E	60,969.58	73,399.46	29.3123	35.2882
Equipment Mechanic	SEIU	N	E	60,969.58	73,399.46	29.3123	35.2882
Maintenance III - Building Maintenance	SEIU	N	E	60,969.58	73,399.46	29.3123	35.2882
Maintenance III - Parks	SEIU	N	E	60,969.58	73,399.46	29.3123	35.2882
Maintenance III - Streets	SEIU	N	E	60,969.58	73,399.46	29.3123	35.2882
Maintenance III - Trees	SEIU	N	E	60,969.58	73,399.46	29.3123	35.2882
Maintenance III - Water	SEIU	N	E	60,969.58	73,399.46	29.3123	35.2882
Computer Support Technician	SEIU	N	E	62,393.55	75,048.27	29.9969	36.0809
Red Light Photo Enforcement Facilitator	SEIU	N	E	62,393.55	75,048.27	29.9969	36.0809
Human Resources Assistant	Confidential	N	OR	62,816.00	76,464.00	30.2000	36.7615
Librarian II	SEIU	N	E	63,863.49	76,929.42	30.7036	36.9853
Engineering Technician II	SEIU	N	E	65,325.10	78,624.00	31.4063	37.8000
Traffic Engineering Technician II	SEIU	N	E	65,325.10	78,624.00	31.4063	37.8000
Water Quality Technician	SEIU	N	E	65,325.10	78,624.00	31.4063	37.8000
Accountant	SEIU	N	E	66,928.99	80,595.84	32.1774	38.7480
Code Enforcement Officer	SEIU	N	E	66,928.99	80,595.84	32.1774	38.7480
Communications Officer	SEIU	N	E	66,928.99	80,595.84	32.1774	38.7480
Executive Secretary to the City Mgr	Confidential	X	OR	67,355.00	81,870.00	32.3822	39.3606
Assistant Planner	SEIU	N	E	68,398.30	82,380.48	32.8838	39.6060
Belle Haven Family Serv Pgm Mgr	AFSCME	X	E	69,525.20	83,679.04	33.4256	40.2303
Literacy Program Manager	AFSCME	X	E	69,525.20	83,679.04	33.4256	40.2303
Communications Training Officer	SEIU	N	E	70,092.88	84,449.25	33.6985	40.6006
Senior Engineering Technician	SEIU	N	E	70,092.88	84,449.25	33.6985	40.6006
Economic Development Specialist	SEIU	N	E	73,399.46	88,481.12	35.2882	42.5390
Building Inspector	SEIU	N	E	73,399.46	88,481.12	35.2882	42.5390
Construction Inspector	SEIU	N	E	73,399.46	88,481.12	35.2882	42.5390
Financial Analyst	SEIU	N	E	73,399.46	88,481.12	35.2882	42.5390
Lead Communications Officer	SEIU	N	E	73,399.46	88,481.12	35.2882	42.5390
Management Analyst	SEIU	N	E	73,399.46	88,481.12	35.2882	42.5390
Recreation Supervisor	AFSCME	X	E	74,599.47	89,879.01	35.8651	43.2111
Associate Planner	SEIU	N	E	75,048.27	90,453.58	36.0809	43.4873
Transportation Management Coord	SEIU	N	E	75,048.27	90,453.58	36.0809	43.4873
Business Manager - Development Serv	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
City Arborist	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Facilities Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Fleet Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Parks and Trees Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Streets Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Assistant Engineer	SEIU	N	E	76,929.42	92,695.62	36.9853	44.5652
Librarian III	AFSCME	X	E	78,118.75	94,170.13	37.5571	45.2741
Revenue and Claims Manager	AFSCME	X	E	78,188.75	94,170.13	37.5907	45.2741
Water System Supervisor	AFSCME	X	E	79,873.28	96,269.40	38.4006	46.2834
Human Resources Analyst	Confidential	X	OR	80,143.47	96,559.00	38.5305	46.4226
Branch Library Manager	AFSCME	X	E	81,875.60	98,655.57	39.3633	47.4306

City of Menlo Park Salary Schedule
(as of 06/30/14)

Job Title	Employee Unit	FLSA	Top Step	MIN/Annual	MAX/Annual	MIN/Hourly	MAX/Hourly
Senior Building Inspector	SEIU	N	E	82,380.48	99,343.50	39.6060	47.7613
Senior Planner	SEIU	N	E	82,380.48	99,343.50	39.6060	47.7613
Transportation Planner	SEIU	N	E	82,380.48	99,343.50	39.6060	47.7613
Support Services Manager	AFSCME	X	E	85,777.65	103,442.93	41.2393	49.7322
Associate Engineer	SEIU	N	E	86,321.66	104,156.42	41.5008	50.0752
Plan Checker	SEIU	N	E	86,321.66	104,156.42	41.5008	50.0752
Environmental Programs Manager	AFSCME	X	E	87,677.16	105,730.64	42.1525	50.8320
Financial Services Manager	AFSCME	X	E	87,677.16	105,730.64	42.1525	50.8320
Police Officer	POA	N	E	89,677.95	109,004.06	43.1144	52.4058
Transportation Engineer	SEIU	N	E	90,453.58	109,202.70	43.4873	52.5013
Community Services Superintendent	Exec	X	OR	91,085.80	113,856.00	43.7913	54.7385
Public Works Superintendent	Exec	X	OR	91,085.80	113,856.00	43.7913	54.7385
City Clerk	Exec	X	OR	95,798.40	119,748.00	46.0569	57.5712
Children's Services Manager	AFSCME	X	E	96,269.40	116,223.91	46.2834	55.8769
Community Services Manager	AFSCME	X	E	96,269.40	116,223.91	46.2834	55.8769
Housing Manager	AFSCME	X	E	96,269.40	116,223.91	46.2834	55.8769
Technical Services Manager	AFSCME	X	E	98,655.57	119,104.37	47.4306	57.2617
Assistant to the City Manager	Exec	X	OR	98,870.40	123,588.00	47.5338	59.4173
Building Official	AFSCME	X	E	100,858.30	121,887.66	48.4896	58.5998
Senior Civil Engineer	AFSCME	X	E	100,858.30	121,887.66	48.4896	58.5998
Senior Transportation Engineer	AFSCME	X	E	100,858.30	121,887.66	48.4896	58.5998
Police Sergeant	PSA	N	E	108,146.50	131,452.74	51.9935	63.1984
Economic Development Manager	Exec	X	OR	108,787.20	135,984.00	52.3015	65.3769
Information Services Manager	AFSCME	X	E	110,853.17	133,984.83	53.2948	64.4158
Development Services Manager	AFSCME	X	E	110,853.17	133,984.83	53.2948	64.4158
Assistant Community Development Director	Exec	X	OR	113,021.80	141,276.00	54.3374	67.9212
Police Lieutenant	Exec	X	OR	122,333.80	152,916.80	58.8143	73.5177
Engineering Services Manager	Exec	X	OR	125,587.20	156,984.00	60.3785	75.4731
Transportation Manager	Exec	X	OR	125,587.20	156,984.00	60.3785	75.4731
Assistant Director of Public Works	Exec	X	OR	125,587.20	156,984.00	60.3785	75.4731
Human Resources Director	Exec	X	OR	132,058.60	165,072.00	63.4897	79.3615
Police Commander	Exec	X	OR	139,200.00	174,000.00	66.9231	83.6538
Library Services Director	Exec	X	OR	139,603.20	174,504.00	67.1169	83.8962
Community Development Director	Exec	X	OR	143,146.60	178,932.00	68.8205	86.0250
Finance Director	Exec	X	OR	143,338.60	179,172.00	68.9128	86.1404
Community Services Director	Exec	X	OR	145,104.00	181,380.00	69.7615	87.2019
Public Works Director	Exec	X	OR	147,034.60	183,792.00	70.6897	88.3615
Assistant City Manager	Exec	X	OR	151,373.80	189,216.00	72.7759	90.9692
Police Chief	Exec	X	OR	154,666.60	193,332.00	74.3589	92.9481
City Manager	Exec	X	OR	N/A	199,999.00	N/A	96.1534
City Attorney	Exec	X	OR	N/A	108,000.00	N/A	51.9231

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COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-117

Agenda Item #: F-2

REGULAR BUSINESS: Authorize the City Manager to Enter into a Contract with PlaceWorks in an Amount not to Exceed \$1,650,000 for the General Plan Update and M-2 Area Zoning Update and Authorize the Formation of a General Plan Advisory Committee

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to enter into a contract with PlaceWorks in an amount not to exceed \$1,650,000 for the General Plan Update and M-2 Area Zoning Update and authorize the formation of General Plan Advisory Committee.

ANALYSIS

Previous staff reports available on the City website describe the process to date to prepare a request for proposals (RFP), review proposals and make a recommendation to partner with PlaceWorks and its team of consultants on the General Plan Update and M-2 Area Zoning Update. As mentioned in the June 3, 2014 City Council staff report, the recommendation of PlaceWorks reflected a consensus of the Consultant Selection Advisory Panel comprised of Council members, Planning Commissioners and staff.

On Friday, June 6, 2014, the City released the draft scope of work for public comment (Attachment A). The scope includes a graphic representation of the schedule with a two-year timeframe to complete the work as directed by Council in the RFP. This “stretch goal” is predicated on this project being a high priority for the City as a whole and the ability to fill/backfill vacant or soon to be vacant positions in Community Development and Public Works. The work cannot be completed in a timely fashion if there are competing City priorities or if there are vacant staff positions.

As of Wednesday, June 10, the City received five pieces of correspondence regarding the scope (Attachment C). Staff and the consultant have reviewed the comments. For the most part, staff and the consultant appreciate and agree with the sentiment behind many of the comments. Staff does not believe that any of the comments necessitate a change to the scope of work or cost estimate at this stage. Staff and the consultant team will be cognizant of many of these suggestions while pursuing the work program and encourage the commenters to stay involved and help the City in achieving some of the common objectives regarding outreach to ensure an inclusive process.

There are a couple of comments that staff would like to highlight. One comment is related to a request to evaluate a variety of transportation metrics. The scope of work envisions the use of both the current vehicle Level of Services (LOS) analysis and new Multi-Modal Level of Service analysis in order to provide a means of comparison that will allow the community to evaluate the differences between the two metrics and understand the implications of a potential change to City-adopted standards.

Staff would like to address a few points raised in correspondence from John Kadvany. In regard to community character, the scope of work does not include work on residential design guidelines. The Community Character report is meant to *begin* the process of documenting existing physical conditions in the various neighborhoods that define the character of Menlo Park. The exact content of the report will be determined as the process unfolds, but given the update of the Circulation Element, the initial focus of the Community Character report may be on various types of frontage improvements (e.g., vertical curb/gutter, rolled curb, valley gutter, sidewalks, parking strips, etc.).

In regard to M-2 land use vs the citywide transportation, it will be important to maintain a citywide focus on issues such as connectivity (e.g., across the freeway, across the railroad tracks, across El Camino Real, etc.) even though the focus of any potential land use changes would be in the M-2 area. Materials that will be produced will strive to show this relationship.

In regard to water policy, staff is in the process of determining the best way to address this issue based on feedback from the City Council at the recent study session on June 3, 2014. The General Plan Update and the update to the Urban Water Management Plan, which has a State-mandated deadline for adoption by the end of 2015, provide two established frameworks for addressing aspects of this important topic.

Formation of a General Plan Advisory Committee

Section 2.8 of the Scope of Services calls for the creation of a General Plan Advisory Committee (GPAC) comprised of 11 members, with five members appointed by the City Council and one member appointed by each of the following six Commissions that participated in the preparation of the Request for Proposals (RFP):

- Bicycle
- Environmental Quality
- Housing
- Parks & Recreation
- Planning
- Transportation

The basic mission of the GPAC would be as follows:

- (1) Serve as liaison to their respective body or community group.

- (2) Serve as an ambassador of the project and encourage people to participate in the process.
- (3) Guide the process and provide policy direction and feedback for staff.
- (4) Keep the process on track to comply with the following key milestones:
 - Fall of 2014: Conduct community workshops;
 - Spring of 2015: Complete the visioning phase;
 - Fall of 2015: Complete the draft versions of the Land Use and Circulation Elements, Zoning Ordinance Updates;
 - Summer 2016: Adopt an updated General Plan and Zoning changes.

The Advisory Committee would be a Brown Act body and is expected to have eight meetings between August 2014 and July 2015. In addition, GPAC members would be expected to attend mobile workshops and other public events. The projected timeframe of meetings is summarized at the end of Attachment A in the graphic schedule.

Staff recommends that the City solicit applications for the five Council member appointments while the six commissions appoint their respective members. Recruitment could begin at the end of June with a closing date of Monday, August 11, 2014. The following table summarizes the upcoming schedule of Commission meetings:

Commission	Projected Meeting Date*
Parks & Recreation	Wednesday, June 25 or July 23 at 6:30 p.m.
Environmental Quality	Wednesday, June 25 or July 23 at 6:30 p.m.
Planning	Monday, July 7 or 21 at 7:00 p.m.
Transportation	Wednesday, July 9 at 7:00 p.m.
Bicycle	Monday, July 14 at 7:00 p.m.
Housing	Wednesday, August 6 at 5:30 p.m.
<i>*Note: Actual meeting dates, times, and locations are subject to change. Please check agendas on the City website.</i>	

By adhering to this schedule, all of the Commission appointments would be known prior to the application deadline for the five Council appointments. If more than one commissioner is interested in serving, then he or she could apply for one of the Council appointments. Each member appointed by a commission will be asked to complete an application form so that the City Council will have equal information about all potential members. The standard Commission application form would be used plus a supplemental form with a few additional questions in order to gauge a person's interests and ability to fulfill the mission of the GPAC. The packet of applications would be posted on the website and distributed to the City Council. The appointments would be scheduled for the August 19, 2014 City Council meeting.

On January 14, 2014, the City Council appointed Mayor Mueller and Council Member Ohtaki to the General Plan Update Subcommittee. The Subcommittee would meet as necessary to provide guidance to staff as an ad hoc committee. If the Council believes

that Council members should be part of the GPAC, then staff would recommend that the Council members take one or two of the five Council appointed slots. Staff does not recommend the formation of a group with more than 11 members as it relates to logistical issues and efficient meeting management.

IMPACT ON CITY RESOURCES

The proposed work program would require both staff resources dedicated to the project, as well consultant services. The cost estimate in the Scope of Services is approximately \$1.5 million, and staff is recommending a 10% contingency, which would bring the total contract amount to \$1,650,000. The Council has budgeted \$2,000,000 for Fiscal Year 2013-14 for the General Plan Update for consultant assistance and staff time. Dependent on future Council directed refinements to the scope of the work program, additional funding may be necessary in future years. Similar to the El Camino Real/Downtown Specific Plan, staff will explore options for a potential fee that could be imposed as a way to reimburse the City for the expenditure related to a specific geographic area. In addition, staff will explore a General Plan maintenance fee in order to achieve cost recovery for the cost of updating and maintaining the General Plan Citywide over the long term.

POLICY ISSUES

The General Plan and M-2 Zoning update process will consider a number of policy issues.

ENVIRONMENTAL REVIEW

The General Plan and M-2 Zoning update is subject to the California Environmental Quality Act (CEQA) and an Environmental Impact Report (EIR) will be prepared at the appropriate time in the process.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, at least 72 hours prior to the meeting, with this agenda item being listed. In addition, the City sent an email update to subscribers of the General Plan Update project page. This page provides up-to-date information about the project, allowing interested parties to stay informed of its progress and allow users to sign up for automatic email bulletins, notifying them when content is updated or meetings are scheduled. The page is currently available at the following location: <http://www.menlopark.org/739/General-Plan-Update>.

ATTACHMENTS

- A. Menlo Park General Plan and M-2 Area Zoning Update Scope of Services, dated June 6, 2014

B. Correspondence

- Ellen Barton, San Mateo C/CAG, dated June 9, 2014
- John Kadvany, Menlo Park Planning Commissioner , dated June 9, 2014
- Michele Beasley, Greenbelt Alliance, dated June 10, 2014
- Emma Shlaes, Silicon Valley Bicycle Coalition, dated June 11, 2014
- Maeve Johnston, San Mateo County Health System, dated June 11, 2014

Report Prepared by:

Justin Murphy

Development Services Manager

Report Reviewed by:

Arlinda Heineck

Community Development Director

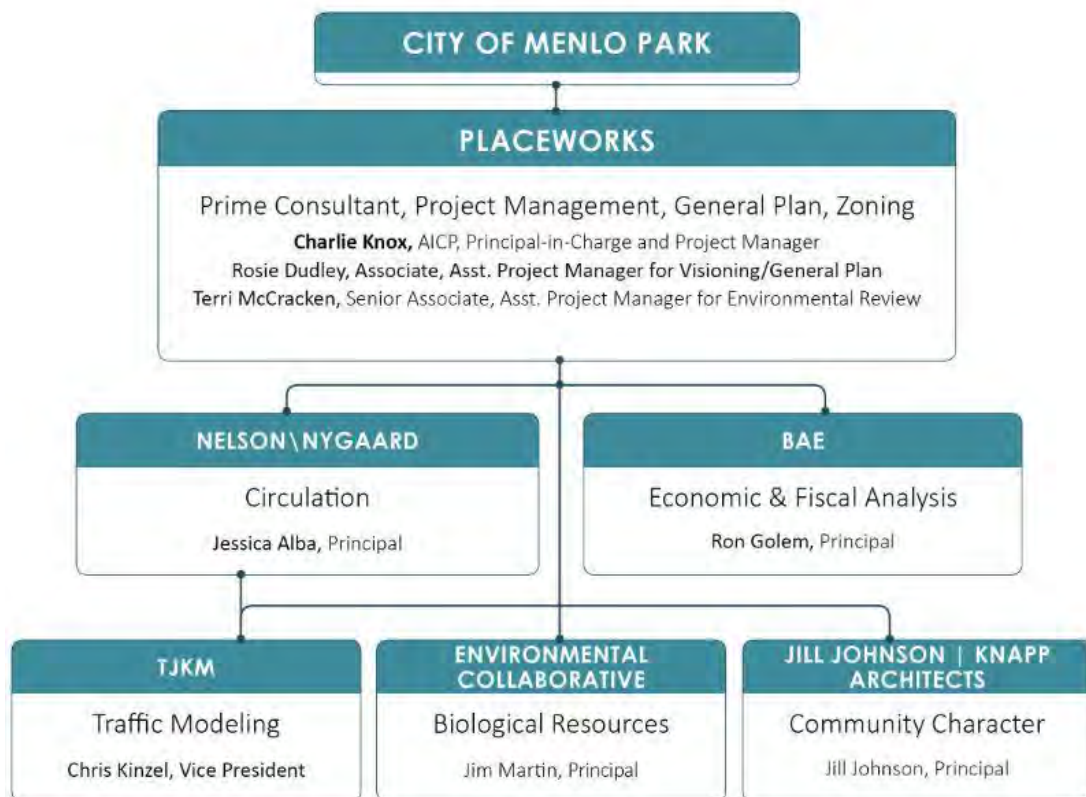
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Exhibit A
Menlo Park General Plan and M-2 Area Zoning Update
Scope of Services

June 6, 2014

This Work Program describes the scope of services that the PlaceWorks team will provide for the Menlo Park General Plan (Land Use and Circulation) Update and M-2 Area Zoning Update. The project tasks are presented in the order listed in the Request for Proposals, and the Environmental Review tasks are blended into a format that ensures compliance with the California Environmental Quality Act. The schedule at the end of this Scope of Services shows the chronological order of project tasks.

The chart below shows the firms that comprise the consultant team and the key personnel involved in the project. The table on the next page lists the project tasks detailed in this scope of services.



WORK PROGRAM SUMMARY

Task 1: Project Start-Up & Background Material Review

1.1 Review Background Information	1.3 Kick-Off Meeting & City Tour
1.2 Assemble GIS Data & Prepare Base Map	

Task 2: M-2 Area & General Plan Visioning

2.1 Kick-Off Event – Community Workshop 1: Guiding Principles	2.8 General Plan Advisory Committee
2.2 Educational Speaker Series	2.9 Digital Engagement
2.3 Community Workshops 2-4	2.10 Newsletter
2.4 Mobile Workshops	2.11 City Council Outreach
2.5 Focus Groups	2.12 Commission Outreach
2.6 Stakeholder Interviews	2.13 Discussion & Coordination with Major M-2 Property Owners
2.7 Survey	

Task 3: Development of Draft General Plan Update, Draft M-2 Area Zoning Ordinance Update, Draft EIR, and Fiscal Impact Analysis

3.1 Circulation Element Update	3.5 M-2 Area Zoning Ordinance Update
3.2 Land Use Element Update	3.6 Environmental Review
3.3 General Plan Consistency Updates	3.7 Fiscal Analysis & Economic/Financial/Market Reports
3.4 Community Character Report	

Task 4: Project Management

Task 1. Project Start-Up and Background Material Review

During this phase, the project scope will be reviewed. The PlaceWorks team will review background material relevant to the General Plan Update, M-2 Area Zoning Update, and Environmental Impact Report (EIR) and prepare a base map of the city.

1.1 Review Background Information

PlaceWorks will review background materials for the project, including the:

- Existing General Plan Elements
- 1994 General Plan EIR
- Housing Element and General Plan Consistency Update Environmental Assessment
- Zoning Ordinance and Commercial Zoning Ordinance Update
- Recent project specific EIRs
- El Camino Real/Downtown Specific Plan
- Community Engagement Model
- Comprehensive Bicycle Plan
- Climate Action Plan, as Updated in 2014
- Urban Water Management Plans
- Transportation Impact Analysis (TIA) Guidelines
- Willow Business Area Charrette
- 5-Year Capital Improvement Plan
- San Francisco Bay Municipal Regional Stormwater Permit
- Other relevant planning and environmental review documents

We also will study the @Home and SAFER Bay efforts to gain a deeper sense of the Menlo Park community.

1.2 Assemble GIS Data and Prepare Base Map

PlaceWorks will work with the City to obtain existing City GIS data and review City mapping protocol and requirements. PlaceWorks will use ArcView-compatible shapefiles and/or geodatabases from the City for the development of the project's base map and subsequent thematic maps. All maps will be produced in ArcView and exported in PDF format, and will identify the City boundary, Sphere of Influence, and Planning Area. After creating the initial base map, PlaceWorks will provide a copy to the City for review and approval prior to use for subsequent mapping work. At the conclusion of the project, PlaceWorks will provide a CD to the City containing all original data as well as project-specific data layers modified or created by PlaceWorks, along with pertinent metadata documentation. Online-accessible versions of the maps will utilize KML format for ease of interface and navigation by the public.

1.3 Kick-Off Meeting and City Tour

PlaceWorks will meet with City staff to begin the project; identify the project goals, opportunities, and constraints; and refine roles and responsibilities and expectations for schedule, process, and work products. At this meeting, we will review existing background data and identify ways in which City staff and PlaceWorks can most effectively work together as a team, including possible opportunities to streamline the process and implementation. The meeting will provide an opportunity to refine the work program and make any needed changes to the scope of services. We will also discuss how the General Plan and M-2 Area Zoning Update and EIR processes will be integrated and coordinated with other ongoing initiatives, such as the Urban Water Management Plan and South Bay Salt Pond Restoration project.

PlaceWorks will discuss the public engagement strategy with City staff to ensure that a diverse group of community members and organizations participate in the General Plan and Zoning Update process in a meaningful way through the use of the project's online presence, innovative graphics, and multiple means of input.

As part of this initial kick-off meeting, City staff and the PlaceWorks team will tour Menlo Park to identify and photograph existing conditions at key locations in the city. We will visit areas of the city that will be subject to special attention in the General Plan Update, including the area covered by the M-2 Zoning Update, areas affected by sea level rise, traffic congestion, or impacted by the recently completed Housing Element, the El Camino Real/Downtown Specific Plan, or other recent planning efforts.

Task 2. M-2 Area and General Plan Visioning

PlaceWorks will create and conduct an innovative, detailed, and focused program to ensure broad public participation in the General Plan and M-2 Area Update process. This program will engage the community through public meetings, workshops, focus groups, and other methods to share and receive information from the public.

2.1 Kick-Off Event – Community Workshop 1: Guiding Principles

Public involvement in the project will begin with a community workshop that encourages all Menlo Park community members to share their visions for the city and the M-2 Area in

particular. The workshop will include interactive visioning exercises that encourage participation, brainstorming, and meaningful dialogue about the future of Menlo Park.

PlaceWorks will prepare materials in English and Spanish to promote the workshop as well as Workshops 2, 3, and 4, and events and participation opportunities throughout the General Plan and M-2 Area Zoning Update. Materials will include email and text message updates, fliers and posters, newspapers ads, and posting to a variety of outlets, including Menlo Focus and the City's website, Twitter feed, Facebook page and Open Town Hall service. Draft materials will be provided for City staff review before producing final versions.

Each of Workshops 1, 2, and 3 will be held once at a key location in the M-2 Area and repeated at another place in Menlo Park. Workshop 1 will be designed to gather information regarding the community's vision for the future and issues to be addressed in the updates, to be established in the form of Guiding Principles.

The workshop is expected to begin with an icebreaker exercise for participants as they enter and sign in. For example, participants may be asked to post cards on which they list things they love about Menlo Park and, separately, features they wish Menlo Park had (which the PlaceWorks team could then highlight to help suggest common themes for the Guiding Principles).

Following introductions of and welcome by City officials, PlaceWorks senior staff will offer a brief presentation about the General Plan and M-2 Area Zoning Update and why it is important, and answer questions about the update process. Participants will then assemble in small groups facilitated by PlaceWorks staff to craft suggestions for the Guiding Principles that will lead to General Plan goals, policies, and programs, as well as updated Zoning Ordinance provisions. The Guiding Principles will address issues such as jobs and economy, public health, resource preservation, and circulation, mobility, and transportation. The small groups will report their ideas to the full assembly, and PlaceWorks staff will then summarize the areas of similarity among the suggestions.

Following the workshop, PlaceWorks will compile, consolidate and post the suggested Guiding Principles online for additional public input, before refining and presenting them at a General Plan Advisory Committee Meeting (See Section 2.8) for the Committee's review and recommendation to the Planning Commission and City Council for acceptance.

2.2 Educational Speaker Series

Following the kick-off workshop, PlaceWorks will coordinate two symposia with multiple speakers to provide stakeholders of the General Plan and M-2 Zoning Update an opportunity to gain a better understanding of the topics addressed during the project and best practices in these areas.

Symposium 1 will involve a detailed discussion of key issues and opportunities relating to sustainability, growth management, and appropriate development and design in Menlo Park. Expert practitioners will offer a broad perspective on successful growth management strategies from a variety of places.

Symposium 2 will address traffic, transportation, circulation, and mobility. It will include a description of case studies to be performed by the PlaceWorks team in Menlo Park to

increase understanding of the various ways to measure traffic impacts, including conventional intersection Level of Service (LOS), roadway segment LOS, and Multi-Modal LOS, and offer guidance on which may be best suited for Menlo Park.

2.3 Community Workshops 2 and 3

a. Community Workshop 2: Alternatives

Community Workshop 2 will build on the Guiding Principles, input from the mobile workshops (see Section 2.4), interviews with City officials, stakeholders, and property owners (see Sections 2.5, 2.6, 2.11, and 2.13), and feedback received through the variety of multimedia outlets. Through discussions with City staff and public review by the General Plan Advisory Committee, the Planning Commission, and the City Council, the PlaceWorks team will synthesize all of this input into three distinct draft alternatives for future land use and circulation in the M-2 Area. Each of the alternatives will conform to the Guiding Principles, but they may differ in locations, and types and intensity of future land uses.

As at Workshop 1, participants will assemble in small, facilitated groups, this time with the charge of examining the alternatives to determine which they prefer and why, and whether that preference includes any modifications to the draft alternatives as initially presented. As with Workshop 1, groups will report their findings to the full assembly, and PlaceWorks staff will coalesce and post the results online for additional comment. The online posting is expected to include a new tool being developed for this project (at no cost to the City) that will allow online users to view the potential development associated with each alternative in both two- and three-dimensional formats with a variety of indicators that will assist viewers in comparing and determining which features of the alternatives they may or may not prefer.

b. Community Workshop 3: Preferred Alternative

Based on the results of Workshop 2 and additional community online consultation, PlaceWorks will frame a Preferred Alternative to present to City staff for refinement, and then for public review by the General Plan Advisory Committee, the Planning Commission, and the City Council. The purpose of Workshop 3 will be to present the Draft Preferred Alternative to the public for additional comments before seeking formal approval by the City.

The format for Workshop 3 will be left open for agreement among the PlaceWorks team and City representatives, but one option is to have a series of stations depicting key areas of change and preservation by subject, such as transportation network, natural resources, and commercial activity areas. Workshop 3 and its online complement will gather detailed input to assist City officials in directing staff and consultants to finalize the Preferred Alternative so that drafting can occur of supporting General Plan goals, policies, and programs and Zoning Ordinance regulations to implement those. (The PlaceWorks team will begin drafting preliminary General Plan provisions prior to Workshop 3, and discussing them with the General Plan Advisory Committee, in order to expedite City review following approval of the Preferred Alternative.)

2.4 Mobile Workshops

PlaceWorks will hold two separate mobile workshops, one focused on learning from existing conditions within Menlo Park, the other from examples in nearby communities.

These workshops will be open to the public, and General Plan Advisory Committee Members will be encouraged to attend. Principals and other senior level team staff will offer narration during travel and lead interactive discussions on the ground at each site. To add to the draw and enjoyment for participants, we plan to use a double-decker bus with an open-air top deck and microphone functionality so all can hear the narration.

The tours will build on lessons learned and topics covered in the Speaker Series and allow participants to see first-hand examples of projects that have worked well in Menlo Park and the region. Cameras will be available, and participants will be encouraged to take photographs and offer brief descriptions of the significance of the scenes depicted. As appropriate, we will also use these photos in presentations as the project progresses to illustrate ideas raised by community members. The findings of the tours will be incorporated into the summary of Community Workshop 2.

a. Tour of Key Areas in Menlo Park

In collaboration with City staff, PlaceWorks will design an efficient, three-hour bus tour with stops at locations in the M-2 Area, the El Camino Real/Downtown area, and several other sites in Menlo Park that present pressing land use, circulation, or other issues to be addressed in the General Plan and M-2 Area Zoning Update.

PlaceWorks will provide an online survey and tour for those who cannot attend the Mobile Workshops. Participants can download the tour route and go on a self-guided tour to record observations at their own convenience and respond to place-based questions about circulation, land use, and character. The survey will include a map of the Plan Area for participants to mark specific locations.

b. Tour of Nearby Areas

PlaceWorks will also coordinate a three-hour tour of nearby employment districts/business parks to investigate best practices that could be appropriate for Menlo Park. Emphasis will be placed on comparing varying examples of design, infrastructure, and mobility treatments and options. Candidate locations include the North Bayshore area of Mountain View and Peery Park in Sunnyvale.

2.5 Focus Groups

Following the Mobile Workshops, PlaceWorks will facilitate two focus group meetings with Menlo Park community members that correspond to the symposia topics of (1) growth management and (2) circulation. These group meetings will provide participants with opportunities to hear about the decisions the City is weighing and provide detailed feedback about issues the community is facing. The PlaceWorks team will coordinate the focus groups during the same time period as Stakeholder Interviews (see Section 2.6) and the M-2 Area Property Owner Interviews (see Section 2.13).

2.6 Stakeholder Interviews

PlaceWorks will conduct a series of small roundtable interviews with groups of stakeholders to gather information about key issues for the General Plan and M-2 Area Zoning Update. These groups will likely include business owners, commercial developers, real estate brokers, housing developers, housing advocates, and environmental organizations.

2.7 Survey

To obtain feedback from community members who do not attend in-person meetings, PlaceWorks will create an online survey to help identify the most important issues for the General Plan Update. This survey will be used to compile input on what community members value most about Menlo Park and changes they would like to see in the community over time. The format of the survey will allow easy incorporation of the findings into Community Workshop 2.

2.8 General Plan Advisory Committee

PlaceWorks will attend a series of eight General Plan Advisory Committee (GPAC) meetings through the life of the project. The City may wish to hold additional GPAC meetings to achieve interim progress at times when a work product is not being presented and guidance to the consultant team can occur efficiently without our attendance. Prior to each GPAC meeting we attend, PlaceWorks will assist City staff in preparing the agenda and packet materials.

The GPAC will consist of 11 members (with no alternates): five Menlo Park community members appointed by the City Council, and one member from and appointed by each of the following six City commissions: Bicycle, Environmental Quality, Housing, Parks and Recreation, Planning, and Transportation. Community members who have multiple interests (i.e., business owner, alternative transportation user, neighborhood group leader, etc.) are usually effective choices to fill the at-large positions. This membership will allow commission appointees to report back to their groups efficiently and ensure that a wide range of the community is well represented.

As the GPAC meetings are strategically scheduled to advance key work products to the Planning Commission and City Council, the Committee will focus on guiding the consultant team and City staff in the preparation and refinement of Alternatives. (The Committee is not authorized to modify the update process approved by the City Council.)

The GPAC meetings are organized as follows:

1. Establish relationship with staff/consultant team; clarify roles and responsibilities; review materials for Workshop 1
2. Review findings from Interviews, Symposia, and Mobile workshops
3. Review materials for Workshop 2 – Alternatives
4. Review findings from Workshop 2 and recommend modifications
5. Review materials for Workshop 3 – Preferred Alternative
6. Review findings from Workshop 3 and recommend modifications
7. Review Draft General Plan Goals, Policies, and Implementing Programs and recommend modifications; review Consistency Analysis for the Open Space/ Conservation, Noise, and Safety Elements; review preliminary updated Zoning Ordinance provisions
8. Review revised Draft General Plan Goals, Policies, and Implementing Programs, and recommend modifications; review draft updated Zoning Ordinance provisions

One of the functions of the General Plan Advisory Committee will be to serve as ambassadors to the community and communicate information about the General Plan and M-2 Area Update to other Menlo Park community members. To facilitate this outreach, PlaceWorks will provide GPAC members with materials inviting public participation to hand out to neighbors, family, friends, and co-workers.

2.9 Digital Engagement

a. Project Website

PlaceWorks will create a website for the General Plan and M-2 Area Zoning Update. The website will offer a variety of information about the project, including a description of the public participation process, meeting dates, and project updates as major milestones are achieved. The website will also include information about community meetings, GPAC meetings, and Planning Commission and City Council Hearings and Study Sessions. Project documents available to the public will be posted in PDF format.

b. Online Tools

As one component of the project website, PlaceWorks will establish multiple means for community members to connect with the project whenever, wherever, and however they choose; encourage them to remain involved; and inspire them to invite other community members to get involved.

PlaceWorks will design and implement a simple, compelling message that invites people to participate in the project via short urls, QR codes, and SMS phone numbers that point to a page where community members can subscribe using email, text phone numbers, and/or social media accounts via single sign-on buttons.

Once participants have subscribed, they will receive three types of topic-specific messages drafted and distributed by PlaceWorks, upon approval by the City, including:

- Invitations to participate in online exercises and face-to-face workshops (frequently designed to be concurrent).
- Announcements of significant updates to topics in progress.
- Closeout announcements, which describe decisions made or actions taken as a result of the public input, as well as next steps. By describing how public input was incorporated into the decision process, participants will be encouraged to remain engaged with the project, and to invite others to become involved. Standard social media share buttons will enable participants to send invites with a single click.

c. Mobile App

PlaceWorks will provide an app that can run on all mobile devices that will be a tool for both grassroots information gathering from the community as well as outreach to the public. The app will be a useful, interactive tool that citizens can download onto a smart phone or handheld device to use when on the go. Functionality of the app will be customized to best serve different stages of the update process.

The app will recognize the location of the user and enable uploading of photos, comments, and ideas for inclusion in the project on the spot. Digital outreach will encourage people to use the app to post examples of places/conditions that they want to see addressed using geo-referencing. Examples can then be identified on maps and accompanied by photos and detailed descriptions. These posts will build a collection of community preferences for land use, urban design, streetscape, transportation, and environmental treatments. Subscribers will also receive notices and updates about workshops and project milestones, as well as be able to make comments and provide feedback.

2.10 Newsletter

PlaceWorks will prepare up to four newsletters to provide the public with information on the General Plan and M-2 Area Zoning Update and related project tasks. Newsletters will be formatted for electronic transmittal and posting, and can be designed for printing by the City on one folded 11" x 17" page (four faces when folded).

2.11 City Council Outreach

a. Council Member Interviews

At the outset of the General Plan and M-2 Area Zoning Update process, senior staff from the PlaceWorks team will meet one-on-one with the Mayor and each of the Council Members to hear their individual hopes and concerns for the process and the issues they believe the project should address. In addition, we will request their advice on reaching a cross-section of their constituents and enlist their support in raising awareness within the community about the project and the visioning process. City staff also will frequently update the City Council subcommittee for the project, which can then inform the full Council periodically.

b. Regular Meetings and Study Sessions

The PlaceWorks team will be available to attend ten meetings involving the City Council and/or Planning Commission. Of the nine meetings shown on the project schedule, (and another may be added by the City as needed), the City Council will be involved in the following:

1. Study Session with the Planning Commission to provide guidance regarding drafting of alternatives
2. Study Session with the Planning Commission to provide guidance regarding GPAC recommended alternatives
3. Joint meeting with the Planning Commission to accept the preferred alternative
5. Regular meeting to review Draft General Plan and Zoning Ordinance Updates
9. Consideration of EIR Certification and Approval of the General Plan (Land Use and Circulation) and M-2 Area Zoning Update

Although the project schedule calls for consultant attendance only for City Council and Planning Commission involvement at decision-making steps in the process, City staff will need to update the Council and Planning Commission more frequently. Accordingly, the PlaceWorks team expects to support City staff efforts to prepare for any interim meetings or updates.

2.12 Commission Outreach

a. Planning Commission Meetings

Senior staff of the PlaceWorks team will attend three Planning Commission regular meetings as shown on the project schedule within the total of 10 meetings specified in Section 2.11.b, as follows

1. Study Session with the City Council to provide guidance regarding drafting of alternatives
2. Study Session with the City Council to provide guidance regarding GPAC recommended alternatives
3. Joint meeting with the City Council to accept the preferred alternative

4. Recommendation to the City Council regarding Draft General Plan and Zoning Ordinance Updates
6. EIR Scoping
7. Provide comments on the EIR
8. Recommendation to the City Council regarding EIR Certification and Project Approval

b. Other Commissions

The inclusion of liaison members on the GPAC from the Bicycle, Environmental Quality, Housing, Parks and Recreation, and Transportation Commissions will allow for regular updates to those commissions without creating additional process that might confuse the roles of those commissions versus that of the Planning Commission in the General Plan and M-2 Area Zoning Update process.

2.13 Discussion and Coordination with Major M-2 Property Owners

Understanding and addressing the needs of the Bohannon Organization, Facebook, Prologis, TE, and Tarlton Properties/Menlo Business Park will be vital to the success of the General Plan and M-2 Area Zoning Update process. Not only do these five entities own about two-thirds of M-2 Area land, but they also collectively represent a major part of Menlo Park’s growing positive image as a great place to do business and be employed, both inside and outside the city. Senior members of the PlaceWorks team will first meet with the major M-2 property owners individually, determine a set of commonalities among them, and then meet with them as a group to confirm an accurate understanding of their interests, and finally provide a summary report of the discussions to compile with the public input materials that will guide the visioning process and the refinement of the Guiding Principles.

Task 3. Development of Draft General Plan Update, Draft M-2 Area Zoning Ordinance Update, Draft EIR, and Fiscal Impact Analysis

3.1 Circulation Element Update

a. Existing Conditions Report

i. Existing Intersection Usage and Level of Service

TJKM will work with City staff to determine the list of study intersections that will be included in the Level of Service (LOS) analysis. TJKM will conduct morning and evening peak hour intersection LOS analysis based on updated traffic counts provided by the City, conducted in the fall of 2014. Based on feedback regarding case studies presented during the Educational Speaker Series, Nelson\Nygaard will recommend whether and where use of Multi-Modal LOS (MMLoS) may be appropriate. The case studies will evaluate two intersections and two roadway segments using a variety of metrics to provide a comparison necessary to understand the trade-offs of the different methods.

ii. Existing Roadway Usage and Level of Service

TJKM will work with City staff to determine the list of roadway/freeway segments that will be included in the LOS analysis. TJKM will conduct the roadway/freeway segment LOS

analysis based on updated average daily traffic counts provided by the City, conducted in the fall of 2014.

iii. Existing Transit Lines

Nelson\Nygaard will collect information on all existing public and private transit options in the City (i.e., stop locations, frequency of service, etc.) and prepare a color map showing bus, shuttle, and train routes within the City. Nelson\Nygaard will work with City staff to determine existing issues and constraints of existing transit routes.

iv. Existing Pedestrian and Bicycle Facilities

Nelson\Nygaard will prepare a map showing existing Class I, II, and III bikeways and will qualitatively describe the pedestrian and bicycle circulation conditions within the city limits, and other routes used by community members, such as Ringwood Avenue between Middlefield Road and Bay Road.

v. Document Existing Conditions

Nelson\Nygaard and TJKM will document existing street traffic, transit, pedestrian, and bicycle conditions. LOS analysis will be conducted for weekday AM and PM peak hour for study intersections using the updated Vistro City Circulation System Assessment Model. Existing regional travel patterns, including travel to, from and through the city will be summarized based on the refined Santa Clara Valley Transportation Authority (VTA)/City/County Association of Governments (CCAG) model.

b. VTA/CCAG Model Update and Forecasting Model Development

TJKM will work closely with City staff, City/County Association of Governments (CCAG) staff, and the VTA model consultant to refine the updated CCAG model, which has consistent land use with Plan Bay Area and will be released around October 2014. This process will coincide with the ongoing update of the CCAG/VTA model, expected to be completed in December 2014. The model refinement work will focus on developing the following:

- **Update/Refine Traffic Analysis Zones.** TJKM will evaluate the Traffic Analysis Zone (TAZ) boundaries of the CCAG model within the City of Menlo Park and determine the refinement needed for General Plan and M-2 Area Zoning Update project purposes. If any TAZ boundary changes are needed, TJKM will provide the information to CCAG staff.
- **Update/Refine Land Use Data.** TJKM will evaluate the latest land use data in the CCAG model in the City of Menlo Park and compare it with the proposed General Plan and M-2 Area Zoning Update to determine the refinement needed for the land use data update purposes. TJKM will provide this information to CCAG staff.
- **Update/Refine Roadway Network.** TJKM will review the roadway network in the CCAG model including the number of lanes, capacities, speeds, and facility types in the city area, as indicated in future plans for the city. TJKM does not anticipate any refinement will be needed for the roadway network, but if needed, TJKM will provide that information to CCAG staff.
- **Non-Auto Travel.** Develop forecasting methods for non-auto travel.
- **Trip Distribution Patterns.** Develop methodology/assumptions for trip distribution patterns to refine or replace the Circulation System Assessment-survey based data.

- **Vehicle Miles Traveled.** Develop a standard process for calculating vehicle miles traveled (VMT).
- **Determine Growth Rate.** TJKM will determine an annual compound growth rate or other appropriate forecasting method for the City's Circulation System Assessment Model use, based on the travel demand from the refined VTA/CCAG Travel Demand Model.

c. **Menlo Park Circulation System Assessment Model Update**

TJKM will work with City staff to confirm the pending/approved projects that will be included in the model.

TJKM will update the City's Circulation System Assessment Model based on the Vistro model currently being prepared for the SRI Campus Modernization project. The City will provide the current model for TJKM's use and updating as part of this task. The model will include the following scenarios:

- **Existing Conditions.**
- **Near-Term 2016 Conditions.** The annual compound growth rate or other appropriate forecasting method developed from the refined VTA/CCAG model is assumed for the increase in the traffic volumes within 2 years; in addition, this scenario adds traffic generated by the pending/approved projects within Menlo Park.
- **Near-Term 2016 + M-2 Zoning Update Conditions.** This scenario adds traffic volumes generated by the new M-2 Area to the previous scenario.
- **Cumulative 2040 Conditions.** The annual compound growth rate or other appropriate forecasting method developed from the refined VTA/CCAG model is assumed for the increase in the traffic volumes within 26 years; in addition, this scenario adds traffic generated by the pending/approved projects within Menlo Park.
- **Cumulative 2040 + M-2 Zoning Update Conditions.** This scenario adds traffic volumes generated by the M-2 Zoning Update to the previous scenario.

d. **Traffic Projections**

Nelson\Nygaard and TJKM will prepare traffic projections for Near-Term 2016 conditions, as well as Near-Term 2016 plus M-2 Zoning Update Conditions, using the updated City's Circulation System Assessment Model.

e. **2040 Circulation Network Assessment**

TJKM will assess future year circulation networks for deficiencies using the updated City Circulation System Assessment Model.

f. **Plan Line Evaluation and Future ROW Extension/Widening Assessment**

TJKM will review the current paper files of Plan Lines and identify those outdated and no longer necessary versus those needed to create missing connections or accommodate desired improvements. TJKM will also assess the current paper files of Future Reserved right-of-way and suggest other locations in the City where future rights-of-way may be needed.

g. Comprehensive Bicycle and Pedestrian Plan Assessment

Nelson\Nygaard will assess the Comprehensive Bicycle Development Plan, the Sidewalk Master Plan, El Camino Real/Downtown Specific Plan, and other relevant County and Regional bike, pedestrian and trail plans relevant to Menlo Park, and include recommendations for updating the City's Bicycle Plan and developing a Pedestrian Plan as an implementation program.

h. Comprehensive Regional Transit Plan Assessment

Nelson\Nygaard will estimate the growth in transit ridership demand within the City based on the General Plan and M-2 Area Zoning Update. Transit ridership changes will be discussed qualitatively and compared to transit capacity. Based on these, Nelson\Nygaard will develop recommendations for the City's future transit network, including potential expansion of the City's Shuttle Program and integration with Dumbarton Rail, Caltrain electrification, and High Speed Rail, consistent with the City's expressed goals and policies for each system.

i. Intersection Operational Analysis

TJKM will assess detailed right-of-way needs at up to 10 signalized intersections to account for existing deficiencies in lane geometry and alignment, as well as future operating needs. This task will consider future vehicle and bicycle and pedestrian facility needs, peak hour queuing, and turning lane lengths, as well as intersection jurisdiction, control and maintenance. The analysis will be based on the multi-modal analysis method that the City decides to use. Example intersections to be evaluated include:

- Laurel Street/Ravenswood Avenue
- Willow Road/Gilbert Street
- Bay Road/Marsh Road
- Sand Hill Road/Sand Hill Circle
- Willow Road/Newbridge Street
- Marsh Road/Bohannon Drive-Florence Street
- Middlefield Road/Ravenswood Avenue
- Middlefield Road/Willow Road

j. Right-of-Way Data Preparation

TJKM will prepare right-of-way data (e.g., back of right-of-way, inside curb, outside curb, etc.) and cross-sections for any potential transportation improvements (bike lanes and/or sidewalks) along the following corridors:

- Marsh Road from Bay Road to Bayfront Expressway
- Chilco Street from Bayfront Expressway to the Dumbarton Rail Corridor
- O'Brien Drive from Willow Road to University Avenue
- Willow Road from Bay Road to O'Keefe Street
- Middlefield Road from Willow Road to Palo Alto Avenue

k. Update to Goals, Policies and Programs

Nelson\Nygaard will draft updated policies for the Circulation Element that will address, (among other subjects) mobility strategies, Transportation Impact Assessment requirements, Complete Streets, Transportation Demand Management, and Traffic Management.

It is important to note that a Complete Streets approach – in which bicycle, pedestrian and transit usage are considered in evaluating the effectiveness and performance of a

street or intersection – does not assume that all modes of travel can be well accommodated on every street, nor that sidewalks are appropriate in residential neighborhoods where they do not currently exist.

l. Implementation Program Assessment and Recommendations

Nelson\Nygaard will develop a list of proposed circulation network improvements for evaluation concurrently with development of land use alternatives for incorporation into the travel demand forecasting and operational assessment. Nelson\Nygaard will examine the need for physical improvements (such as future ROW modifications), service improvements (such as transit service or TDM programs), and/or regulatory changes (such as changes to parking standards) and provide a summary description of needed improvements and implementation mechanisms for updating the 2009 Transportation Impact Fee Nexus Study as an implementation program. Nelson\Nygaard will collaborate with the project team to provide recommendations concerning development of a Transportation Management Association (TMA) Policy and Implementation Program for up to two (2) geographic areas within the City.

m. M-2 Area Parking Policies and Requirements

Nelson\Nygaard will evaluate current off-street and on-street parking policies and requirements in the M-2 Area as it relates to providing an appropriate supply of parking and regulating the intensity of land uses. The parking impacts associated with the M-2 Area Zoning Update will be discussed qualitatively based on the proposed parking requirements.

n. Circulation Diagram

Nelson\Nygaard will develop an updated Circulation Plan diagram and associated Roadway Classification System, with the option upon City approval of substituting a Street Typology Map for the traditional diagram based on feedback including public input from Symposium 2 and the Circulation Focus Group meeting. In addition, recommended bicycle, pedestrian, and transit maps will be developed.

3.2 Land Use Element Update

a. Existing Conditions Analysis

Informed by the Visioning phase of the project and Existing Conditions work, PlaceWorks will review the existing Land Use Element and note the major changes and shifts that have occurred over the past years. PlaceWorks will review the type, location, and intensity of land uses in Menlo Park today and summarize them. PlaceWorks will analyze recent land use patterns, land use conflicts and compatibility issues, and development trends in the City.

PlaceWorks will prepare a Land Use Existing Conditions Report that includes:

- An assessment of the status of current Land Use Element implementing programs
- A summary of progress and growth since the 1994 Land Use Element was adopted
- A land use inventory, with development and land use projections that will inform and appear in the EIR (but will not be listed in the updated Land Use Element so as not to render it static)
- Identification of locations in the M-2 Area (and nowhere else in the city) where alternative land use and growth scenarios may be considered

b. Goals

PlaceWorks will apply the Guiding Principles to update the goals related to land use to reflect the community input from Task 2 and integrate them into the Administrative, Draft and Final Land Use Element Update.

c. Policies

PlaceWorks will draft policies related to land use as appropriate to integrate them into the Administrative, Draft and Final Land Use Element Update. PlaceWorks will identify recommendations and policies in response to legislative and legal changes that have occurred since the 1994 General Plan adoption and ensure that the updated Land Use Element adheres to current laws and legislation. PlaceWorks will analyze emerging factors in Menlo Park that need to be addressed and will provide recommendations for integrating these factors into the Land Use Element Update. These factors will include potential effects of climate change (e.g., sea level rise, water availability), transition to renewable energy provision, enhancement of urban forestry, changes in workplace and commuting attributes, clean and sustainable business needs, and healthy lifestyle attributes, as well as many others expected to be identified as community preferences during the Visioning process.

d. Implementing Programs

PlaceWorks will assess issues that impact the success of implementation programs and will provide strategies to resolve them and expedite implementation. PlaceWorks will identify strategies for streamlining City processes. Our recommendations and strategies will be integrated into program language where appropriate.

e. Land Use Map

PlaceWorks will review the City's existing combined Land Use and Zoning Map, note the major changes, and update the map for inclusion in the Administrative and Draft Land Use Element and revise it, if necessary, for the Final Land Use Element.

3.3 General Plan Consistency Updates

a. Updates to General Plan Elements

PlaceWorks will work with City staff to determine whether any updates are necessary to the recently adopted Open Space/Conservation, Noise, and Safety Elements (OSCNS) to reflect forthcoming changes to General Plan policy or Zoning Ordinance regulations.

b. General Plan Structure and Integration

PlaceWorks will integrate the OSCNS with the updated Land Use and Circulation Elements as a single comprehensive General Plan document (excepting the Housing Element). We also will explore issues related to the content and format of the new General Plan, including:

- Any changes to the structure of Plan elements.
- Plan format and graphic template changes.
- Potential for new topic areas (sustainability, sea level rise, climate, Complete Streets, transportation management associations, etc.).
- The extent to which Plan summaries, foldout maps, and other supplemental products are desired.

PlaceWorks will provide the City with a Consistency Analysis report with recommendations for any revisions to OSCNS and will incorporate the updated OSCNS into the updated General Plan.

3.4 Community Character Report

Johnson/Knapp and PlaceWorks will prepare a report that describes the physical form of Menlo Park's neighborhoods and commercial and industrial districts. This existing conditions report will lead to policies in the Land Use Element intended to preserve community character and define desired types of preservation and potential change in nonresidential areas. In addition to streetscape features and architecture, the report will document key events and people (such as primary innovations at USGS and Raychem), as well as cultural resources.

San Mateo County property map and GIS data will be used to prepare a base map to inform a field survey of potentially significant properties and thematic groupings of structures and buildings. Research will be conducted in City, local, Bay Area, and State archives to gather historical information and develop historic and cultural themes. An illustrated report will be prepared that highlights historic and culturally important properties and districts, and that includes a digital version of field mapping.

The PlaceWorks team will craft goals, policies, and implementation programs in the Land Use Element to reflect community preferences regarding aesthetics, urban design, and neighborhood character, as well preservation and treatment of historic and cultural resources. The PlaceWorks team will offer any appropriate recommendations regarding streamlining of land use reviews for properties with buildings more than 50 years old. The policy language related to community character will also assist in informing the preparation of design standards for the M-2 Area Zoning Update.

3.5 M-2 Area Zoning Ordinance Update

a. Purpose Statement

In conformance with the Guiding Principles developed during and after the first Community Workshop, and to implement the updated General Plan policies developed to reflect the Community's vision for a preferred land use alternative, PlaceWorks will refine the purpose statements for the existing and any new zoning districts within the M-2 Area to reflect community preferences obtained through the Visioning process and ongoing online community consultation. These districts include M2, M2(X), M3(X), C4, C4(X), C2S, C2B, FP, and U.

b. Land Use Assessment and Recommendations

PlaceWorks will assess the appropriateness of existing and proposed land uses, the intensity of uses, development standards, project review procedures, and allowances for the use of hazardous materials, and recommend appropriate regulatory provisions for the M-2 Area Zoning Update. These amendments will also include any needed revisions to the Zoning Map to be consistent with the concurrent update of the General Plan Land Use Map.

c. Parking Requirement Assessment and Recommendations

PlaceWorks will assess the appropriateness of existing and proposed parking requirements and recommend adjustments to off-street parking standards.

d. Hazardous Materials Assessment and Recommendations

PlaceWorks will assess the regulation of the use, storage, and transport of hazardous materials and waste and recommend changes to conform to community preferences established during the Visioning process through the Guiding Principles, as well as in compliance with all applicable OSCNS provisions.

e. Other District Assessment

PlaceWorks will assess zoning updates that may be necessary in other zoning districts, including but not limited to the M2, M2(X), M3(X), C4, C4(X), C2S, C2B, FP, and U zoning districts. We will recommend modifications to standards if needed to implement forthcoming updated General Plan provisions, or to reflect changed conditions, recent changes in State law, or community preferences that have come to light during the General Plan and M-2 Area Zoning Update process.

f. Development Standards

To implement the Guiding Principles and/or forthcoming General Plan, PlaceWorks will provide revised development standards that inform and regulate permitted land uses, vehicular access and parking, streetscape and landscaping, aesthetics and views, floor area ratio (FAR), and other regulating provisions of the zoning code.

g. M-2 Area Design Standards

To implement the Guiding Principles and/or forthcoming General Plan policy, PlaceWorks will draft design standards that inform and regulate permitted land uses, vehicular access and parking, streetscape and landscaping, FAR, setbacks, step-backs, building heights and other regulating provisions of the zoning code. These standards will include quantitative restrictions on the aforementioned subjects.

3.6 Environmental Review

The PlaceWorks team will prepare the EIR for the General Plan and M-2 Area Zoning Update. The EIR will comprehensively evaluate potential impacts in all of the relevant environmental issue areas. Issues related to transportation, air quality, greenhouse gas emissions, noise, and biology are expected to be heavily emphasized to understand the potential trade-offs for additional growth and change in the M-2 Area. Where possible, PlaceWorks will recommend General Plan policies and programs to guide growth and change and to minimize potential impacts (e.g., requirements for setbacks for upper building stories and site-specific shadow-casting studies). The PlaceWorks team will develop recommended “uniformly applicable development standards” to guide future development in the city. In addition, the EIR will explain, where feasible, how future development that complies with the updated General Plan and Zoning provisions will need minimal or no additional environmental review pursuant to the California Environmental Quality Act (CEQA).

a. Kick-Off Meeting

The PlaceWorks team will attend a kick-off meeting with City staff to discuss expectations and concerns, and to review key issues, information needs, work products, and delivery schedule. The methodology to be used for traffic modeling and impact analysis will also be reviewed at this meeting to ensure it is fully aligned with that used on other ongoing projects in Menlo Park and/or desired by the City Council.

b. Initial Study and Notice of Preparation

PlaceWorks will draft an Initial Study and Notice of Preparation (NOP) of an EIR pursuant to CEQA Section 15082 (to be provided in both Word and pdf formats). The NOP will include an environmental scoping study with a brief project history and a description of the topics to be analyzed in the EIR. For any environmental issues found not to require additional analysis, such as agricultural and forestry lands, source references will be provided. PlaceWorks will be responsible for circulation to the State Clearinghouse.

c. Public Scoping Meeting

During the 30-day comment period on the NOP, the Planning Commission will devote a regular meeting to receiving public comment as part of the scoping process for the EIR. The PlaceWorks team will attend the meeting and will prepare an overview of the General Plan and M-2 Area Zoning Update process to date, how input received during the visioning and outreach components was integrated into the Draft General Plan and Zoning provisions, and key issues for each topic of the EIR. PlaceWorks will prepare a written summary of the environmental issues raised at the scoping meeting for inclusion in the Draft EIR.

d. Project Description

PlaceWorks will work with City staff to draft and refine a Project Description based on the General Plan preferred land use alternative and the draft Zoning Ordinance update provisions. Upon approval by City staff, the Project Description will be distributed to the PlaceWorks team for reference.

e. Environmental Analysis

PlaceWorks will prepare an EIR that focuses on CEQA resource categories where substantial evidence of a potentially significant environmental impact exists, while scoping out environmental issues on which it can be seen with certainty that the project would have no significant negative impact on the basis of existing documentation and regulation.

The “setting” (existing conditions) section for each subject area of the EIR will build on the Environmental Assessment and Initial Study/Mitigated Negative Declaration work done in 2012-2014 by the PlaceWorks team for the Housing Element Update, General Plan Consistency Update, and associated Zoning Ordinance Amendments. Additional work related to new traffic counting and analysis will go into the Air Quality and Community Health Risk, Greenhouse Gas, and Traffic/Transportation sections, and additional analysis is expected to be needed for the Biological Resources section due to the presence of wetlands in the M-2 area.

In keeping with the requirements of CEQA, environmental review of the General Plan and the M-2 Zoning Area Update will include a detailed analysis to determine the environmental impacts for the following resource categories:

i. Aesthetics

The aesthetics analysis will review General Plan Update and M-2 Zoning Area Update policies and programs that may impact scenic vistas and other resources, as defined in the General Plan and M-2 Area Zoning Update, such as views of the hills or the Bay. This section will describe existing visual resources within Menlo Park, including descriptions of scenic views and corridors within and adjacent to the city. Each resource will be

described, photographed, and mapped to provide context for the reviewer. Based on the aesthetic resource significance criteria, PlaceWorks will assess potential significant aesthetic impacts, such as impacts on scenic views and corridors, as well as solar and sky-view access, shadowing, light and glare, and visual character of the M-2 area.

ii. *Air Quality and Greenhouse Gas Emissions*

PlaceWorks will prepare an air quality, community risk and hazards, and GHG emissions analysis to support the General Plan Update and EIR. The impact analysis for the EIR will be based on the current methodology of the Bay Area Air Quality Management District (BAAQMD). The technical analysis will be integrated within the EIR and modeling datasheets will be included as an appendix.

Air Quality: In accordance with the BAAQMD's CEQA Guidelines, a Plan-level analysis will be prepared. This section will include the current air quality within the San Francisco Bay Area Air Basin (SFBAAB or Air Basin) in the vicinity of the City and a summary of regulations adopted for the purpose of reducing health-based impacts associated with poor air quality. Existing levels of criteria air pollutants available from the nearest air quality monitoring station will be incorporated.

The air quality analysis will include a qualitative analysis of criteria air pollutants and precursors generated from buildout of the proposed land uses plan. Buildout of the General Plan would generate emissions from an increase in trips and vehicle miles traveled (VMT) associated with land uses within the City. The Program-level air quality analysis will include a consistency evaluation of the General Plan to the BAAQMD's land use and transportation control measures within the air quality management plan. The SFBAAB is in nonattainment for particulate matter and for ozone. The potential increase in VMT provided by TJKM from an increase in development intensity within the City will be discussed in relation to the projected increase in residents and jobs. The air quality impact analysis will also describe land uses within the city that have the potential to generate nuisance odors. Buffer distances and/or control measures for odor sources listed in the BAAQMD's guidelines will be incorporated.

Community Risk and Hazards: The air quality section of the EIR would include an assessment of air quality compatibility based on guidance within BAAQMD's draft *Community Risk Reduction Plans for Toxic Air Contaminants (TAC) and Fine Particulate Matter (PM_{2.5}): Community Development Guidelines*. The community risk and hazards evaluation will include a discussion of potential health risks from TACs and PM_{2.5} in the project vicinity based on BAAQMD's guidance. BAAQMD does not require site-specific health risk assessments as part of the Plan-level evaluation for the General Plan. PlaceWorks recently mapped major sources of air pollutant emissions for the City as part of the Environmental Assessment for the Housing Element Update, General Plan Consistency Update, and associated Zoning Ordinance Amendments. PlaceWorks will update this inventory based on the updated traffic analysis and BAAQMD data. Recommended measures specified in the BAAQMD's Guidelines for future sensitive land uses within the areas mapped will be considered. For land uses within areas mapped as having elevated risk, the EIR will summarize the proposed General Plan policies requiring future development to reduce risk from exposure to significant concentrations of PM_{2.5} and TACs. Recommendations to reduce risk associated with placement of new sensitive land uses associated with the General Plan adjacent to major sources of air pollution will be based on the recommended buffer distances based on BAAQMD screening tools,

CARB guidance, and the California Air Pollution Control Officer's Association (CAPCOA) guidance.

Greenhouse Gas Emissions: Implementation of the City's General Plan Update would result in an increase in GHG emissions from energy use (natural gas and electricity), transportation sources, water use and wastewater generation, and solid waste disposal. The analysis will draw upon past inventories conducted for the City. The General Plan EIR will summarize the most recent community GHG emissions inventory for existing (CEQA baseline) environmental conditions and forecast GHG emissions at the General Plan Horizon year. The GHG inventory for CEQA baseline and buildout will be modeled using the latest modeling tools (EMFAC, CalEEMod, and OFFROAD). The boundaries of the community-wide GHG emissions inventories will be based on a combination of sectors over which the city has geographic and jurisdiction control. For example, the transportation sector will be based on VMT generated by trips that start or end in the City and exclude trips that pass through the City based on data provided by TJKM. The EIR will evaluate the impact from the change in GHG emissions in the City compared to CEQA baseline conditions pursuant to BAAQMD's thresholds.

The GHG section in the EIR will also discuss the City's commitment to reducing GHG emissions in accordance with the GHG reduction goals of Assembly Bill 32 (AB 32) and Senate Bill 375 (SB 375). Project consistency within the California Air Resources Board's *2008 Scoping Plan* and *2013 Scoping Plan Update* and the Metropolitan Transportation Commission (MTC) and Association of Bay Area Government's (ABAG) *Plan Bay Area* will also be reviewed. The City of Menlo Park has a Climate Action Plan (CAP). The City of Menlo Park has prepared and updated its community-wide GHG emissions inventory several times since the release of the City's *2005 Greenhouse Gas Emissions Analysis*. The latest update to the City's CAP was conducted in 2011, *Climate Action Plan Assessment Report*. To meet AB 32 goals based on the City's current emission inventory and forecast for 2020, the City in 2013 established a GHG reduction target of 27 percent below the 2005 level by 2020. The EIR will include a consistency evaluation with the GHG reduction measures identified in the Menlo Park CAP.

iii. Biological Resources

Environmental Collaborative will provide a programmatic evaluation of biological resources in Menlo Park, with particular focus on the resources in the M-2 Area. The City limits extend from I-280 on the west to the baylands around the Dumbarton Bridge on the east (including the Don Edwards San Francisco Bay National Wildlife Refuge), and include grassland, woodland, urban forest, riparian, freshwater wetland, and salt marsh habitats. Even though the city is mostly a built environment, it still contains sensitive habitat and wildlife corridors. Special-status species to be aware of in updating the General Plan include those in San Francisquito Creek (steelhead, California red-legged frog, western pond turtle), those in the baylands (saltmarsh harvest mouse, saltmarsh wandering shrew, California clapper rail, snowy plover, least tern, western burrowing owl, saltmarsh common yellowthroat, Alameda song sparrow, California black rail, Congdon's tarplant), and those in oak woodland (San Francisco dusky-footed woodrat, Cooper's hawk, and other nesting raptors). (The consulting team is aware of the presence of the fox population in the M-2 area and will characterize any significant potential effects to their habitat to aid in community understanding of the wildlife/human interface.)

Environmental Collaborative will utilize mapping done by the PlaceWorks team for the Housing Element Environmental Assessment to provide a table of the special-status species that potentially occur in the planning area, indicating their status and characteristic habitat types. Environmental Collaborative will explain the laws and regulations that apply to these species so that this can be taken into account when making decisions about changes to the General Plan. This information will be used to describe the biological setting of the Planning Area.

Environmental Collaborative will provide a focused evaluation of the biological resource issues in the M-2 Area. A field reconnaissance survey will be performed, focusing on areas of remaining natural habitat in the M-2 Area. No detailed wetland delineation or systematic surveys are proposed as part of this task; instead, Environmental Collaborative will review available wetland delineation information, such as the 2010 Us Army Corps of Engineers Carnduff Property Jurisdictional Determination done for the undeveloped 14-acre parcel at 1500 Adams Drive.

In addition to the habitat map, special-status species analysis, and regulatory analysis, Environmental Collaborative will identify ways to manage and improve the interface between the built environment and the natural environment in the M-2 Area. Environmental Collaborative will informally consult the State and federal wildlife agencies to understand their concerns, as well as other environmental advocacy stakeholders. Environmental Collaborative will provide input regarding whether potential development could result in significant impacts to biological resources.

iv. Cultural and Archeological Resources

PlaceWorks will utilize the findings of the Community Character Report prepared by Johnson/Knapp to describe any potential impacts to cultural resources and pre-historic and historic sub-surface cultural resources, and ensure that impacts are either avoided or adequately mitigated if unavoidable.

v. Geology, Soils, and Mineral Resources

In this section PlaceWorks will describe potential impacts related to seismic shaking, liquefaction, erosion, expansive soils, and subsidence. Additionally, potential impacts related to geotechnical soil properties, such as erosion, expansive soils, and subsidence will be described. PlaceWorks will review the draft General Plan policies pertaining to geology, soils, and seismicity, and suggest revisions to these policies or new policies, if necessary, in order to mitigate potential geotechnical impacts.

vi. Hazards and Hazardous Materials

In this section, PlaceWorks will identify sites with leaking underground storage tanks and other toxins, and summarize the existing framework of federal, State, County, and local regulations governing the use, storage, transport, and disposal of hazardous materials.

vii. Hydrology and Water Quality

PlaceWorks will prepare the setting section and then assess impacts and identify whether any mitigation measures are need to supplement the General Plan and Zoning provisions. Development under the General Plan Update may change impervious surface areas and alter drainage patterns. Based on a review of available information, it is anticipated that impacts relating to hydrology and water quality may include an increase in stormwater runoff volume and resultant degradation of water quality unless appropriate mitigation

measures are implemented. This potential impact will be described qualitatively. Potential impacts associated with the discharge of urban pollutants (petroleum hydrocarbons and heavy metals associated with automobile use) will also be described. Regulations and policies to reduce storm water pollution during the construction and operational phases of future projects will be described in detail.

viii. Noise

PlaceWorks will prepare a noise analysis in support of the General Plan and M-2 Area Zoning Update and EIR that will identify the impacts on sensitive land uses from the comprehensive update of the General Plan. The EIR will discuss relevant standards and criteria for noise exposure; the assessment of impacts will be based on federal, state, and local ordinances, policies, and standards, including those in the City of Menlo Park's General Plan Noise Element and Municipal Code.

As part of the planning process, technical noise staff will review the goals and policies regarding noise in the General Plan; provide input to the process, including technical support and research; and make recommendations to meet the City's long-term goals.

Transportation Noise: Noise from vehicular traffic will be assessed using a version of the US Federal Highway Administration (FHWA) Traffic Noise Model; these contours will rely on traffic forecasts provided in the traffic impact analyses (provided by Nelson\Nygaard) for the General Plan and M-2 Plan efforts. These analyses will identify areas along freeway and roadway segments that would be exposed to noise increases above criteria included in the City's General Plan Noise Element. In addition, the noise analysis will identify potential noise and vibration impacts to sensitive uses in the City and in the M-2 Area from railways.

Stationary Noise: Noise impacts from non-transportation sources such as major retail and commercial/ industrial uses will be discussed in terms of potential impacts to nearby noise-sensitive receptors. For the M-2 Area, future ambient noise and land use compatibility will be discussed for the proposed uses in the Plan area; noise mitigation will be provided to reduce potential impacts to future sensitive land uses related to noise, if applicable.

Noise and Land Use Compatibility: An analysis will be prepared to assess noise and land use compatibility for focused areas in the City that could be affected by land use changes or by changes in traffic patterns. Potential land use conflicts within the city will be identified based on the results of the noise monitoring and modeling results (which then can help inform City decision-making about selection of a preferred land use alternative).

Construction Noise and Vibration: Construction impacts with implementation of the project will be evaluated at a programmatic level for the General Plan. In addition, a focused analysis will be prepared for potential temporary impacts during construction of the M-2 Area due to the potential need for pile driving and demolition activity that may occur with future development in the area. Future noise and vibration effects from construction activities will be discussed in terms of accepted standards from the US Federal Transit Administration (FTA). Feasible provisions will be developed for Uniformly Applicable Development Standards to guide construction in the M-2 Area.

Noise Section: Potential land use conflicts within the City will be identified based on the results of the noise monitoring and modeling results. The results of this analysis will be

summarized in the EIR noise section and pertinent calculation details will be provided in an Appendix.

ix. Population and Housing

This section will focus on the potential for displacement of people or housing and for substantial population growth that could result from implementation of the General Plan. PlaceWorks will describe existing population and housing conditions and summarize the relevant State and local regulatory framework including the City’s Regional Housing Needs Association (RHNA) and the current Housing Element. Based on the population and housing significance criteria, PlaceWorks will assess potential population and housing impacts.

x. Public Services

This section will evaluate potential impacts on public services, including fire/emergency medical services (EMS), police services, and schools. PlaceWorks will describe existing public services within the city. The setting will include a description of each public service provider, including current and projected capacity. Based on the public services significance criteria, PlaceWorks will assess potential impacts. If necessary, mitigation measures to reduce impacts to less-than-significant levels in the form of policy recommendations will be identified. Interviews and data gathering for the Fiscal Impact Analysis (see Section 3.7 b.) will be coordinated with preparation of this EIR section to ensure consistency.

xi. Parks and Recreation

PlaceWorks will describe the existing recreation setting within the city and evaluate any potential impacts on existing park and recreation facilities. This section will draw on standards and objectives described in City documents, including any master plans for existing City or regional parks.

xii. Traffic/Transportation

In developing the traffic study for the General Plan and M-2 Area Update EIR, TJKM will utilize and adhere to the City’s current and proposed Transportation Impact Assessment (TIA) standards that may be established through the General Plan update process. TJKM will work closely with PlaceWorks to adapt the TIA contents of the Administrative Draft Circulation Element into an appropriate CEQA approach and format. Aside from the General Plan and M-2 Area Update EIR TIA, Nelson\Nygaard will separately address issues related to the Update itself, primarily background investigations on policy recommendations for the Circulation Element Update.

xiii. Utilities and Service Systems

The Utilities analysis will utilize the findings of the data collection and analysis and assess potential impacts of the General Plan Update on utility services. This will include a description of existing utility and service systems within the city, including current operations, capacity, and facility locations. Based on the utility and service systems significance criteria, PlaceWorks will assess potential impacts. If necessary, new or modified General Plan policies requiring developer provision of infrastructure will be recommended to reduce impacts to a less-than-significant level. As a Water Supply Assessment is not required in conjunction with the General Plan and M-2 Area Zoning update, one is not being prepared as part of this project.

f. Alternatives Analysis

PlaceWorks and TJKM will evaluate up to three alternatives to the proposed project, one of which will be the CEQA-required No Project Alternative. The alternatives will be based in part on the various land use scenarios the City considers as part of the General Plan Update process. CEQA Guidelines allow the alternatives to be evaluated in less detail than the project, but they still will need adequate metrics to allow comparison. Accordingly, PlaceWorks and TJKM will utilize one or more appropriate metric (e.g., vehicle miles traveled [VMT]) to compare and differentiate the potential effects of the land use alternative. Based on this analysis, the Environmentally Superior Alternative will be identified (as required by CEQA).

g. CEQA Required Assessment Conclusions

PlaceWorks will prepare the appropriate conclusions to fulfill CEQA requirements by providing an assessment of unavoidable significant environmental impacts; significant irreversible environmental changes; relationship between local short-term uses of the environment and long-term productivity; and effects found not to be significant.

h. Draft EIR

Following the completion of the above tasks, PlaceWorks will compile the information into a Draft EIR. Four iterations of the document would be prepared:

- Two **Administrative Drafts** will be prepared for City review and comment.
- Upon receipt of City comments on the Administrative Drafts, PlaceWorks will prepare a **Screencheck Draft EIR**.
- PlaceWorks will make any necessary revisions to the Screencheck Draft, prepare the **Public Review Draft EIR** for publication, and route it to the State Clearinghouse. (Technical appendices and background reports will be provided electronically for all drafts.)

i. Final EIR

Immediately following the completion of the 45-day public review period, PlaceWorks will meet with City staff to discuss any comments received during the public review period and the approach to responding to the comments. PlaceWorks will incorporate public and/or agency comments received on the Draft EIR and the responses to these comments, as appropriate, into an Administrative Draft Response to Comments document. Other members of the consulting team will also participate as needed. The project budget includes up to 40 hours for PlaceWorks to respond to comments, which is commensurate with the anticipated level of effort. (Reanalysis is not included in this Scope of Services.)

If necessary, PlaceWorks will also prepare a Mitigation Monitoring and Reporting Program (MMRP) for the General Plan. We anticipate that most mitigation measures will take the form of policy amendments to the General Plan Update. As a result, detailed monitoring may not be necessary. PlaceWorks will prepare certification findings, and will provide findings, if necessary, to justify a Statement of Overriding Considerations to be prepared by City staff. Production of the **Final EIR** will include:

- **Administrative Final EIR**, including the Responses to Comments and other components as described above.
- **Screencheck Final EIR**, incorporating changes based on City comments.
- **Final EIR** revised to incorporate all comments from the City.

3.7 Fiscal Analysis and Economic/Financial/Market Reports

a. Public Benefits Study

BAE will prepare a development trends and opportunities report that addresses market and development feasibility issues, emphasizing public benefits. This development feasibility analysis will highlight how project scale options can generate return and provide a basis for evaluating public benefits that developers could provide in return for increased development potential.

The report will identify current market trends and demand for various types of uses in the Peninsula and Silicon Valley market, potential development activity in the M-2 Area, and the development economics and feasibility trends that drive demand for various types of projects. This report will provide insight into how much demand there is for office/research and development (R&D), hotel, and residential, how much can be captured in the M-2 Area, and what mix of uses (including ancillary retail and retention of industrial) will best provide the amenitized mixed-use environment sought by high-tech firms for 21st century workplaces. It will include development feasibility assessments through prototype pro forma modeling for up to five different project types. The pro formas will illustrate the scale necessary for new development to be feasible, and why the market produces different types of buildings in the region (e.g., 3-story Class A office buildings in one location and 5-story Class A buildings in another). This report will inform the consultant team's development of the plan, as well as serve to inform GPAC and Community Workshop discussions of these items.

b. Current Fiscal Analysis

BAE will first analyze current fiscal conditions, and provide a summary to complement the other Existing Conditions Reports, and then prepare a Fiscal Impact Analysis (FIA) for the General Plan that shows projected net increase in annual General Fund fiscal revenues, annual General Fund expenditures, and one-time revenues from development impact fees and other sources for all development pursuant to the General Plan, including the current Housing Element. This will be done for the alternatives defined in the EIR. The same level of analysis will be done for Special Districts serving Menlo Park. This work will be coordinated with the EIR to ensure maximum consistency. The analysis will use a marginal cost approach to the extent possible, supported by a service population average cost approach, consistent with BAE's approach to previous FIA work for the City.

c. M-2 Area Zoning Update Fiscal and Economic Analysis

BAE will analyze the current fiscal conditions and prepare a Fiscal Impact Analysis (FIA) for the M-2 Area Zoning Update similar to that outlined in Task 3.7a. BAE will analyze additional topics, including projections for potential business-to-business taxable sales and resulting revenues to the City; new retail spending; and new lodging demand and resulting transient occupancy tax revenues. Existing conditions information will be compiled with existing fiscal conditions for ease of review by the public, General Plan Advisory Committee, Planning Commission and City Council.

BAE will prepare an Administrative Draft FIA, a Screencheck Draft FIA, and a Public Review Draft FIA. BAE will attend a Planning Commission and City Council meeting to present the findings of the FIA. Following conclusion of the public Draft EIR/Draft FIA comment period, BAE will produce a final FIA report that addresses all submitted comments.

Task 4. Project Management

Principal-in-Charge Charlie Knox and senior staff at PlaceWorks will coordinate regularly with City staff to assure the quality and timeliness of all processes and products included in the project. PlaceWorks senior staff will also communicate frequently with City staff regarding any emerging issues involving the project. In addition, PlaceWorks senior staff will work closely with all staff on the consultant team to ensure that all deadlines and City expectations and needs are met.

COST ESTIMATE

The estimated not-to-exceed cost to complete the scope of work described in this proposal is \$1,499,559.

This scope of work and cost estimate assumes that:

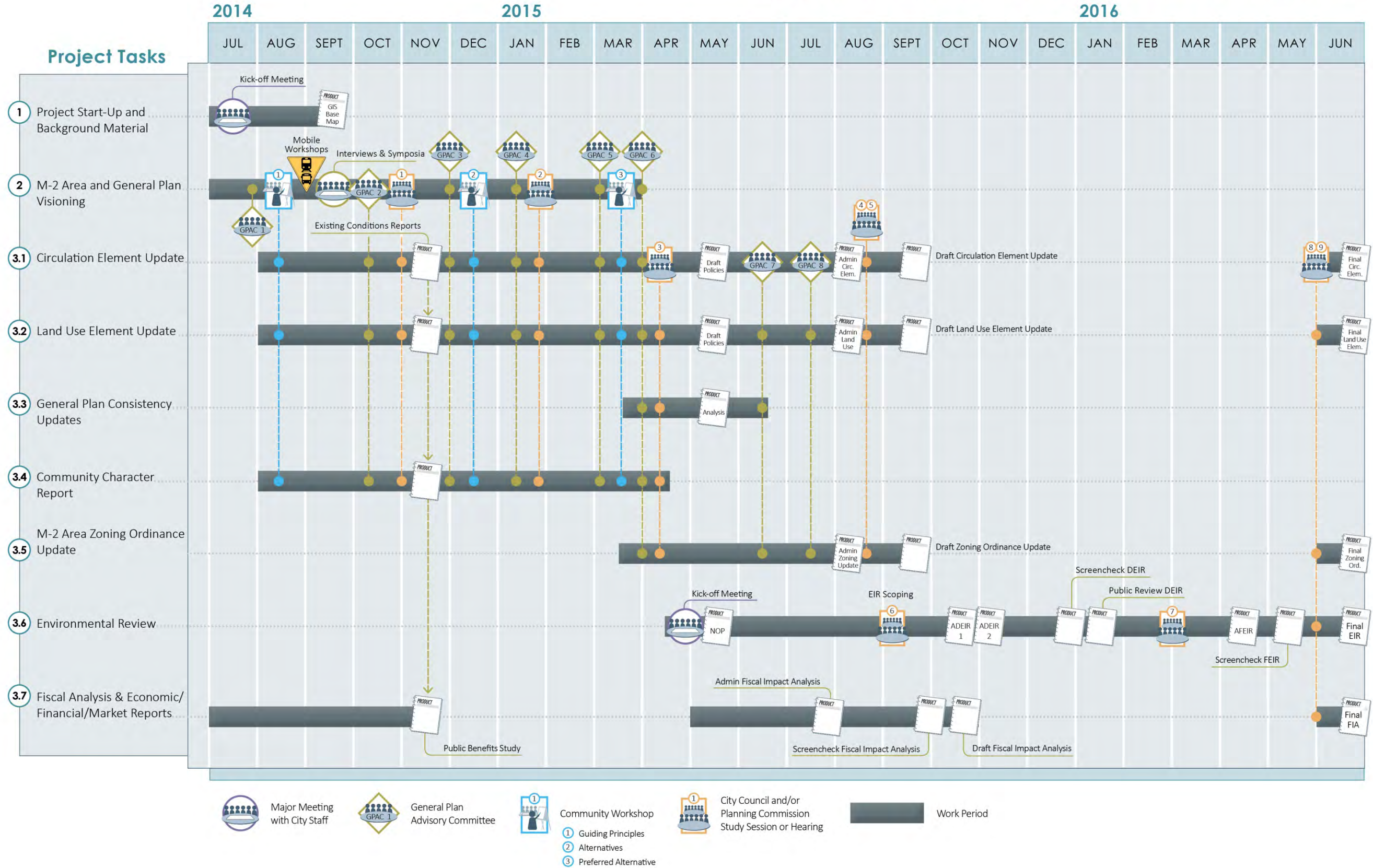
- PlaceWorks will bill the City on a time-and-materials basis monthly. Billing rates for the project are guaranteed through December 2016. Billing rates would be subject to an increase of up to 6 percent on January 1, 2017, and in each subsequent year thereafter.
- Principal-in-Charge Charlie Knox will attend interviews, community workshops, and General Plan Advisory Committee, Planning Commission and City Council meetings, except in the case of an emergency.
- PlaceWorks staff can spend up to 40 hours responding to comments on the Draft EIR.
- The City will be responsible for postage costs for any mailings, including newsletters, as well as meeting logistics, including schedule coordination, document production, notices, mailing costs, room reservations, room set-up and take-down, and refreshments.
- For each deliverable product requiring City review, City staff will compile and consolidate all City comments into one transmittal listing revisions to be made by the PlaceWorks team.
- All products will be submitted to the City in electronic (PDF) format for printing by the City.

Cost Estimate

Hours per Task	PlaceWorks							BAE			NelsonNygaard			TJKM			Env. Collab.	Johnson/Knapp		Labor Cost per Task
	Knox, Principal	Assoc. Principal	McCracken, Sr Assoc	Dudley, Associate	Project Planner	Planner/ GIS / Scientist	Graphics/WP	Principal	Senior Associate	Analyst	Principal	Associate Principal	Associate	Vice President	Senior Associate	Engineer	Principal	Principal	Architect	
1. Project Start-Up and Background Material	50	-	42	58	16	40	24	8	8	-	16	-	-	16	-	-	16	-	-	45,170
1.1. Review Background Information	30	-	24	36	-	-	-	4	4	-	8	-	-	8	-	-	8	-	-	21,560
1.2. Assemble GIS Data and Prepare Base Map	4	-	2	6	-	40	24	-	-	-	-	-	-	-	-	-	-	-	7,290	
1.3. Kick-Off Meeting and City Tour	16	-	16	16	16	-	-	4	4	-	8	-	-	8	-	-	8	-	-	16,320
2. M-2 Area and General Plan Visioning	1,056	-	232	1,176	1,036	396	512	64	-	-	56	-	-	20	-	-	-	-	-	634,920
2.1. Kick-Off Event: Community Workshop 1	36	-	16	60	74	16	74	-	-	-	8	-	-	-	-	-	-	-	-	25,860
2.2. Educational Speaker Series	80	-	40	80	80	48	48	-	-	-	24	-	-	8	-	-	-	-	-	57,840
2.3. Community Workshops 2 & 3	96	-	-	104	108	80	56	16	-	-	-	-	-	-	-	-	-	-	-	60,820
2.4. Mobile Workshops	56	-	16	72	80	64	74	12	-	-	12	-	-	12	-	-	-	-	-	48,560
2.5. Focus Groups	80	-	-	96	104	-	20	-	-	-	-	-	-	-	-	-	-	-	-	42,280
2.6. Stakeholder Interviews	96	-	-	104	116	-	-	-	-	-	-	-	-	-	-	-	-	-	-	46,380
2.7. Surveys	74	-	-	80	96	60	74	-	-	-	-	-	-	-	-	-	-	-	-	32,940
2.8. General Plan Advisory Committee	196	-	80	120	60	-	60	16	-	-	12	-	-	-	-	-	-	-	-	88,020
2.9. Digital Engagement	80	-	-	108	120	56	120	-	-	-	-	-	-	-	-	-	-	-	-	58,340
2.10. Newsletter	96	-	-	96	120	72	96	-	-	-	-	-	-	-	-	-	-	-	-	59,520
2.11. City Council Outreach	120	-	80	144	80	-	40	-	-	-	-	-	-	-	-	-	-	-	-	69,040
2.12. Commission Outreach	48	-	-	48	48	-	-	-	-	-	-	-	-	-	-	-	-	-	-	21,600
2.13. Discussion & Coordination with Major M-2 Property Owners	48	-	-	64	-	-	-	20	-	-	-	-	-	-	-	-	-	-	-	23,720
3. General Plan, Zoning Update & Fiscal Analysis	524	156	292	436	624	640	248	96	200	160	156	200	200	32	52	284	52	256	90	650,230
3.1. Circulation Element Update	104	8	32	36	40	-	-	-	-	-	156	200	200	12	40	220	-	-	-	163,520
3.2. Land Use Element Update	112	-	-	120	144	144	48	-	-	-	-	-	-	-	-	-	-	-	-	70,920
3.3. General Plan Consistency Updates	60	-	-	88	112	144	40	-	-	-	-	-	-	-	-	-	4	-	-	52,240
3.4. Community Character Report	56	-	-	56	60	20	40	-	-	-	-	-	-	-	-	-	-	160	80	64,520
3.5. M-2 Area Zoning Ordinance Update	72	148	-	96	160	60	72	-	-	-	-	-	-	-	-	-	-	-	-	80,160
3.6. Environmental Review	96	-	260	-	108	272	48	-	-	-	-	-	-	20	12	64	48	96	10	139,230
3.7. Fiscal Analysis & Economic/Financial/Market Reports	24	-	-	40	-	-	-	96	200	172	-	-	-	-	-	-	-	-	-	80,780
4. Project Management	320	-	80	120	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	96,200
Hours	1,950	156	646	1,790	1,676	1,076	784	168	208	160	228	200	200	68	52	284	68	256	90	
Billing Rate	\$210	\$165	\$160	\$135	\$105	\$85	\$80	\$250	\$150	\$95	\$230	\$130	\$105	\$250	\$210	\$145	\$140	\$150	\$125	
Labor Cost	\$409,500	\$25,740	\$103,360	\$241,650	\$175,980	\$91,460	\$62,720	\$42,000	\$31,200	\$15,200	\$52,440	\$26,000	\$21,000	\$17,000	\$10,920	\$41,180	\$9,520	\$38,400	\$11,250	\$1,426,520
Total Project Hours	10,060																			
Total Firm Labor Cost							\$1,110,410		\$88,400			\$99,440		\$69,100	\$9,520		\$49,650			
EXPENSES																				
Mileage (@ \$0.565 per mile)							4,400		600			400		900	400		400		400	
Deliveries							250													
Subconsultant Management (10%)							31,981													
Office Expenses (Phone, Fax, Copies, etc. @ 2% of Labor)							22,208													
Market Data Purchase									1,000											
Bus and Equipment Rental							10,500													
Total Expenses							\$69,339		\$1,600			\$400		\$900	\$400		\$400		\$400	
TOTAL							\$1,179,749		\$90,000			\$99,840		\$70,000	\$9,920		\$50,050			
GRAND TOTAL							\$1,499,559													

Schedule

City of Menlo Park General Plan and M-2 Area Zoning Update Schedule



From: [Ellen Barton](#)
To: [Murphy, Justin J C](#)
Subject: General Plan scope of work
Date: Monday, June 09, 2014 11:35:46 AM

Hello, Justin,
Thank you for the opportunity to review the scope of work for the General Plan update.

If I may comment on the task element related to Level of Service: I suggest asking the consultant to include a review of different new ways that Level of Service of service is being measured to be more inclusive of multiple modes. The City of San Mateo may have some examples, I understand.

The intersection at Sand Hill and Alpine is one that has been of concern for cyclists and may be worth adding to the list of "up to 10" intersections for detailed review.

These are merely suggestions.
--

Ellen Barton
Active Transportation Coordinator
San Mateo C/CAG
(650) 599-1420



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From: [John Kadvary](#)
To: [Murphy, Justin I C](#)
Cc: [Kadvany, John](#)
Subject: General Plan scope comments
Date: Monday, June 09, 2014 9:52:24 AM

Dear Justin:

Here are some thoughts concerning the General Plan draft scope of work with Placeworks as the selected consultant. Thanks for getting this all going and moving the process along.

- I'm very glad to see the qualification about 'complete streets' that no assumptions are to be made assuming the intrinsic value of sidewalks in all neighborhoods.

- On the Community Character scope, I'm unclear what the purpose of the survey/data collection is to be, and so how Placeworks will know how to design their collection level of effort, detail and survey direction. I think there should be a clearer statement of possible uses of the data to guide its purpose. I think some of the language regarding community aesthetics and so forth do not reflect, at least in a residential context, the realities of new building or remodeling choices and transitional growth. Only by 'working backward' from the intended application will it start to be clear what kind and how much data should be collected in what ways. Even the term 'Community Character' is not clear in terms of how much emphasis is on residential vs. non-residential areas.

The Community Character base budget of \$50K is also not clearly allocated (unless I missed something) between the survey task and process development, and I'm concerned that there is or will not be sufficient resources to do a very good job on the latter. In terms of data usage, again, only with a sense of how detailed the eventual guidance products are to be, and focusing on what kinds of issues and contexts (Planning Commission only? Neighbors of new buildings? Commercial and residential?), can Placeworks know what they are about. For comparison, Burlingame's residential guidelines are almost one hundred pages (not my preference), Palo Alto's is a few dozen (my preference), and both are well-illustrated with stereotyped examples of 'good/bad' design - will we have budget to even outline the latter? And I'm not even quite sure, from the scope description, if residential guidelines are really a target. I'm also sure that there are plenty of confusions among residents and CC that 'guidelines' can be advisory or stronger, and could be enacted in all kinds of ways by different neighborhoods. So this part of the scope, and its budget, could stand some filling in.

- I understand the overall goal of combining the M-2 focus in the context of our GP process. I don't think those two competing goals are at all clearly spelled out. The idea that a kick-off meeting might include generic 'what you like/dislike about MP' activities strikes me as misleading because the process is, as directed by CC, to focus on the M-2. I'm also wondering about the goal of developing 'Guiding Principles' from what sounds like just a single workshop. I don't think that can occur unless Placeworks 'preloads' a suite of valued outcomes to help people along - but then it's a much more directed process than 'let's find out what the public cares about', there just isn't the time. I'd also like to see what 'public benefit' is intended to be, or possibly be, given the challenges in the past of defining and implementing it.

Revenues are mentioned, but the term remains obscure, and there is a basic question of what M-2 development is for. I also don't think we should spend a lot of time with generic enumerations of benefits; what's important are concrete value chains and how the city can control or benefit from them.

- Finally, in terms of general GP scope, I'm personally concerned that the city is dragging its heels on its water policy, an infrastructure issue which to me seems suited to the GP. I listened to the recent CC discussion on water and am concerned how the topic of water supply and demand is being addressed in a seemingly ad hoc manner and without a coherent organizing framework for residents and CC as decision-makers. This is especially frustrating given the simplicity of our water supply (Hetch Hetchy + groundwater) and the few neighboring cities participating in our groundwater commons. When I raised this issue at the final GP consultant selection meeting, Chip Taylor advised that water policy would be addressed through the other studies going on and to be discussed at the CC meeting, but what I heard was insufficient. As the city manager, at the CC meeting, expressed concern about not having sufficient resources to pursue a more detailed water policy analysis, the use of the GP process to do just that also seems appropriate.

I hope that helps. Please let me know if I've misunderstood or missed anything, I realize the scope cannot spell out everything in total detail, and there may be ideas implicit in city discussions with Placeworks. In any case, I look forward to the GP process going ahead.

Sincerely,
John Kadvany / Menlo Park Planning Commissioner

San Jose Office
111 W. St. John St., Suite 420
San Jose, CA 95113
(408) 983-0856

June 10, 2014

Justin Murphy, Development Services Manager
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Dear Mr. Murphy,

Greenbelt Alliance appreciates the opportunity to provide feedback on the Draft Scope of Services for the Menlo Park General Plan Update and M-2 Area Zoning Update. Greenbelt Alliance is the champion of the places that make the Bay Area special and we bring people together to ensure the right development happens in the right place and leads to healthy, thriving communities. Menlo Park's General Plan update will set the tone for development over the next several decades.

The Draft Scope of Services looks fairly comprehensive and we look forward to seeing how this planning process unfolds. Please accept the following comments as ways to strengthen the community engagement and data collection process.

1. It is noted and appreciated that workshop promotional materials will be in English and Spanish. It will be important to provide translated materials and translation services at every meeting in English and Spanish and likely in other Asian and Pacific Islander languages.
2. In addition to providing materials and interpretation in other languages, it will be helpful to offer childcare so working families can attend and provide valuable input. Oftentimes, the need to find a babysitter prevents parents from attending evening meetings. At one meeting in San Jose where children were welcome, attendance amongst the Latino population grew from 8 parents to forty. If this is offered, it should be promoted in meeting announcements.
3. The input survey should be available online as well as in other ways to ensure lower-income communities have equal opportunity to comment. Please provide a paper copy and plan for how you will outreach to people with low access to technology. The survey can be available at community centers, libraries and schools.
4. Stakeholder groups and the General Plan Advisory Committee must include more historically underserved communities such as renters and immigrant populations.

5. In the Circulation Element Update, Nelson Nygaard should also collect data on bike and pedestrian counts.
6. In the Circulation Element Update, Nelson Nygaard and the City of Menlo Park should consider something other than Level of Service (LOS), such as multi-modal accessibility modeling, so as to promote a mode shift from single occupancy vehicles to walking, cycling and public transportation use.

Greenbelt Alliance appreciates your consideration of our comments and suggestions. Please keep us apprised of all meetings and reports.

Sincerely,



Michele Beasley
Regional Director

From: [Emma Shlaes](#)
To: [Murphy, Justin I C](#)
Cc: [Colin Heyne](#); [Corinne Winter](#)
Subject: SVBC comments on Draft Scope of Services for Menlo Park General Plan
Date: Wednesday, June 11, 2014 3:52:38 PM

Dear Mr. Murphy:

Thank you for the opportunity for the Silicon Valley Bicycle Coalition (SVBC) to comment on the Draft Scope of Services for the Menlo Park General Plan Update and M-2 Area Zoning Update. We feel it is very comprehensive. Please accept the following comments from SVBC to strengthen some elements of the process:

Circulation Element

1. Please include bicycle and pedestrian counts in the data collection period. This is very important to understanding the full range of existing transportation modes and preferences and establishing a baseline.
2. The Circulation Element should set transportation goals that support statewide carbon reduction goals, namely those in AB 32, the Global Warming Solutions Act of 2006, which set greenhouse gas emissions reductions targets for 2020 and SB 375, the Sustainable Communities and Climate Protection Act of 2008. This can be accomplished through strategies to reduce vehicle miles traveled and single-occupancy vehicle trips while increasing active transportation through bicycling, walking, and public transit.
3. We recognize that Menlo Park adopted a Complete Streets Policy in 2013 and hope that the revised General Plan reflects this commitment to complete streets implementation by ensuring that modes of travel other than cars are considered on city streets.
4. To this end, the consultants and city should use the multimodal level of service analysis (MMLoS) instead of traditional level of service (LOS) for all roadway and intersections analyzed.

Community Engagement

1. Thank you for including Spanish language materials in addition to English ones. We would also urge you to consider providing translation services at public meetings in both languages as well as Asian and Pacific Island languages.
2. Please provide a paper copy and distribution and outreach plan for the input survey as many residents may not have access to the internet and thus unequal opportunity to comment on the important plan for their community.
3. We advise you to ensure that historically underserved communities such as renters and immigrant populations are included in the stakeholder group

interviews.

Let me know if you have any questions.

Sincerely,

Emma Shlaes

--

Emma Shlaes

Advocacy Coordinator

Silicon Valley Bicycle Coalition

96 N. Third Street, Suite 375

San Jose, CA 95112

Office: 408-287-7259 Ext. 228

Cell: 650-703-1191

<http://bikesiliconvalley.org>

Working to make bicycling safe, convenient, and fun



San Mateo County Health System

June 11, 2014

Justin Murphy
Development Services Manager
Community Development Department
City of Menlo Park
701 Laurel St
Menlo Park, CA 94025

SUBJECT: General Plan Update and M-2 Area Zoning Update Draft Scope of Services

Dear Mr. Murphy,

On behalf of the San Mateo County Health System, thank you for the opportunity to comment on the Scope of Services for Menlo Park's General Plan Update. The Health System's mission is to improve the quality and longevity of our residents' lives. To further our mission we support and engage in environmental and policy change efforts that contribute to the overall health, social equity, and vibrancy of San Mateo County communities. The plan update calls for meaningful public participation and application of relevant data to ensure the most inclusive process and successful plan. Please consider the following comments. We look forward to staying engaged throughout Menlo Park's General Plan Update process.

Outreach

There are opportunities for significant outreach to and engagement of communities that are not always included in planning processes, but who are inevitably affected by long-range land use planning.

- Section 2.1 of the Scope of Work indicates Placeworks will provide outreach materials for public meetings in Spanish. In addition to outreach materials, the consultant should provide language interpretation services during public meetings for individuals with limited English proficiency. The Health System would gladly support this effort by lending our interpretation equipment for events.
- In addition to Spanish language materials and interpretation, other languages should be considered for inclusion in aspects of the plan process. Residents who speak Asian and Pacific Island languages make up 23% of the linguistically isolated population in Menlo Park¹. Additional research on linguistic needs is appropriate to ensure all community members are able to participate in the process equally.
- Section 2.6 describes targeted stakeholder interviews. These interviews are an opportunity to engage vulnerable populations which have been historically under-engaged in community planning processes, to assess their needs, concerns and aspirations. We urge you to interview stakeholder groups including but not limited to renters, affordable housing residents, people of color, residents and business owners with limited English proficiency, and service employees. Focus groups may also be a good opportunity to gather input. Plans to prioritize these groups should be proactive and include outreach at places of worship, schools, community centers and clinics.
- Section 2.7 describes an online survey to gather input from individuals who are unable to attend meetings in person. This survey should be made available in paper form as well as online to capture input from community members without access to the web. All surveys must be available in appropriate languages. Beyond the survey, city staff and consultant should also outline plans for

¹ 2008-2012 American Community Survey

225 37th Avenue, San Mateo, CA 94403

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Health System Chief • Jean S. Fraser

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soliciting input at appropriate points in the process from community members on the other side of the “digital divide”.

- The Scope outlines the composition of the General Plan Advisory Committee. Please provide clarity in the scope of work on how a robust public call for advisory committee members will be handled and how the selection process will be conducted for the positions appointed by City Council members. We encourage you to ensure the process not only allows for but prioritizes those often marginalized in planning processes to fully participate in the advisory body.

Data

Gathering and reporting applicable data will be a foundational step in crafting a General Plan that meets the needs of all Menlo Park residents.

- Section 3.1 details the Circulation Element Update. If regular bicycle and pedestrian counts have not been conducted since Menlo Park’s 2005 Comprehensive Bicycle Development Plan, updated counts will help ensure the Circulation Element benefits all road users. At a minimum, counts should be conducted at intersections selected for study in exploring alternatives to Level of Service (LOS).

It is excellent that the City is exploring alternatives to Level of Service (LOS) for transportation performance measures, including Multimodal Level of Service. The City should also explore other alternative metrics, including Vehicle Miles Traveled and Person Delay, which are currently under study by Caltrans. The Health System can provide more details on this if needed.

- Multiple tasks in the Scope involve gathering and compiling information on current conditions in Menlo Park. A comprehensive report bringing together all data gathered as well as data from recent planning efforts is crucial in identifying needs and opportunities for the General Plan Update. A comprehensive Existing Conditions Report should include demographic and health data and should identify disparities in health and other socioeconomic factors. The consultant should use these indicators to target outreach to vulnerable communities and shape proactive policies to reduce these disparities through implementation of the General Plan. These population-based indicators should be evaluated and reported to City Council on an ongoing basis at least every three years.

East Palo Alto’s [Existing Conditions Report](#) is a good example of comprehensive data on demographics, socioeconomic characteristics, and housing conditions and needs.

- Data gathering should also include an analysis of existing or potential displacement, and specifically examine residential, commercial, and multi-sector job vulnerability.

Thank you again for the opportunity to comment on Menlo Park’s Scope of Work for the General Plan Update. We are happy to assist with health data and look forward to participating throughout the update process. Please contact me with any questions at mjohnston@smcgov.org or 650.573.2415.

Sincerely,

Maeve Johnston
Community Health Planner
San Mateo County Health System

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-113

Agenda Item #: F-3

REGULAR BUSINESS: **Receive Annual Community Greenhouse Gas Inventory Information and Approve Updated Five Year Climate Action Plan Strategy**

RECOMMENDATION

Staff recommends that Council approve the updated five year Climate Action Plan strategy.

BACKGROUND

The City Council adopted a Climate Action Plan (CAP) in 2009. Following this, a Supplemental Assessment Report was adopted in July 2011 that clarified, updated, and weighed strategies over a five year period, provided a cost benefit analysis methodology to evaluate measures before implementation, and established an annual community greenhouse gas (GHG) inventory review. Staff is providing Council with the annual Community Greenhouse Gas Inventory information and updated five year Climate Action Plan strategy (Attachment A).

The purpose of the annual review is to provide Council an opportunity to evaluate GHG trends in the community and progress towards meeting the GHG reduction target of 27% below 2005 levels by 2020. Reviewing the five year CAP strategy allows Council to evaluate the most effective and feasible strategies over the next five years within current staffing levels and budget constraints.

Once Council approves of the strategies, they are incorporated into the budget process through the Capital Improvement Plan or operating budget. It is important to note that many strategies require a cost benefit analysis and Council approval before implementation. Thus, there are other opportunities for Council to review each strategy thoroughly before it may be implemented in Menlo Park.

ANALYSIS

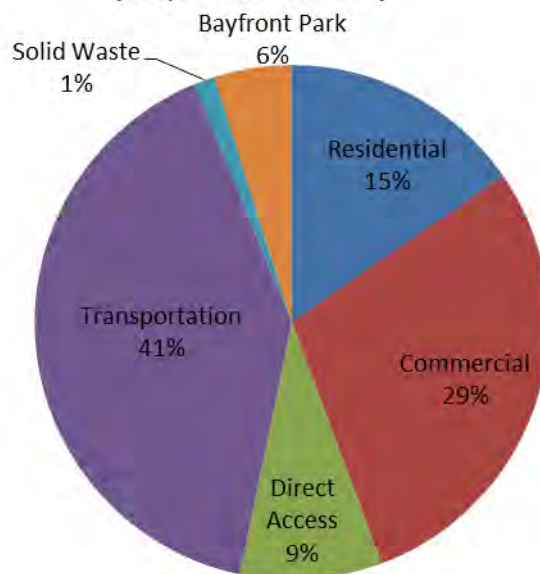
Annual Communitywide GHG Inventory

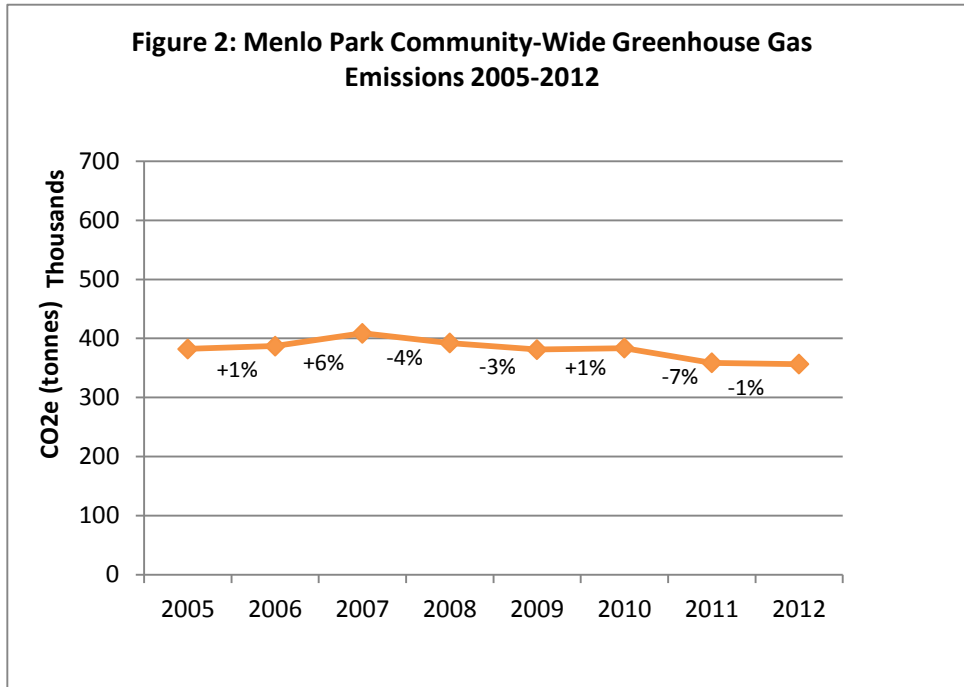
Staff uses ICLEI's (Local Governments for Sustainability) Clean Air and Climate Protection Software (CACCP) to measure Menlo Park's GHG inventories. GHG emissions are measured from building energy usage, solid waste sent to the landfill,

estimated fuel consumption at gas stations, and methane produced from a closed landfill (Bedwell Bayfront Park) in Menlo Park.

For 2012, the largest generation of GHG emissions came from transportation and building energy usage (see Figure 1). The trends show slight decreases in GHG emissions (see Figure 2). These continued decreases may be explained by the economic downturn that started in 2008 that is slowly recovering, increased gas prices, more energy incentives offered, and new State fuel efficiency standards and renewable energy requirements. Most significant decreases have occurred in commercial building energy use, but are not realized due to PG&E's decreased renewable hydroelectric power as a result of the drought. These slight decreases are both good and bad news. Good news in the sense that the community is leveling off its GHG emissions, but bad because greater reductions are needed to achieve the target and account for fluctuations in PG&E's renewable energy portfolio.

**Figure 1: 2012 City of Menlo Park Communitywide
Greenhouse Gas Emissions By Source
(356,521 Metric tons)**





The City needs to reduce 169,256 tons of GHG emissions to reach its 27% GHG reduction target. This number includes future emissions from residential and commercial growth. State initiatives are estimated to achieve 66,000 ton reduction with 103,256 of the reductions coming from specific Menlo Park community initiatives. So far, it appears that 7% of emissions have been reduced, and is likely attributed to statewide initiatives, such as fuel efficiency standards and renewable energy requirements placed on PG&E. Existing Menlo Park initiatives include an energy efficiency ordinance for new construction.

Five Year Climate Action Plan Strategy Update

The five year update (Attachment A) is developed with current staffing levels and budget resources available. The top column row in Attachment A shows how much strategies in a given year will contribute toward reaching 100% (103,256 tons) of the GHG reduction target at the local level. This is a best guess value, as GHG reductions are unknown for some strategies. If the current list of strategies are implemented, Menlo Park can expect to achieve 46% of its GHG target, which still falls far short of the goal. Additional strategies were not added as there are not sufficient staffing levels to accomplish more.

Menlo Park may also need to look at offering aggressive energy incentives above and beyond what PG&E offers. One strategy that has been delayed is the Five Year Strategic Energy Plan to Reduce GHG Emissions that would guide staff and Council in this area. Aggressive transportation incentives would also likely need to be offered. Most importantly and likely unpopular is that the City will need to take a closer look at establishing ordinances or policies that require GHG reductions in order to achieve the reduction target.

One new strategy that can yield significant GHG reductions is implementation of a Community Choice Aggregation (CCA) program. A few cities and counties have adopted this program, such as Marin County, Sonoma County, San Francisco, and San Joaquin County. Santa Cruz and Monterey are also starting to form a CCA. As a result, many of these communities have seen significant GHG reductions without drastic mandates placed on the community to reduce emissions. A CCA allows cities and counties to aggregate the buying power of individual customers within a defined jurisdiction in order to secure alternative energy supply contracts on a community-wide basis. It also allows consumers not wishing to participate to opt-out.

Essentially a city or county would become a semi-utility where the jurisdiction would secure alternative power and use PG&E transmission lines to deliver the power. This has been incredibly successful in Marin County as customers receive 50% renewable energy at a lesser cost than PG&E. In addition, the program provides revenue to support other renewable energy or energy efficient programs.

There is a capital cost to start the program, and it would be in Menlo Park's best interest to work with San Mateo County to start the program for the county. A first step in this process would require a feasibility study to determine if forming a CCA in Menlo Park and in the county would be cost effective and achieve the desired renewable energy portfolio. Staff recommends that the City invest in the study to move the strategy along faster. There are other options available to Menlo Park also, such as potentially joining Marin County's program. Staff is also aware that Santa Clara County is interested in forming a program so there may be an option to join that group's efforts. Depending on which option Menlo Park chooses, it can take up to three years to start a CCA in Menlo Park, and would require dedicated staff to implement this program.

Challenges to Meeting the 27% GHG Reduction Goal

The items in red in Attachment A have not been completed this fiscal year due to work on new priorities, such as establishment of a PACE program and seizing the opportunity to apply for electric vehicle charging station grants that the City was awarded this month. In addition, there is the persisting problem of inadequate staffing levels to complete strategies within specified timelines.

It is important to note that when the city adopted the Climate Action Plan in 2009 there were two full time environmental staff that worked on solid waste management, stormwater pollution prevention, water conservation, sustainable development, and heritage tree issues. The Climate Action Plan was an entirely new program adopted without additional resources to carry out the plan effectively. Approximately 20% of staff time is budgeted for the Climate Action Plan. Ten percent of that time is used to monitor and provide necessary updates to Council, such as this annual report. The remaining ten percent of the time is used for developing and implementing reduction strategies.

With current staffing levels, only two climate action plan strategies can be completed per year, and that can vary and shift due to pressure in other environmental program areas or Council direction on other sustainability issues. For example, next fiscal year

the Capital Improvement Plan and five year strategy does not include any climate action plan strategies as staff has been directed to work on Heritage Tree Ordinance revisions and is required to implement trash control measures under the City's stormwater permit mandates. Next fiscal year is also being used to catch up on strategies that have not been finished from prior fiscal years.

Given these constraints on staff resources, it will not be possible to reach Council's GHG reduction target of 27% below 2005 levels by 2020. At minimum, one full time staff person is needed to stay on task with the five year strategy timelines.

Environmental Quality Commission

The Environmental Quality Commission (EQC) reviewed the updated five year strategy and community GHG inventory on April 23, 2014, and made the following recommendation to Council:

"We of the EQC are supportive of Staff's update to the Climate Action Plan. We note that given staff's current resource constraints it will not be possible to attain the 27% by 2020 greenhouse gas reduction target as we do not believe there is sufficient staff time to either source sufficient numbers of new initiatives nor fully implement the existing projects that have been identified.

Therefore, the EQC strongly recommends that Council provide sufficient budget to hire additional climate action dedicated staff in 2014-2015 as recommended in this Climate Action Plan Update.

It is a fact that this hiring is an investment in community benefits that will reduce the cost of living and working in Menlo Park for every resident and business."

IMPACT ON CITY RESOURCES

Implementation of the Climate Action Plan will continue to strain staff resources, causing not only delays on strategies in the plan, but also impacts the quality of work, State mandate requirements, and staff responsiveness to public concerns in other environmental program areas. Additional staffing is needed to successfully meet Council's GHG reduction target and maintain other environmental program areas.

POLICY ISSUES

The annual GHG inventory and five year CAP strategy update is consistent with the Climate Action Plan Assessment Report adopted by Council in July 2011. There would be no financial penalty if the City does not achieve the GHG reduction target.

ENVIRONMENTAL REVIEW

None 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. Draft Menlo Park Five Year Community and Municipal GHG Reduction Strategy

Report prepared by:

Rebecca L. Fotu

Environmental Program Manager

Draft Menlo Park Five Year Community and Municipal GHG Reduction Strategy

2013-2014 (4% towards goal)	2014-2015	2015-2016 (40%)	2016-2017 (1%)	2017-2018 (1%)	2018-2019	Current and Ongoing
Consider Sustainable Building Standards- Continued from 2012-2013 (2,000 tons)	Consider hiring additional staff to expedite climate action plan initiatives	Cost Benefit Analysis and Plan for Installation of Electric Plug in Recharging Stations	Bike Sharing Program Cost Benefit Analysis and Plan	Car Sharing Program Study	Consider Encouraging Local Food Production through social marketing, education, and community garden programs.	<ul style="list-style-type: none"> Polystyrene Foodware Ordinance Reusable Bag Ordinance Implementation of Bicycle Infrastructure Improvements Community Shuttle Service Annual Climate Action Plan Monitoring and Reporting Energy Audit and Energy Efficient Upgrades for City Facilities Maximize recycling and composting in community and city operations Continue to replace existing city streetlights with LEDs Energy Audit Rebate Program PACE <p>Other measures needed:</p> <ul style="list-style-type: none"> Solar Pre-Wire Policy Electric Vehicle Charging Station Policy Implementation of specific reduction plans (e.g. energy plan to reduce GHG emissions)
Public Private Partnership Plan to fund implementation of the CAP	Catch up on delayed projects due to limited staffing levels.	(NEW) Feasibility Study to start a Community Choice Aggregation program (41,000 tons)	Develop a Social Marketing Campaign to increase biking, public transit, and walking in the community.	Zero Waste Policy		
Renewable Energy Installation at City Facilities (473 tons)						
Research and Develop Program to increase Caltrain by downtown employees						
Electric Vehicle Charging Station Grant (50 tons)						
Five Year Energy Plan to Reduce GHG Emissions						
PACE (2,000 tons)						
Consider incorporating CAP strategies and GHG Emission Reductions into General Plan Update (Significant staff resources)						

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-119

Agenda Item #: F-4

REGULAR BUSINESS: Approve Option B for City Hall Improvements and Authorize the City Manager to Execute Any Necessary Contracts Associated with the City Hall Improvements and the Carpet Replacement Project

RECOMMENDATION

Staff recommends that the City Council approve Option B for City Hall Improvements, and authorize the City Manager to execute any necessary contracts associated with the City Hall Improvements and the Carpet Replacement Project.

BACKGROUND

On February 12, 2013, staff presented the outlook of having an unprecedented number of large and highly complex development projects processed through the City. Staff was concerned on how to provide efficient and quality customer service to development projects, while maintaining basic quality service. Staff presented plans to augment existing staff and make improvements to City Hall. The City Council appropriated \$300,000 and authorized a new capital improvement project for City Hall improvements to create efficiencies and to accommodate the additional staff. This requires re-designing the 1st and 2nd floors of the Administration Building to improve existing work stations and increase the number of work stations.

Project key goals will provide:

- strategic location of departments to foster inter and intra department communication,
- better public service through efficiencies, and
- improved work spaces for employees

Staff hired Group 4 Architecture, Research + Planning (Group 4) who specialize in space planning. Group 4 was the architect who designed the remodel of the Administration building in 1998. The key phases and tasks performed by Group 4 were needs assessment, building program, conceptual options and recommendations.

On February 25, 2014, staff presented to the City Council the outcome of the report by Group 4 at a study session. Attachment A is the Study Session staff report.

Key findings of Group 4 report are that:

- City Hall's outdated facility does not reflect current building operations or technology, leading to inefficient space usage.
- Customer service is inefficient and crowded. Public wayfinding is non-intuitive.
- Existing workspaces are crowded and inefficient. In particular, workspace for planning staff are significantly undersized. Community Development and Public Works staff perform review of plans that are as large as 36"x42' which requires larger office space needs than other department employees.
- Department adjacencies are not being met. In particular, the direct adjacency of Community Development and Public Works is critical to improving efficiencies for development activity and customer service.

As part of the 2014-15 budget, eight additional limited term positions are included in Community Development and Public Works. These positions will support development activity reviews and Climate Action Plan initiatives. Due to a current lack of flexible workspace for staff growth in these departments, the proposed improvements are critical for these additional positions.

ANALYSIS

During the study session, the City Council commented that Option B provided the needed flexibility in the first floor staff area that was not included in Option A. However, the City Council also expressed concern on the cost of improvements specifically the replacement of the carpet. The City Council had questions regarding the project budget and requested additional details to better understand the scope of the work needed to make these improvements. Additional budgeting information has been provided for the City Council's reference.

Cost

The City Hall renovation project is currently in the schematic design phase and cost estimates have been prepared that reflect the current detail of the project at this early stage for budgeting purposes.

The preliminary budget prepared for this project is based on cost per square foot breakdowns comparable to *Saylor Publications Current Construction Costs*, a national estimating database and industry best practice based in the San Francisco Area. The preliminary budget includes allowances for:

Hard Costs

- Demolition
- New interior construction
- Finishes
- Building equipment and specialties
- HVAC

- Fire protection system
- Electrical
- Furniture, fixtures and equipment
- Phasing
- Design contingency
- General conditions
- Contract overhead and profit
- Construction contingency

Soft Costs

- Professional fees
- Relocation and moving
- Soft Cost contingencies

Administration Building Carpet Replacement Project

In order to estimate a budget for the purchase and installation of carpet for the Administration Building (City Hall), staff reviewed the recent carpet projects at the Library and the Police Department. In both projects, the type of carpet used was changed from a rolled (broadloom) to a tile carpet for improved maintenance and future spot replacements. The carpet used for these buildings is a very durable, commercial grade carpet. The Police Department project in 2009 was installed in 11 different phases in order to minimize office disruption and provide for continuous Police operations. In 2012, the Library was closed for a month in order to renovate the circulation counter and replace the carpet. The Library carpet was approximately \$10/sq.ft. and since the Library was closed during the project, the contractor had the freedom to install as much carpet in a day as the crews could manage with little disruption since there was minimal furniture to move (tall book shelves were not removed) and they did not have to re-mobilize every day.

For estimating the Administration Building carpet, staff used a figure of \$13/sq.ft. Staff included \$3/sq.ft. higher than the estimate since this project will need to be phased in a similar manner to the Police Carpet replacement project. The preliminary budget includes allowances for:

- Material cost of carpet
- Carpet installation
- Moving contractor (move staff's boxed supplies, files, cabinets, plans, equipment, etc.)
- Partition contractor to remove and reinstall workstation partitions (different than the moving contractor)
- Electrician to disconnect and reinstall electrical connections for workstation partitions
- Rental of storage containers to place the furniture and staff office equipment while work is being done.
- MIS staff (remove and reinstall networked computers and special equipment)

- Project Management (overtime to work weekends and night work)
- Contingency

The project is estimated to take six to eight months to complete once started. Staff has researched other carpet projects awarded around the Bay Area; most recent carpet projects were either completed as part of major remodeling efforts or only included hallway/non-staff area re-carpeting.

However, the City of Pleasant Hill's City Hall carpet replacement project in 2009 offers a reasonable means of comparison (attachment B). The total cost was \$104,000 with 1,200 sq.yds (10,800 sq.ft) of replaced carpet. This equates to \$9.60/ sq.ft. Based on the staff report, it does not appear that costs were included for inspection and project management which can be an additional 20% due to the overtime in working after hours and on weekends.

The first and second floors of the Administration Building are approximately 30,000 sq.ft. and at \$13/sq.ft. this equates to \$390,000, which was rounded to \$400,000 for contingency and budgeting purposes.

In order to minimize cost, staff will purchase the carpet directly, which eliminates the overhead that contractors would add when ordering the carpet. In addition, the coordinating of the City Hall Improvements with the carpet project saves significant costs of moving expenses, staff down time of packing up and unpacking and staff administration. Not including the carpet project with the City Hall Improvements would result in patched carpet that does not match the existing pattern where the existing walls are removed.

OPTION B

Option B meets the space needs, adjacencies, and efficiencies of all City departments and incorporates optimal flexibility for projected staff needs as City Hall continues to grow and evolve its service model to provide excellent service now and for years to come. By opening up and reconfiguring staff space on the 1st and 2nd floors, Option B creates functional work environments that promote productivity and collaboration, and support efficient operations. Option B provides improved customer experience and security through a welcoming single central service point and intuitive wayfinding; with these enhancements, the public can easily find the assistance they need and staff can focus on value-added interactions. For improved customer service, Option B also includes a conference room adjacent to the permit counter, providing the additional flexibility of an enclosed environment for lengthy or privacy-sensitive meetings.

Below is a detailed summary of the Option B improvements:

Option B – First Floor

- Relocate Human Resources to the second floor. Adjacent to the other Administration Services functions.

- Remove hallway walls between Public Works and current Human Resources area for improved flow between divisions and more efficient staff workspace.
- Add a small conference room in the public counter area that can be used for staff/public interactions and collaborations.
- Add a public access service-point with a gate at reception counter.
- Expand Planning and Building into the space presently occupied by Transportation. Relocate Transportation to the area presently occupied by Human Resources.
- Expand the lobby area.

Option B – Second Floor

- Relocate Economic Development to an area in Finance.
- Expand MIS space into mail processing area.
- Relocate Human Resources to the second floor and add an office and small conference room.
- Divide City Council office to create a second office space.
- Remove partition wall and counter between City Clerk area and Finance department for improved access and flow between the spaces.
- Remove the counters in the Finance areas and reallocate the reclaimed space for staff workstations. Reduce the counter in the Administration area and reallocate the reclaimed space for workstations.
- Enclose part of the lobby at the second floor. (Since the first floor will include a central service counter and serve as the single public service point for the entire facility, the majority of the counters on the second floor are no longer necessary).

The cost of Option B will require an increase to the budget in the amount of \$500,000.

The total project cost of option B including the carpet is as follows:

Approved budget City Hall Improvements 2013	\$300,000
Carpet Budget 2014-15	\$400,000
Additional Funding Option B	\$500,000
Total Project Cost	\$1,200,000

IMPACT ON CITY RESOURCES

Sufficient funds are available in the CIP to cover these costs.

POLICY ISSUES

The recommendation does not represent any change to existing City policy.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Class I of the current State of California Environmental Quality Act Guidelines, which allows minor alterations and replacement of existing facilities.

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. Staff Report dated February 25, 2014
- B. City of Pleasant Hill Staff report
- C. Option B floor plan

Report prepared by:

Ruben Niño

Assistant Director of Public Works



PUBLIC WORKS DEPARTMENT

Council Meeting Date: February 25, 2014
Staff Report #: 14-030

Agenda Item #: SS-2

STUDY SESSION: Provide Direction on Proposed City Hall Improvements

RECOMMENDATION

Staff is seeking City Council direction on how to proceed with proposed City Hall Improvements.

BACKGROUND

On February 12, 2013, staff presented the outlook of having an unprecedented number of large and highly complex development projects being processed through the City. Staff was concerned on how to provide efficient and quality customer service to development projects, while maintaining basic quality service. Staff presented plans to augment existing staff and make improvements to City Hall. The City Council appropriated \$300,000 and authorized a new capital improvement project for City Hall improvements to create efficiencies and staff augmentation. The City Council also authorized the City Manager to award any contracts associated with City Hall improvements not to exceed the budgeted amount. Based on City Council priorities it is necessary to increase staff resources (contract/provisional/temp) to meet the needs related to increases in building and development. This requires re-designing the 1st and 2nd floors of the Administration Building to improve existing work stations and increase the number of work stations.

The key goals of the project are to provide

- quality work space for employees,
- strategic location of departments to foster inter and intra department communication, and
- to provide better public service through efficiencies.

Staff hired Group 4 Architecture, Research + Planning who specialize in space planning. Group 4 was the architect who designed the remodel of the Administration building in 1998. The key phases and tasks performed by Group 4 are summarized below:

Needs Assessment. The Needs Assessment, or information gathering phase of the project, was a multi-pronged approach that included an existing facility analysis, department surveys, and technical meetings with each City department.

The purpose of this phase was to quantify current and projected staff and space needs and identify opportunities to improve staff workflow, collaboration, department adjacencies, and customer service. The process was highly participatory, with key personnel from each department providing valuable input on both the needs of their department and also the holistic, long-term needs of City Hall.

Building Program. From the information gathered in the Needs Assessment, Group 4 synthesized the data into a draft building program and adjacency diagrams that were reviewed in a staff workshop with department heads and key staff. In the building program, Group 4 also included opportunities to incorporate standard best practices for City facilities and operations, from collaboration spaces and public/staff interaction to staff work stations and storage/equipment needs. Group 4 further refined the building program based on the input from City staff.

Conceptual Options. From the building program, Group 4 developed multiple conceptual floor plan options for both the first and second floors, and a budget range for each option. Meetings were held with each department to determine the conceptual option that best fit the need and aligned with the budget.

Recommendations. Group 4 refined the conceptual floor options into a base option "A" that meets with the targeted budget and also additional "B" and "C" options that better meet the needs of City staff, align with industry standards, and improve customer service and other goals identified during the Needs Assessment and goal-setting phase.

Carpet Replacement

Included in the 2014-15 Capital Improvement Plan (CIP) is a budget to replace the existing carpet in the Administration Building. The existing carpet is over 15 years old and travel paths are wearing into the carpet and stains have occurred which are not removable. The normal life of carpet is 10-15 years. Staff plans to purchase tile carpets similar to tiles placed in the library and the police area. The carpet tiles provide greater flexibility to maintain and repair carpet stains. Carpet tiles are also easier to install in sections, creating less overall disruption to staff workflow than traditional broadloom carpet. However, the replacement of the carpet is a significant and disruptive undertaking in that it includes numerous contractors that need to be coordinated and requires staff support in packing/unpacking their workstations. The process includes employees boxing up all their office supplies, movers moving boxes and partitioned office furniture, disconnecting electrical connections, MIS removing computer equipment, existing carpet being removed and new carpet installed. Then, partitions are reinstalled and employees' boxes are returned to each work station before the following day. This project is time consuming and takes significant amount of coordination. Linking these projects together provides better economies of scale and increased efficiency.

ANALYSIS

The key outcomes from the space need analysis are as follows:

- The print shop should be relocated to the Administration Building in order to improve accessibility and staff efficiency in developing Council and Commission packets and public noticing.
- Human Resources should be moved to 2nd floor closer to the Administration Department to improve the communication within the department.
- Existing space allocations for Community Development and Public Works are inadequate and impact staff functionality due to adjacency and acoustical conflicts.
- Additional conference rooms are needed on the first and second floors in order to accommodate customers at the counter and employee meetings.
- The central counter needs to be updated to improve efficiencies and incorporate new technologies for optimum customer service and staff workflow.

Given the above objectives, Group 4 developed four to six floor plans for each floor. Staff reviewed the plans and narrowed the plans down to two floor plans for each floor. Group 4 further developed and prepared cost estimates. One plan for each floor met the city budget. The second plan, although not the most expensive, was the plan that better met the needs of each department on each of the floors and improved customer service interaction and efficiency. The floor plans for Option A and Option B are included as attachments.

Option A – First Floor

- Relocate Human Resources to the second floor.
- Relocate Building staff to Human Resources space.
- Add a small conference room in the public counter area that can be used for staff/public interactions.
- Expand Planning into space presently occupied by Building staff.

Pros

- Improves space for Planning and Building divisions.
- Adds a small conference room.

Cons

- Separates Building from Planning.
- Space needs of all departments not met.
- First floor counter staff space not improved.
- Provides limited surge spaces for additional contract staff for Planning (one) and Public Works (two).

Option A – Second Floor

- Relocate print shop (currently off-site) to space previously occupied by Economic Development (which was originally designed to be a Print Shop in 1998).
- Relocate Economic Development to an area in Finance.
- Expand MIS space into mail processing area.
- Relocate Human Resources to the second floor and add an office and small conference room.
- Divide City Council office to create a second office space.
- Remove partition wall and counter between City Clerk area and Finance department for improved access and flow between the spaces.

Pros

- Human Resources adjacent to other Administrative functions (such as the Finance Department).
- Increased space for MIS and to allow for a secure staging area.
- Print shop more accessible to departments.
- Adds a small conference room.

Cons

- Space needs of all departments not met.

Option B – First Floor

- Relocate Human Resources to the second floor.
- Remove hallway walls between Public Works and current Human Resources area for improved flow between divisions and more efficient staff workspace.
- Add a small conference room in the public counter area that can be used for staff/public interactions.
- Add a public access service-point with a gate at reception counter.
- Expand Planning and Building into the space presently occupied by Transportation. Relocate Transportation to the area presently occupied by Human Resources.
- Expand the lobby area and add kiosks for customer self-service.

Pros

- Space needs are mostly met by departments.
- Good adjacencies within departments.
- More efficient use of space for workstations by removing walls.
- Added conference room adjacent to counter area to improve customer service interactions.
- Central public access service-point provides improved public interface.
- Kiosks provide self-service, empower public, and allows staff to focus on public interactions that provide the most value to the customer.

Cons

- Cost

Option B – Second Floor

- Relocate print shop (currently off-site) to space previously occupied by Economic Development.
- Relocate Economic Development to an area in Finance.
- Expand MIS space into mail processing area.
- Relocate Human Resources to the second floor and add an office and small conference room.
- Divide City Council office to create a second office space.
- Remove partition wall and counter between City Clerk area and Finance department for improved access and flow between the spaces.
- Remove the counters in the Finance areas and reallocate the reclaimed space for staff workstations. Reduce the counter in the Administration area and reallocate the reclaimed space for workstations. Enclose part of the lobby at the second floor. (Since the first floor will include a central service counter and serve as the single public service point for the entire facility, the majority of the counters on the second floor are no longer necessary).

Pros

- Human Resources adjacent to Administration.
- Increased space for MIS.
- Print shop more accessible to departments.
- Adds a small conference room.
- Updated service model and reallocated space for Administration and Finance.

Cons

- Cost

The cost of Option A is within the \$300,000 budget. The cost of Option B will require an increase to the budget in the amount of \$500,000.

The most recent remodel of City Hall was fifteen years ago and reflected the service model of that era. Since that time, the City has downsized and the City's service model, as well as standard best practice, has evolved with changing times to the point where the facility no longer supports the current operations. Major advances in technology, such as the transition to online forms and payments, as well as consolidated service points and cross-trained staff, render multiple service points obsolete. With the City no longer operating with multiple public service counters, there is a great opportunity to reclaim valuable space to meet current staff needs and to better delineate staff and public zones. With a central service point, self-service kiosks, and an adjacent conference room, staff can focus on public interactions that add significant value to the customer.

Although Option B would require additional funds, this concept best supports a design that provides an improved customer service experience with clear wayfinding, a central service point, and better efficiencies for staff and addresses long term needs. In addition the coordination of the carpet project into the City hall improvement project is a significant effort and now would be the time to remodel for the long term.

Implementation of Improvements

Based upon City Council direction, staff will return to the City Council with an implementation plan. The plan would be to move forward the funding planned for FY 14-15 for the carpet replacement project to this fiscal year in order to incorporate the carpet project with the City Hall improvement project and authorize the City Manager to award any contracts associated with City Hall improvements not to exceed the budgeted amount.

Staff has already began the moving of the print shop to the administration building by April 1st. This is due to the end of the lease on the print shop copier and staff plans to lease a new printer.

IMPACT ON CITY RESOURCES

Staff is seeking direction and there is no impact to City resources.

POLICY ISSUES

The recommendation does not represent any change to existing City policy.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Class I of the current State of California Environmental Quality Act Guidelines, which allows minor alterations and replacement of existing facilities.

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. Option A floor plan
- B. Option B floor plan

Report prepared by:
Ruben Niño
Assistant Director of Public Works

**CITY COUNCIL STAFF REPORT****Meeting Date: October 5, 2009***City of Pleasant Hill*

TO THE HONORABLE MAYOR AND CITY COUNCILMEMBERS**SUBJECT: ACCEPTING THE 2009 CITY HALL CARPET REPLACEMENT PROJECT 08-09, AS COMPLETE AND AUTHORIZING THE CITY ENGINEER TO ISSUE AND RECORD A NOTICE OF COMPLETION****SYNOPSIS**

The 2009 City Hall Carpet Replacement Project No. 08-09 provided for the removal and replacement of existing carpet on the 2nd floor area of the City Hall building and the common breezeway between City Hall and the Council Chambers. The contractor, East Bay Floorcovering, Inc., has completed all the work to the City's satisfaction.

The purpose of this item is to consider the acceptance of 2009 City Hall Carpet Replacement Project No. 08-09 as complete and authorize the issuance of a Notice of Completion.

DISCUSSION**Background**

The 2009 City Hall Carpet Replacement Project No. 08-09 is an approved and budgeted project identified in the 2009-2014 Capital Improvement Plan. The existing carpet had deteriorated due to its age and had become a maintenance issue. On May 16, 2008, a water pipe leak at City Hall occurred, which further damaged the existing worn carpet on the 2nd floor area on the east side of the building. The City is submitting for reimbursement to the Municipal Pooling Authority (MPA) for approximately 68 percent (based on the area of carpet affected by the water damage) of the carpet replacement cost on the 2nd floor area.

A comparable replacement commercial carpet was selected and purchased by the City through a separate bidding process due to the specific design and material specification requirements, as well as the additional lead time needed to manufacture the carpet.

On June 10, 2009, the project was informally advertised through the builder exchanges. The City received and publicly opened bids on June 23, 2009, at 2:00 pm in the Engineering Conference Room at City Hall. Two bids were received in the amount of \$35,224.00 (East Bay Floorcovering, Inc.) and \$48,888.00 (Century Carpet) and upon review, East Bay Floorcovering Inc.'s bid of \$35,224.00 was determined to be the lowest responsible bid. The Engineer's estimate for the project was \$40,390.00.

**ACCEPTING THE 2009 CITY HALL CARPET REPLACEMENT
PROJECT NO. 08-09 AS COMPLETE AND AUTHORIZE THE CITY
ENGINEER TO ISSUE AND RECORD A NOTICE OF COMPLETION**

October 5, 2009

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On July 2, 2009, the City Manager, under authorization by the City Council in Resolution No. 39-08 (Capital Improvement Plan 2009-2014) and Ordinance No. 770 (City Manager authorization to award and sign construction contracts under \$100,000 for approved and budgeted projects) executed a contract with East Bay Floorcovering, Inc. to perform the work. A total budget of \$40,507.60 (including a 15% project contingency) was authorized for the construction of the project.

Analysis

The project construction began on the weekend of July 17, 2009 and was completed within the 30 calendar days allotted. The contractor has submitted the final invoice and the project is now complete to the satisfaction of the City in accordance with the construction plans and specifications.

The project provided for the removal and replacement of the existing carpet on the 2nd floor area of the City Hall building and the common breezeway between City Hall and the Council Chambers. Over 1200 square yards of new carpet were installed. The project also included the temporary relocation of existing office furniture, cubicle dividers, and office material to accommodate the carpet replacement. All furniture moving and carpet work were performed during non-business hours on Friday nights and on weekends.

The total cost of construction, including change orders, is \$44,735.00. Additional change orders for the project include upgraded carpet padding and the replacement of carpet in the City Council Closed Session Room. The City is retaining \$4,473.50 (10% of the construction contract amount) from East Bay Floorcovering, Inc. to insure that all subcontractors and suppliers are paid. The procedure for releasing these monies is the City Council's formal acceptance of the work with authorization to issue and record a Notice of Completion. If there are no claims filed within 30 days of recording the notice, final payment of the retained amount is made to the contractor.

FISCAL IMPACT

The final project contract amount is \$44,735.00, and the total carpet purchase cost is \$59,748.09. Of the \$104,483.09 in total carpet replacement related expenses, \$71,070.89 is anticipated to be reimbursed by the City's insurance company. The remaining \$33,412.20 is funded by the Capital Projects Fund (Fund 20). According to the 2009-2014 Capital Improvement Plan, \$50,000 was allocated for this project in FY 2008-2009. The Public Works and Community Development Department has confirmed with the Finance Department that monies are available in the City's Capital Projects Fund to pay for the remaining retention.

**ACCEPTING THE 2009 CITY HALL CARPET REPLACEMENT
PROJECT NO. 08-09 AS COMPLETE AND AUTHORIZE THE CITY
ENGINEER TO ISSUE AND RECORD A NOTICE OF COMPLETION**

October 5, 2009

Page 3

PUBLIC CONTACT

Public contact was made through posting of the agenda on the City's official notice bulletin board, posting of the agenda on the City's web page, and availability of the agenda and staff report in the City Clerk's office, at the Central Library, and at the Pleasant Hill Police Department.

ALTERNATIVES TO RECOMMENDED ACTION

None recommended.

RECOMMENDED CITY COUNCIL ACTION

Adopt attached resolution.

Prepared by: Eric Hu
Associate Engineer

Reviewed by: Mario Moreno
City Engineer

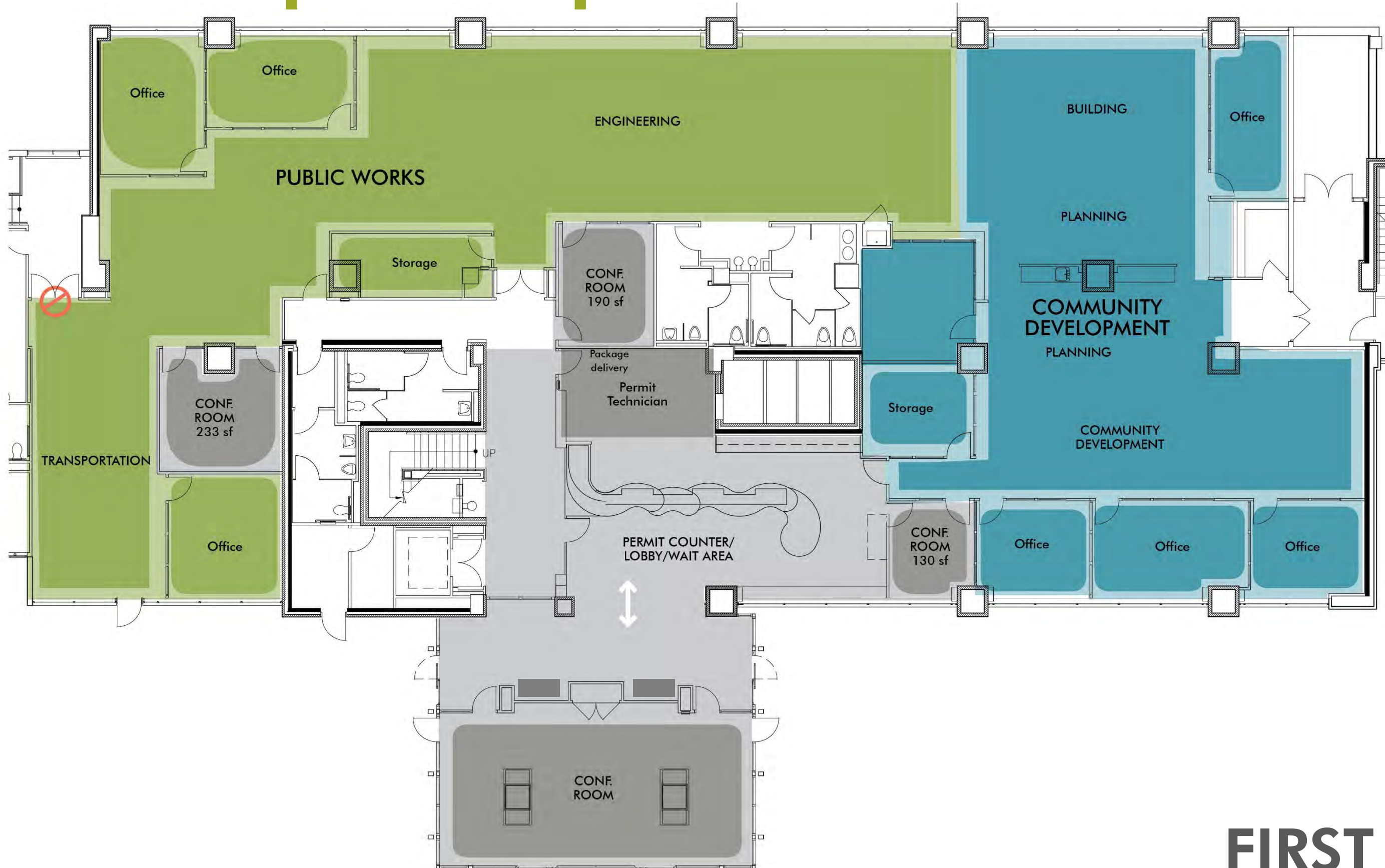
Approved by: Steve Wallace
Director of Public Works and Community Development

Attachment: Resolution

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Conceptual Option B – 1st Floor



B FIRST FLOOR

Conceptual Option B – 2nd Floor



B SECOND FLOOR



COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-105

Agenda Item #: I-1

INFORMATIONAL ITEM: Belle Haven Child Development Center Self Evaluation Report for the Child Development Division of the California Department of Education for Fiscal Year 2013-14

This is an information item and does not require Council action.

BACKGROUND

The California Department of Education requires Title 5 State Preschool Programs to conduct an annual self-evaluation and submit these findings to the State and the school's governing board at the close of each fiscal year. The Belle Haven Child Development Center (CDC) is a Title 5 State Preschool Program; the Council is the governing board and the City Manager is the Authorized Representative responsible for signing the annual report that was completed by the Belle Haven CDC Program Supervisor.

ANALYSIS

The fiscal year 2013-14 self-evaluation report includes:

- Reflection on Action Steps (State form CD 3900)
- The Agency Annual Report (State form CD 4000)
- The Desired Results Summary of Findings and Program Action Plan (State form CD 4001A)

IMPACT ON CITY RESOURCES

The Belle Haven CDC has budgeted to receive \$712,901 in revenue from the State of California and has budgeted \$1,201,819 in total expenses for FY 2013-14. Acceptance of this report has no impact on these amounts.

POLICY ISSUES

Acceptance of the annual report by the CDC governing board is a State requirement.

ENVIRONMENTAL REVIEW

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. Belle Haven CDC Self Evaluation Report for FY 2013-14

Report prepared by:
Cherise Brandell
Community Services Director

California Department of Education
Early Education and Support Division

March 2014

Fiscal Year 2013–14
Program Self-Evaluation
Forms

Forms CD 3900, CD 4000, and CD 4001A
must be submitted by: Monday, June 2, 2014, 5 p.m.

California Department of Education
March 2014

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Desired Results Program Action Plan – Reflection on Action Steps (CD 3900)

Contractor Name City of Menlo Park – Belle Haven Child Development Center	
Contract Type, and/or FCCHEN CSPP	Age Group (Infant/Toddler, Preschool, School-Age) Preschool
Planning Date May 6, 2013	Lead Planner’s Name and Position Natalie Bonham –Program Supervisor
Follow-up Date(s) September thru December 2013	Lead Planner’s Name and Position Leticia Gutierrez – Lead Teacher Room 1 Stephanie Enriquez – Lead Teacher Room 2 Maria Lopez – Lead Teacher Room 3 Rosa Zertuche – Lead Teacher Room 4

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Reflection: Review each Program Action Plan (CD 4001A) submitted in the FY 2012-13 Program Self-Evaluation Report. As the FY 2012-13 Action Steps would be different or unique to the contract type and age group, a separate reflection and narrative for each is required.

Below, provide a narrative summarizing the outcome of each action step. Record how each action step was successfully accomplished. If there were modifications or revisions to the action steps, reflect on and record the outcome of those changes.

For our Program Action Plan for FY 2012-13, we submitted two Key Findings and two Educational Goals.

The first Key Finding was that an average of 60% of the preschool children were at the Exploring, Developing and Building levels in the domain of Language and Literacy. Therefore, we set a goal that an average of 60% of the preschool children would be at the Building and Integrating levels in the Language and Literacy domain after the second DRDP assessment period in FY 2013-14. This goal was met with an average of 80% of the children at these levels after the second DRDP assessment period. There were six Action Steps created to help achieve this first goal:

The first Action Step was to evaluate all the classrooms language and literacy materials using the ERS as a guide. This step was completed by all instructional staff and new materials were purchased in September 2013. The second Action Step was to have all the instructional staff provide language and literacy activities for the children during outdoor play time. This step was completed and

implemented by all the instructional staff in September 2013. The third Action Step was to have all instructional staff support English-language learners by engaging them in longer conversations with more open-ended questions during meal times, story time, outside time and in small groups. The instructional staff implemented this step in November 2013 and this is still on-going. The fourth Action Step was to encourage all instructional staff to attend language and literacy trainings and provide a summary of learned concepts to the rest of the staff at our monthly staff meeting. Three of our instructional staff members went to language and literacy trainings in May 2013 and March 2014, and presented what they learned at our monthly staff meetings. The fifth Action Step was to encourage parents on a weekly basis to participate in the Raising A Reader program to support their child's language and literacy development. This Action Step was completed by the instructional staff during the months of October 2013 thru May 2014. The last Action Step for this goal was to have the Program Supervisor facilitate and supervise the instructional staff to ensure the work to achieve this goal is ongoing. This step was implemented in December 2013 and is still on-going.

The second Key Finding was that an average of 60% of the preschool children were at the Exploring, Developing and Building levels in the domain of Self and Social Development. Therefore, we set a goal that an average of 60% of the preschool children would be at the Building and Integrating levels in the Self and Social Development domain after the second DRDP assessment period in FY 2013-14. This goal was met with an average of 70% of the children at these levels after the second DRDP assessment period. There were five Action Steps created to help achieve this second goal:

The first Action Step was to evaluate all classroom schedules to ensure that ample time is given to explore interest areas to allow children to have longer conversations with peers and teachers to promote their social emotional skills. This step was completed by all instructional staff in November 2013. The second Action Step was to encourage all instructional staff to attend Self and Social Development trainings and provide a summary of learned concepts to the rest of the staff at our monthly staff meeting. Two of our instructional staff members went to self and social development trainings in May 2013 and presented what they learned at our monthly staff meetings. The third Action Step was to have all instructional staff support the children's social emotional skills by giving them control over interactions with peers and allowing them to problem solve independently. This step was completed by the instructional staff in November 2013 and is still on-going. The fourth Action Step was to encourage and invite parents to observe the classrooms to gain more knowledge of our program's objectives as well as to help to support their child's social and emotional development. This step was completed by December 2013 with a few of our parents coming to observe our program but since many of our parents work full-time this step was not as successful as we had hoped. The last Action Step for this goal was to have the Program Supervisor facilitate and supervise the instructional staff to ensure the work to achieve this goal is ongoing. This step was implemented in December 2013 and is still on-going.

Program Self-Evaluation Cover Page (CD 4000)

Contractor's Legal Name City of Menlo Park – Belle Haven CDC		Vendor Number 2184	
Contract and Age	<input checked="" type="checkbox"/> CSPP	Number of Classrooms	4
	<input type="checkbox"/> CCTR – (Infant/Toddler)	Number of Classrooms	
	<input type="checkbox"/> CCTR – (School Age)	Number of Classrooms	
	<input type="checkbox"/> Education Network – (Infant/Toddler)	Number of Homes	
	<input type="checkbox"/> Education Network – (Preschool)	Number of Homes	
	<input type="checkbox"/> CHAN	Number of Classrooms	
	<input type="checkbox"/> CMIG – (Infant/Toddler)	Number of Classrooms	
	<input type="checkbox"/> CMIG – (Preschool)	Number of Classrooms	
Describe the Program Self-Evaluation Process (Note: This area expands as necessary.)			
<p>Our center began our self-evaluation process soon after we enrolled new children for the upcoming school year in Summer 2013. All instructional staff began to do observations on the children in August of 2013. All instructional staff completed the Developmental Profile (DRDP) for each child, in each of the classrooms, in October of 2013. All completed DRDPs were entered into the Group Data Summary spreadsheet for each classroom by the Administration staff in October 2013. All the Lead Teachers used the Developmental Progress form to summarize the information about each child's progress during parent conferences in November 2013. All Group Data Summary sheets were presented to all instructional staff at our monthly staff meeting in November 2013. Also in November at separate classroom team meetings, all instructional staff identified key findings from the results of the DRDPs and created action steps that they implemented over the coming months for their group of children.</p> <p>In January and February of 2013 parent surveys were passed out during the monthly parent meeting, then collected by the Administration staff. In March of 2013 the surveys were compiled into the Group Data Summary by the Administration staff. Results from the summary of the parent surveys were presented to all staff at the monthly staff meeting in April 2014.</p> <p>The Early Childhood Environment Rating Scale (ECERS) was completed in the classrooms on March 19, 2014, March 21, 2014, and April 1, 2014 by the Floater Lead Teacher at Belle Haven CDC and Program Supervisor from Menlo Children's Center. Separate classroom team meetings were held in May 2014, and the ECERS results were reviewed. All program staff identified key findings from the ECERS results and created action steps that will be implemented over the coming months in each classroom.</p> <p>All instructional staff completed their second set of DRDP assessments for each child, in each classroom, during March and April of 2014. All completed DRDPs were entered into the Group Data Summary spreadsheet for each classroom by the administration staff in April 2014. All Group Data Summary sheets were reviewed at separate classroom team meetings in early May 2014, where key findings were identified and action steps were created. These action steps will be implemented over the coming months with each group of children.</p> <p>Then, on May 27, 2014 the Agency Annual Report was completed by the Program Supervisor</p>			

which included the Reflection of Action Steps for FY 2012-13, the Program Self- Evaluation, the Desired Results Developmental Profile Summary of Findings and the Program Action Plan. The Annual Report was reviewed by the Community Services Department Manager, the Director of the Community Services Department and will be presented to the City Council at the June 17, 2014 meeting. Finally the Annual Report will be presented to all program staff on June 4, 2014 and to parents on June 19, 2014 at the monthly parent meeting.

A copy of the Program Self-Evaluation will be/has been presented to the Governing Board.		Date June 17, 2014
A copy of the Program Self-Evaluation will be/has been presented to teaching/program staff.		Date June 4, 2014
A copy of the Program Self-Evaluation will be/has been presented to parents.		Date June 19, 2014
Statement of Completion I certify that a Program Self-Evaluation was completed.	Signature	Date
	Name and Title Natalie Bonham Program Supervisor	Phone Number 650-330-2272

**Desired Results Developmental Profile Summary of Findings
And Program Action Plan – Program or Network Level (CD 4001A)**

Contractor Name City of Menlo Park – Belle Haven CDC	
Contract Type, and/or FCCHEN CSPP	Age Group (Infant/Toddler, Preschool, School-Age) Preschool
Planning Date May 7, 2014	Lead Planner’s Name and Position Natalie Bonham –Program Supervisor
Follow-up Date(s) September 2014 – March 2015 and ongoing	Lead Planner’s Name and Position Leticia Gutierrez – Lead Teacher Room 1 Stephanie Enriquez – Lead Teacher Room 2 Maria Lopez – Lead Teacher Room 3 Rosa Zertuche – Lead Teacher Room 4

This form can be expanded and is not limited to a single page.

Key Findings by Domain from Developmental Profiles	Educational Program Goal(s)	Action Steps (i.e. address activity planning, curriculum modifications, materials required, staff or program schedules, child-staff interactions, classroom use of space, professional development, parent education, and/or community outreach)	Expected Completion Date and/or Ongoing Implementation and Persons Responsible
Ask: Where is the program now?	Ask: Where does the program want to go?	Ask: How does the program get there?	Ask: By when?
An average of 75% of the preschool children are at Building levels and Integrating levels in the domain of Mathematics Development (MATH).	An average of 80% of the preschool children will be at the Building and Integrating levels in the domain of Mathematics Development (MATH) after the second DRDP assessment period in	1. All instructional staff will support the children’s mathematical knowledge by incorporating more math activities into the classroom curriculum or activities in a range of learning experiences including in small groups and meal times, to develop their number sense, classification, measurement and patterning skills	December 2014 All Instructional Staff

	FY 2013-14.	<ol style="list-style-type: none"> 2. All mathematical materials in the classrooms will be evaluated, using ERS as a guide, to see what is needed to enhance the children's development. 3. All instructional staff will be encouraged to attend Mathematical professional development trainings and provide a summary of learned concepts to the rest of the instructional staff at monthly staff meetings. 4. During parent conferences all Lead Teachers will encourage parents to work on improving their child's math skills by providing mathematical activities or projects that parents can do with their children at home to increase their knowledge. 5. The program supervisor will be supervising and facilitating all instructional staff to ensure this process is ongoing. 	<p>September 2014 All Instructional Staff</p> <p>March 2015 All Instructional Staff</p> <p>December 2014 All Lead Teachers</p> <p>December 2014 and ongoing Program Supervisor</p>
An average of 70% of the preschool children are at the Building and Integrating levels in the domain of Language and Literacy Development (LLD).	An average of 75% of the preschool children will be at the Building and Integrating levels in the domain of Language and Literacy Development (LLD) after the second DRDP assessment period in FY 2013-14.	<ol style="list-style-type: none"> 1. All instructional staff will support English-language learners by designating a specific day of the week to language and literacy curriculum activities. This will allow the staff to focus on developing the language and literacy skills in a range of learning experiences to increase the children's comprehension of literacy, language expression and their interest in literacy activities. 2. All classroom schedules will be evaluated to ensure that ample time is given to explore interest areas as well as to allow children to have longer conversations with peers and teachers to promote their 	<p>November 2014 and ongoing All Instructional Staff</p> <p>September 2014 All Instructional Staff</p>

		<p>language expression skills.</p> <ol style="list-style-type: none"> 3. All instructional staff will be encouraged to attend Language and Literacy professional development trainings and provide a summary of learned concepts to the rest of the instructional staff at monthly staff meetings. 4. All Lead Teachers will provide in their monthly parent newsletters, language and literacy activities, informational articles, or recommended books for parents to use at home with their children to increase their knowledge. 5. The program supervisor will be supervising and facilitating all instructional staff to ensure this process is ongoing. 	<p>March 2015 All Instructional Staff</p> <p>August 2014 All Lead Teachers</p> <p>December 2014 and ongoing Program Supervisor</p>
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COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: June 17, 2014
Staff Report #: 14-114

Agenda Item #: I-2

INFORMATIONAL ITEM: **Overview of the Schedule for the Scoping of the Environmental Impact Report for the 1300 El Camino Real Project**

RECOMMENDATION

This is an informational item and does not require Council action.

BACKGROUND

Greenheart Land Company (“Greenheart”) is proposing to redevelop a multi-acre site on El Camino Real and Oak Grove Avenue with up to 210,000 square feet of non-residential uses and up to 216 dwelling units. The project site consists of 15 legal parcels (11 assessor’s parcels) addressed 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane. The project site fully encompasses the sites of two earlier development proposals from different entities:

- 1300 El Camino Real Project – Sand Hill Property Company (“Sand Hill 1300 ECR”)
- Derry Lane Mixed-Use Development – O’Brien Group (“O’Brien Derry Lane”)

In addition, the current proposal includes a parcel at 1258 El Camino Real, which was not part of either of the earlier development proposals. The total site would be approximately 6.4 acres in size, after the proposed abandonment of Derry Lane, and dedication of a planned extension of Garwood Way and a partial widening of the Oak Grove Avenue right-of-way. A location map is included as Attachment A. Conceptual project plans and a project description letter are included as Attachments B and C, respectively.

The project site is within the El Camino Real/Downtown Specific Plan (“Specific Plan”) area. The overall intent of the Specific Plan is to preserve and enhance community life, character and vitality through public space improvements, mixed-use infill projects sensitive to the small-town character of Menlo Park, and improved connectivity. The Specific Plan reflects the outcome of an extensive community outreach and engagement process, which took place between 2007 and 2012.

The Specific Plan process included preparation of a program-level Environmental Impact Report (EIR), to consider the impacts of development throughout the Specific Plan area, in accordance with California Environmental Quality Act (CEQA) guidelines. When the Specific Plan EIR process originally commenced, the applicants for Sand Hill 1300 ECR and O'Brien Derry Lane stated that these projects would continue their independent and previously-initiated project and environmental review processes. As such, both were considered "background" development for the purposes of the Specific Plan EIR, which meant that the impacts of these and other proposals were fully considered alongside any Specific Plan impacts as part of the required cumulative analysis. While the O'Brien Derry Lane project was ultimately abandoned without comprehensive project/CEQA approvals, the Sand Hill 1300 ECR proposal was approved (including a project-level EIR), prior to the Specific Plan approvals.

ANALYSIS

Overall Project Review

The Greenheart proposal will require approval of Architectural Control for the new buildings, including a Public Benefit Bonus to exceed the Base level Floor Area Ratio (FAR) and dwelling unit/acre thresholds. The Public Benefit Bonus component is a discretionary action, taking into account an independent fiscal/economic review of the benefit to both the city and the applicant. If the City determines that the benefit to the City is not sufficient, relative to the benefit to the applicant, the proposal would need to be revised to comply with the Base level standards. Due to the size of the project site and the inclusion of the Public Benefit Bonus component, the proposal is projected to be the focus of multiple study sessions prior to consideration of any final project actions.

Under the Permit Streamlining Act, the City has an obligation to review and process development applications. Since the submittal of the initial project application, a ballot initiative has been submitted to modify elements of the Specific Plan. The initiative is currently being reviewed in accordance with Elections Code and related requirements. The project sponsor is aware that the initiative, if approved, would affect the project as currently proposed, but has requested that project review proceed at this time.

CEQA Review

The proposal requires consideration under CEQA. As noted in the Specific Plan EIR (page 1-3), the program EIR may be used to evaluate individual development proposals, with projects typically anticipated to fall into one of the following categories:

- Smaller buildings/additions may be categorically exempt under Class 1 or other provisions of the CEQA Guidelines, and no further review needs to be done;
- Projects that are not categorically exempt will be required to complete an Initial Study to determine if all potential impacts were reviewed in the Specific Plan EIR; and

- If the Initial Study identifies any impacts that were not analyzed in the Specific Plan EIR, then either a Mitigated Negative Declaration or a project-level EIR will be prepared, depending on whether all of the new impacts can be mitigated.

In addition, all future projects must incorporate feasible mitigation measures and alternatives included in the Specific Plan Mitigation Monitoring and Reporting Program (MMRP).

Since the submittal of the initial application for the Greenheart proposal, staff has focused on determining the applicable CEQA review process, assisted by an independent consulting firm (ICF International) that has extensive experience working with the City on CEQA-related projects. As noted earlier, the Greenheart proposal has a number of unique characteristics, including the fact that separate developments had recently been proposed and/or approved on the project site, as well as the fact that the project would include changes to roadways (i.e., connection of Garwood Way to Oak Grove Avenue and the alignment to Merrill Street). As a result of these and other factors, staff and the consultant have determined that the proposal has the **potential** for impacts not previously analyzed in the Specific Plan EIR, and thus requires preparation of a project-level EIR.

As noted above, the need for additional project-level CEQA analysis is described as one of several typical outcomes of the Specific Plan EIR. The CEQA review process is unique for each proposal, depending on its attributes, and this determination for the Greenheart proposal does not necessarily indicate that a similar process will be required for any other proposal.

Staff and the consultant are currently preparing a Notice of Preparation (NOP) for the project EIR, in accordance with CEQA requirements. The NOP will describe which topic areas will be analyzed in further detail in the project EIR, and will also describe in detail how the other topic areas were adequately analyzed in the Specific Plan EIR. The NOP will describe project alternatives that will also be considered, in order to foster informed decision making and public participation.

Next Steps

Following the completion of the NOP, the following actions/meetings are tentatively projected to occur as follows:

- NOP Release (mailed to applicable agencies and posted on the City project page) - late June or early July 2014
- Planning Commission EIR Scoping Session and Project Study Session - July 21 or August 4, 2014
- City Council EIR Contract Approval - August 19 or 26, 2014

Public notice of the NOP and the scoping/study session would be published in the newspaper and mailed to owners/occupants of properties within 1/4 mile of the project

site. Following the EIR contract approval, the project will focus on the CEQA analysis, which requires dedicated staff and consultant time. It is possible that additional study sessions on the project could occur in fall 2014, although it is more likely that substantive review of the proposal would not occur until early 2015. The staff report for the EIR Contract Approval will include a proposed schedule for the project's review process.

IMPACT ON CITY RESOURCES

The applicant has submitted application fees for all applicable land use entitlements and agreements. The applicant is required to pay planning permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project. The applicant is also required to bear the cost of the associated environmental review. For the environmental review, the applicant deposits money with the City, and the City pays the consultants.

POLICY ISSUES

The project itself will be fully evaluated for consistency with the El Camino Real/Downtown Specific Plan. Project-specific architectural control and CEQA findings will be required to be made in order for the proposal to be approved. The required project approvals will also include a determination of the appropriate level of public benefit.

ENVIRONMENTAL REVIEW

As noted above, review of this project will include preparation of a project EIR.

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

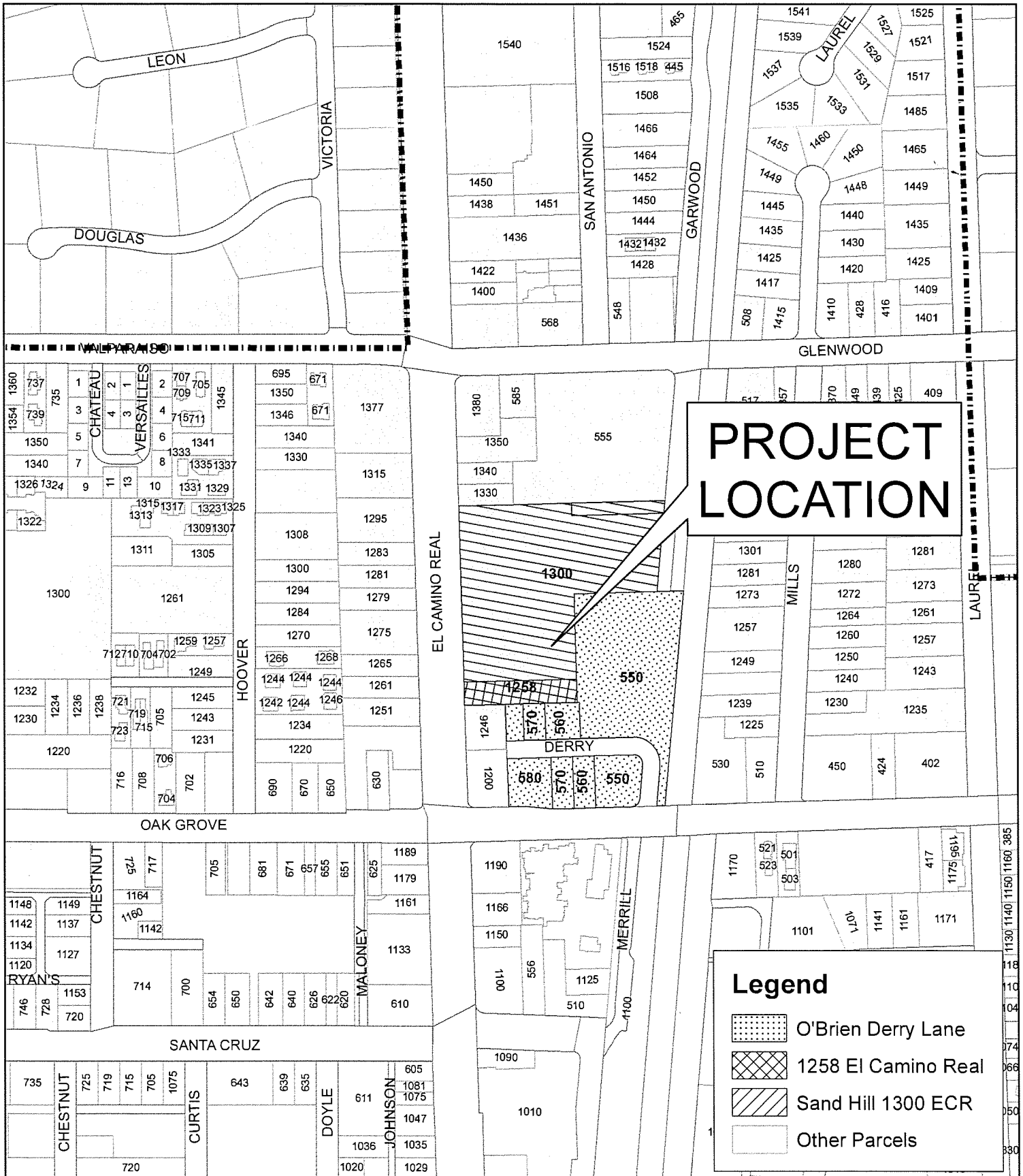
- A. Location Map
- B. Conceptual Project Plans
- C. Project Description Letter

Report prepared by:

Thomas Rogers
Senior Planner





Report reviewed by:

Justin Murphy
Development Services Manager



**PROJECT
LOCATION**

Legend

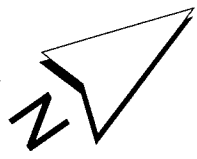
-  O'Brien Derry Lane
-  1258 El Camino Real
-  Sand Hill 1300 ECR
-  Other Parcels



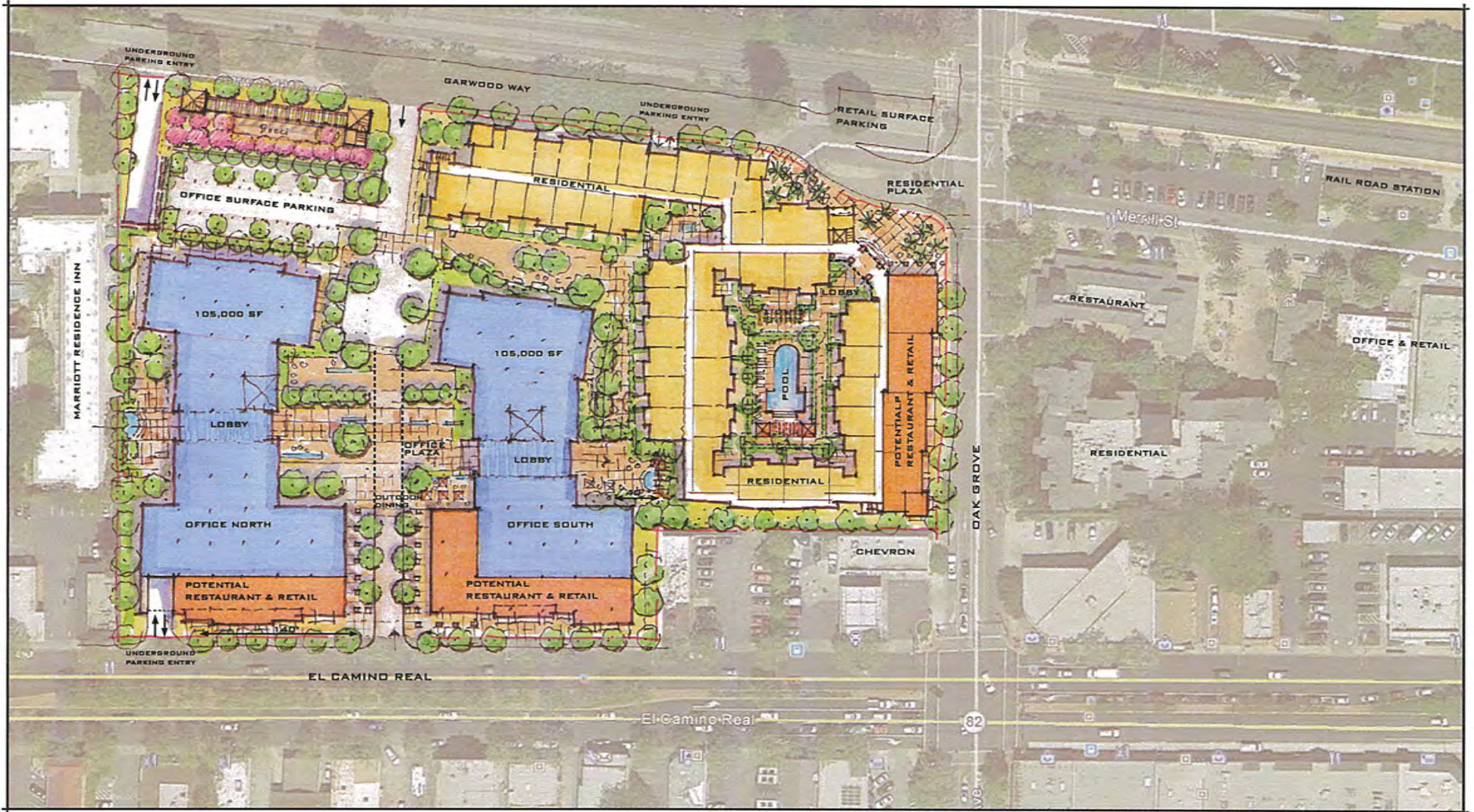
CITY OF MENLO PARK

LOCATION MAP
1300 EL CAMINO REAL

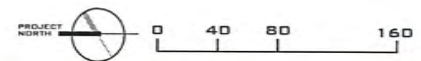
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SITE PLAN AT GROUND LEVEL



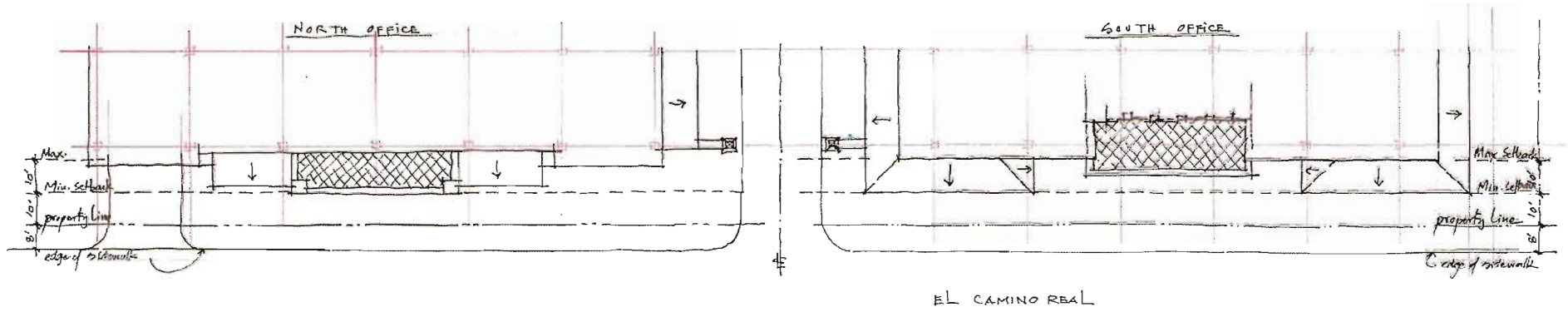
GREENHEART LAND MIXED USE
 MENLO PARK, CALIFORNIA

10.02.2013

Greenheart Land Co.

CONCEPTUAL RENDERING

BAR ARCHITECTS



OFFICE BUILDINGS AT EL CAMINO REAL



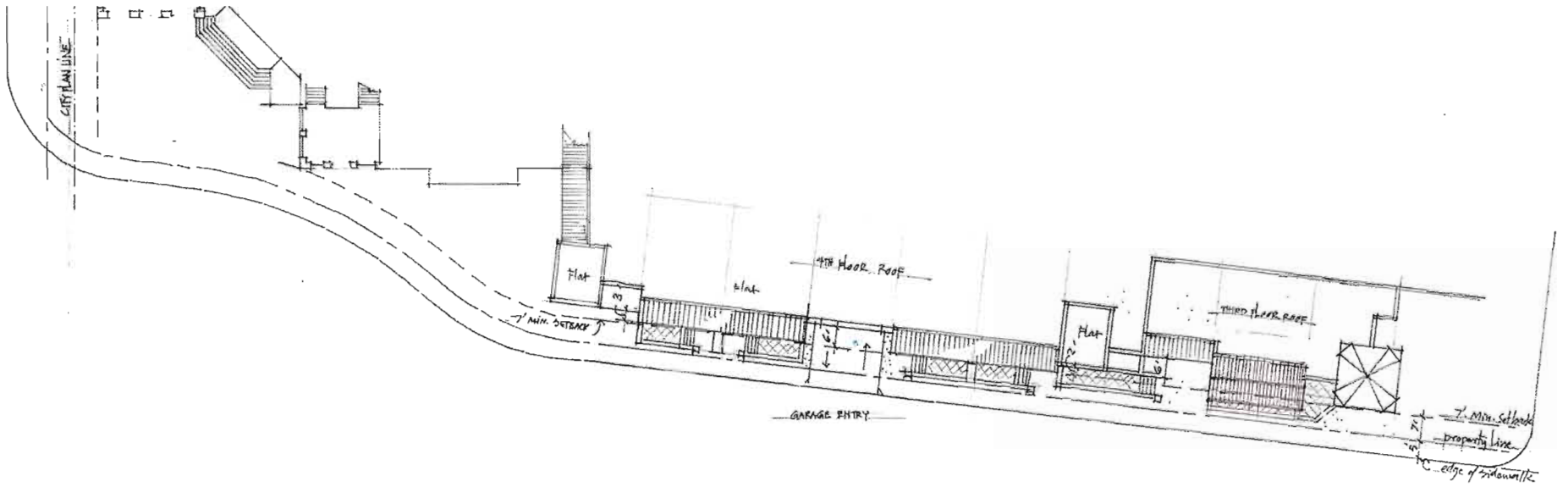
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MENLO PARK, CALIFORNIA

10.24.2013

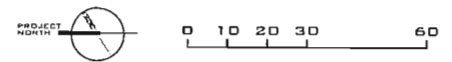
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Greenheart Land

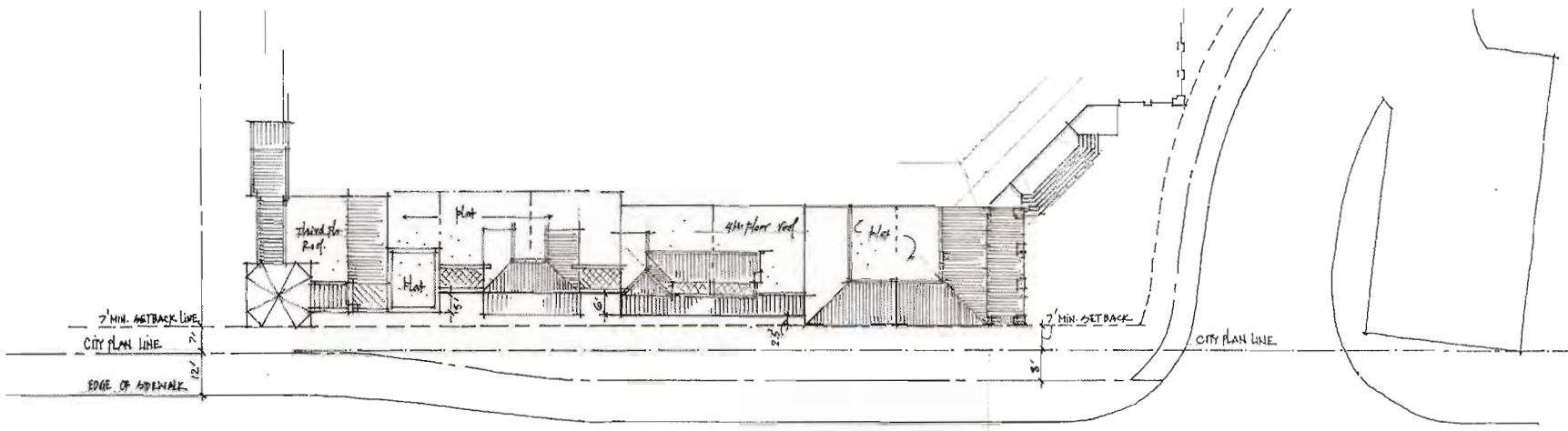
BARARCHITECTS



RESIDENTIAL BUILDING AT GARWOOD WAY



GREENHEART LAND MIXED USE MENLO PARK, CALIFORNIA	10.24.2013	CONCEPTUAL RENDERING	
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RESIDENTIAL AND RETAIL BUILDING AT OAK GROVE



GREENHEART LAND MIXED USE
MENLO PARK, CALIFORNIA

10.24.2013
Greenheart Land

CONCEPTUAL RENDERING
BARARCHITECTS



RESIDENTIAL AND RETAIL BUILDING AT OAK GROVE

GREENHEART LAND MIXED USE
MENLO PARK, CALIFORNIA

10.02.2013

Greenheart Land Co.

CONCEPTUAL RENDERING

BARARCHITECTS



OFFICE AND RETAIL BUILDINGS AT EL CAMINO REAL

GREENHEART LAND MIXED USE
MENLO PARK, CALIFORNIA

10.02.2013

Greenheart Land Co.

CONCEPTUAL RENDERING

BARARCHITECTS



RESIDENTIAL AND RETAIL BUILDING AT OAK GROVE & GARWOOD

GREENHEART LAND MIXED USE
MENLO PARK, CALIFORNIA

10.02 2013

Greenheart Land Co.

CONCEPTUAL RENDERING

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BEFORE



AFTER



VISUAL IMPACT STUDY AT EL CAMINO & OAK GROVE

GREENHEART LAND MIXED USE MENLO PARK, CALIFORNIA	10.02.2013	CONCEPTUAL RENDERING
	Greenheart Land Co.	BARARCHITECTS

PROJECT DESCRIPTION

1300 El Camino Real

Introduction

Greenheart Land Co. proposes to develop a transit oriented, mixed-use development at the 1300 El Camino Real/Derry site (1300 ECR). The development will include retail, residential, and office uses, as well as plazas and open spaces. Most parking will be underground, and site access and egress will be via three public streets.

1300 ECR will invite public use and take full advantage of its proximity to the Caltrain station. The goal is to create centers of activity that will serve the community, residents, and daytime users. 1300 ECR will offer the daytime population (office users) and evening population (residents) needed to invigorate the downtown and nearby retail areas.

The design of the buildings will draw from the Spanish Eclectic style as interpreted by Pedro de Lemos at Allied Arts and Ramona Street and as reinterpreted at the well-regarded 1600 ECR office building in Menlo Park.

1300 ECR will be a public benefit development with a floor area ratio (FAR) of 150%. The maximum building height will be 48 ft. with façade heights not exceeding 38 ft. (For reference, the heights of the building elements at the condominiums at Merrill and Oak Grove, across the street from the 1300 ECR apartments are 42 ft. to 46 ft.) The development will conform to all the design standards and regulations set forth in the Specific Plan. The numerical parameters of 1300 ECR are presented in the accompanying Fact Sheet.

Circulation and Parking

Garwood will be extended to connect Glenwood and Oak Grove and will be aligned with Merrill at Oak Grove to facilitate through traffic. This extension of Garwood will provide the missing link between Encinal and Ravenswood and thereby improve access to downtown and the Caltrain station for bicyclists and pedestrians.

Parking will primarily be underground with two access points on Garwood and one on El Camino Real (ECR). This will result in the distribution of the site access and egress between ECR, Glenwood, and Oak Grove, with the use of ECR not mandatory. Of the 1,145 parking spaces, about 50 will be surface parking at the rear of the site for visitor convenience.

Plazas and Open Space

Underground parking allows the site to be opened-up to create plazas, gathering places, and other open space.

Garwood/Oak Grove Plaza: This will be a high activity area where outdoor restaurant dining, the main residential lobby, and leasing office come together with the large archway entrance to the private courtyard bounding the west side. The plaza will face Caltrain station and bring additional activity to the station area.

Garwood Park: This linear park will soften the Garwood edge to the rear of the office buildings. It is intended for public use and passive recreation.

Office Plaza: The two "C" shaped buildings embrace a large plaza area for public as well as office tenant use, and is designed for outdoor restaurant dining, relaxation, informal gatherings, and so forth. It is envisioned with the accoutrements of a sheltered courtyard that will feature sitting areas, decorative paving, fountains, and landscaped outdoor "rooms".

Other Open Spaces: The commercial and residential structures will be separated by broad landscaped areas that will provide not only a visual buffer, but places of retreat for quiet relaxation.

Retail

Space for retail use is provided at the first floor of the commercial building along ECR (16,000 sf.) and on the first floor of the residential building on Oak Grove (7,000 sf.). The location is not ideal for retail, but retail use will serve to bring the community to 1300 ECR and to integrate 1300 ECR into the community. The retail areas will have storefronts; however, if there is no market for appropriate retail, the spaces will be leased according to their respective office or residential uses.

Our goal is to have a high quality restaurant on ECR that will use the office plaza dining area. Other ECR retail could vary from stores to personal services such as insurance, financial advisors, or real estate. Oak Grove is seen as a possible location for specialty foods and a casual restaurant at the Plaza.

Residential

There will be 216 rental units. This will include the BMR units needed to satisfy city requirements for the office space. Rental units will provide housing that is much more affordable than condos or other "for sale" housing. The target market is young professionals, a demographic that is under represented in Menlo Park.

Most of the apartments will be studio and one-bedroom units (60%) and two-bedroom units(38%). The design and scale of the apartments (average size 825 sf.) and the amenity package will cater to singles and couples.

The Oak Grove wing of the residential building will encircle a private courtyard that will include a pool set within a highly landscaped environment. The amenity area will be contiguous with the leasing office and will open onto the pool area, which will include an outdoor kitchen and areas for lounging and entertaining.

Residents will have access to the public open space described earlier, and most will have private decks or patios.

Office

Two high quality, Class A office buildings are designed to accommodate both tech users (e.g., Facebook, Cisco, and Twitter)who prefer an open office layout, and professional office users (e.g., attorneys, venture capital, and accounting) who prefer private perimeter offices. The buildings will also meet the needs of large as well as small tenants.

On public street facing facades, the third floor will be set back and feature decks. The ground floor offices will have doors that open onto the plaza to facilitate the indoor/outdoor experience, as well as active use of the plaza for gatherings and events.

Fact Sheet

1300 El Camino Real

Apartments	No.	%	Avg SF
Studios	12	5.6%	475
1br/1ba	117	54.2%	695
2br/2ba	81	37.5%	1,025
3br/2ba	6	2.8%	1,600
Total	216	100.0%	825

Buildings	SF
Residential	
Residential	203,000
Potential Retail	<u>7,000</u>
Total	210,000
Commercial	
Office	194,000
Potential Retail	<u>16,000</u>
Total	210,000
Floor area ratio	150%

Parking	Rate	Spaces
Retail	6.00 per 1000 sf	138
Office	3.80 per 1000 sf	737
Residential	1.25 per unit	<u>270</u>
Total		1,145
Underground spaces		1095 96%
Surface spaces		<u>50 4%</u>
Total		1145 100%