



**CITY COUNCIL
REGULAR MEETING
AGENDA**

**Tuesday, August 26, 2014 at 7:00 PM
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025**

7:00 P.M. REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation

A2. Presentation on Belle Haven Neighborhood Action Plan Update
([Staff report # 14-152](#))

A3. Quarterly Update from San Mateo County Mosquito & Vector Control District Trustee

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

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

B2. Bicycle Commission quarterly report on the status of their 2 Year Work Plan

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

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

D. CONSENT CALENDAR

D1. Waive the second reading and adopt an ordinance rezoning property located at 151 Commonwealth Drive and 164 Jefferson Drive ([Staff report # 14-156](#))

D2. Authorize the City Manager to enter into an agreement with West Coast Arborists, Inc. to provide annual tree maintenance services for five years with authorization to extend the contract for up to five additional years up to the budgeted amount each year ([Staff report # 14-155](#))

D3. Approve a resolution authorizing the annual destruction of records ([Staff report # 14-151](#))

D4. Waive the second reading and adopt an ordinance to amend Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] of the Menlo Park Municipal Code, to include payday lenders and auto title lenders as added nuisances ([Staff report # 14-157](#))

D5. Accept and appropriate the State of California, Department of Transportation Selective Traffic Enforcement Program (STEP) Grant PT1529, in the amount of \$85,000, and authorize the City Manager to execute all necessary agreements to conduct specified traffic enforcement operations ([Staff report # 14-131](#))

E. PUBLIC HEARING – None

F. REGULAR BUSINESS

F1. Adopt a resolution authorizing the installation of stop signs at the northerly and southerly ends of Wallea Drive at San Mateo Drive (continued from May 6th meeting) ([Staff report # 14-154](#))

F2. Adopt an urgency ordinance to implement the State Water Resources Control Board's emergency mandatory regulations for water conservation; adopt a resolution to establish a Water Conservation Plan; introduce an ordinance to continue the mandatory regulations upon expiration of the urgency ordinance; and approve a new Environmental Programs Specialist position and outreach program in the amount of \$155,000 to be covered by the water fund ([Staff report # 14-158](#))

F3. Authorize the City Manager to apply for restoration funding with the Department of Education to reinstate full-day child care services in Room Four at the Belle Haven Child Development Center and approve 1.25 additional FTEs at a net cost of \$16,384 for fiscal year 2014-15 to staff the room ([Staff report # 14-153](#))

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS – None

J. COUNCILMEMBER REPORTS – None

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

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

L. ADJOURNMENT

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At every 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.

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COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: August 26, 2014
Staff Report #: 14-152

Agenda Item #: A-2

PRESENTATION: **Belle Haven Neighborhood Action Plan Update**

RECOMMENDATION

Staff recommends that the City Council receive the Belle Haven Neighborhood Action Plan Update and provide feedback to staff concerning implementation and progress toward goals and measures.

BACKGROUND

Led by the City of Menlo Park's Community Services staff and consultants from MIG, Inc. (MIG), the Belle Haven neighborhood participated in a visioning process that began in January 2013 and concluded in July 2013. The visioning process built on the work initiated by the City and sought to engage a broader cross-section of the Belle Haven neighborhood than had been involved with earlier planning processes. It was designed to identify community values, prioritize services and programs, identify needed improvements, build capacity and better position Belle Haven residents to work with the City of Menlo Park, community partners and other stakeholders to advocate for the neighborhood's interests.

The six-month community visioning process included multiple strategies for engaging and gathering input from Belle Haven residents and other community members. The culmination of the work has led to the development of a Belle Haven Neighborhood Action Plan which outlines and highlights high-level action items for the City, Belle Haven residents and stakeholder groups to guide implementation of next steps. The plan emphasizes a small number of action items for each topic so that residents and the City can take on a manageable number of actions and achieve "quick wins" while organizing toward longer-term goals. This approach will further neighborhood capacity building and leadership development which will be essential for achieving the long-term neighborhood goals.

On August 20, 2013, the City Council received and approved the Belle Haven Action Plan and proposed next steps. The next steps focused on helping convene resident action teams and stakeholders, developing and strengthening resident capacity to achieve short and long term goals, building infrastructure for continued engagement and support, as well as addressing some of the particular action items where resources and

strategies may be more easily identified. At this meeting, the Council requested measurable outcomes for the project and directed Staff to return to provide a progress report on those outcomes. A progress summary of outcomes and measures can be found as part of the Belle Haven Action Plan Outcome Measures Table, Attachment A.

Following Council approval of the Action Plan, the next four months were devoted to extensive planning including developing Requests for Proposals (RFPs) and seeking bids from qualified consultants to support City staff and neighborhood residents and begin working on the Action Plan. Two RFPs addressed the early stages of work in the Neighborhood Action Plan and include Belle Haven Action Team Support and Community Capacity Building and Youth and Neighborhood Engagement. After consultants were selected for the project, work plans were developed and refined based on the approved Action Plan goals. The Peninsula Conflict Resolution Center (PCRC) is focusing on the facilitation of action teams, neighborhood community building and leadership development as well as support for youth development and diversion. Alejandro Vilchez (AV Consulting) was selected as the Community Connector focusing on community engagement, resource and referral and neighborhood safety. The combined scope of work for the consultants which includes specific strategies, corresponding measurable outcomes and proposed timelines was presented to Council on January 23, 2014.

During this planning period staff also began working with the Silicon Valley Community Foundation and their affiliate, the Belle Haven Community Development Fund, to finalize the details of the Council-approved mini grant program. The mini grants included funding up to \$1000 for neighborhood and community building projects, cleaning and greening activities and small home improvements. The Belle Haven Community Development Fund administered the mini grant program with the Silicon Valley Community Foundation serving as the fiscal agent.

Other ongoing projects during the last six months include: collaboration with the Menlo Park Rotary on a proposed community garden for Belle Haven; the development of a neighborhood newsletter; the opening of the Belle Haven Neighborhood Services Center (Police Substation); and a Belle Haven Action Plan kickoff event held on Thursday, February 13 at 6:30 at the Senior Center.

ANALYSIS

Progress Toward Goals

The first six months of the Neighborhood Action Plan implementation has focused on developing and strengthening the neighborhood's capacity to achieve its short term goals, while creating the foundation needed to achieve longer term goals. This initial investment focused on training and preparation so that resident groups are stronger and in a better position to advocate for their needs, now and in the future. Considerable ramping up and community engagement was required during this period, as the neighborhood had not convened regarding the Neighborhood Action Plan since last summer. In this short period of time resident leaders have emerged as well as

representative groups composed of both long time and newer residents. As these leaders and groups experience successes in partnership with the City and other stakeholders, the City's role as "convener" will transition to these resident groups and they will be empowered to accomplish many of the neighborhood's long term goals with less direct City support.

The Belle Haven Neighborhood Action Plan goals coalesced around clear themes concerning resident priorities and are divided among seven primary areas for improvement. A complete progress report of the Belle Haven Action Plan Outcomes and Measures can be found in Attachment A. Below is a brief synopsis of each of the seven primary areas and measurable results achieved during the past six months as well as challenges and potential next steps.

1. Public Safety and Crime Prevention

Public Safety and Crime Prevention emerged as one of the top priorities during the Belle Haven Visioning Process and has been a significant focus early Action Plan implementation, including formation of the Public Safety Action Team, recruitment and training of Neighborhood Watch "Community Captains", early development of a youth diversion and community service program, and resident relationship building with the Menlo Park Police. A highlight includes the opening of the long-awaited Neighborhood Services Center (Police Substation) which is a symbol of the emerging partnership and strengthened relationship between residents in Belle Haven and Menlo Park Police. Residents have indicated they feel greater trust and confidence toward the police and increased personal connections. Several Police Dialogues have also strengthened relationships and understanding between residents and beat officers. The resident-led Public Safety Action Team is beginning to feel empowered as they learn how to advocate for their concerns and create positive change in the neighborhood. The upcoming year will need to see a greater focus on youth diversion and family engagement, providing youth leadership opportunities and additional ways for youth to contribute positively to their community.

2. Traffic and Safety

The City's Public Works Department committed to addressing another top priority -- traffic safety. Progress includes improved bus stop amenities, on-street parking removal to accommodate bus stops and significant coordination between Samtrans, MPPD, Public Works, the School District and other partners. Traffic safety has also been addressed by the Public Safety Action Team including concerns about obstruction of street lighting by street trees, which has been addressed by Public Works.

Traffic congestion and safety around schools is a high priority for residents and will require the attention of multiple stakeholders. The implementation of the Safe Routes to School Plan has been identified by residents as a priority. Parent and resident engagement will be essential for its success. An emerging concern for the neighborhood is the large number of employee commuter buses that are now driving through the neighborhood obstructing traffic.

3. Educational Quality and Access

Education emerged as one of the neighborhood's top priorities and includes residents' concern for education equity and quality opportunities for Belle Haven youth. In the development of the scope of work for this high priority area, the new Ravenswood City School District Superintendent requested that the City Council allow the school district the opportunity to address this high priority issue. The City remains a willing partner in support of education quality for residents. Opportunities exist for the City to serve as a convener and facilitator for educational leaders to support other educational activities such as lifelong and service learning, afterschool homework and study programs, creation of work spaces for students, tutoring and mentorship and youth leadership opportunities.

4. Economic Opportunity and Job Training

This area of concern was not addressed as a part of the initial implementation of the Neighborhood Action Plan as it was not a high priority for residents. However, when creating the Belle Haven Mini-Grant Program, the City, in partnership with the Belle Haven Community Development Fund, was intentional in developing a list of approved contractors who are also residents of Belle Haven. As a result, 10 residents from Belle Haven were identified and approved to perform work on approved mini grant projects. One of the goals for this year is to bring together local business owners from Belle Haven to identify opportunities and champions in the neighborhood to take the lead on developing strategies for this Action Plan goal.

5. City Services and Programs

The primary focus for this area is to provide youth and teens more opportunities for recreation, leadership and safe places, as well as improving and diversifying the range of programming offered to residents in Belle Haven. The Community Services Department regularly surveys and evaluates its program offerings to ensure they are meeting the diverse needs of the community. During the current fiscal year, the Department plans to conduct an inventory of existing youth and teen leadership programs available to Belle Haven youth and identify gaps and opportunities, including, for example, programming and events that would appeal to the Pacific Islander population. Residents identified the need for more computers in public spaces in the neighborhood. Positive developments in response to this action item include installation of public Wi-Fi at the Onetta Harris Community Center, Menlo Park Senior Center and Youth Center. In addition, plans are in place to upgrade the computers at the Onetta Harris Community Center Computer Lab and to begin a marketing campaign to let residents know of this valuable resource.

6. Neighborhood Infrastructure and Aesthetics

Progress in this area over the past 6-8 months has included the Mini-Grant program provided in collaboration with the recently formed Belle Haven Community Development Fund. As a result of the Fund's leadership and hard work, the first round of funding for the mini-grant program received 23 eligible applications from Belle Haven residents with 18 mini-grants being awarded totaling \$13,000. The next round of funding scheduled for the mini-grant program will be in the spring of 2015. The enthusiasm in the

neighborhood about this program is reflected in the survey results, where residents have indicated they feel an increased pride to live in the neighborhood and that they notice their fellow residents are taking pride in their neighborhood as well.

7. Working Effectively with the City

A major focus of the first 6 months of Action Plan implementation was to develop and strengthen relationships between City Staff and residents in Belle Haven. A key component of the consultants' scope of work and that of City staff has been to improve communication with residents using various strategies and media including a quarterly neighborhood newsletter, growing a neighborhood email database and sending out frequent neighborhood updates, promoting the use of NextDoor which has led to a 90% subscription increase in the past year, and ensuring that all communication is in both English and Spanish. This is reflected in the resident survey where 70% of residents reported that they have increased knowledge of where to go if they want information on current events in Belle Haven. 56% of residents have also indicated they are more aware of how to access City services.

One of the highlights of the work thus far has been the well-attended community dialogues held in Belle Haven which include: My Changing Community Photovoice Project, City staff and resident relationship building dialogue, and the Public Safety dialogue with residents and Menlo Park Police Beat Officers. Staff have identified other dialogues which would be beneficial, including helping residents to identify their neighborhood representatives from various governmental agencies and how to successfully engage them.

IMPACT ON CITY RESOURCES

The City Council approved and allocated \$130,500 for FY 2013-14 and \$122,500 for FY 2014-15 toward the Belle Haven Neighborhood Action Plan implementation. City staff is currently revising and updating the project scope of work and contracts are being negotiated for the remainder of the fiscal year. As the neighborhood appears to be interested in broadening the scope of work for the Action Plan, City staff may return to update the Council and to seek additional allocations for this fiscal year in order to continue the progress made toward the Action Plan goals.

POLICY ISSUES

Supporting Belle Haven residents and businesses in improving the Belle Haven area is consistent with existing Council policies and goals.

ENVIRONMENTAL REVIEW

The neighborhood visioning and action plan process is not a project under 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

- A. Belle Haven Action Plan Outcome Measures Table

Report prepared by:
Derek Schweigart
Community Services Manager

Last Updated: August 26, 2014

Belle Haven Action Plan – Progress Toward Goals
Outcome Measures Table

Public Safety and Crime Prevention				
Goal	Actions	Measure	Impacts / Result	Next Steps
1. Promote and create educational and recreational options for youth to help prevent crime.	<ul style="list-style-type: none"> Collaborated with MPPD to establish youth diversion and truancy prevention program that will launch in fall 2014. Developed partnership with Youth Community Service (YCS) as a resource for the youth diversion program. 	<ul style="list-style-type: none"> Family and youth engagement. Identify families for Parent Project. Photovoice participation by youth. Families and youth increase their skills and ability to navigate the school system. Youth and families participate more in community and school activities. 	<ul style="list-style-type: none"> ✓ 25 youth referrals received by MPPD. ✓ 21 intake assessments scheduled and conducted with families to initiate service. ✓ 4 youth participants for the Photovoice project and showcase ✓ 2 family conferences held over the past 6 months. ✓ 15 families identified for the Parent Project. ✓ 5 families participating in the youth diversion program have increased participation in BH community events such as the clean-up days and dialogues. ✓ 4 out of 7 youth completed summer school programs as a requirement of the diversion program. 3 of the families chose not to participate. ✓ 1 youth was referred and successfully enrolled in the MMAP (Music Murals and Arts Program). ✓ 5 families have increased skills and ability to navigate the school system. ✓ 2 diversion families using county crisis intervention services. 	<ol style="list-style-type: none"> Conduct inventory of existing youth and teen leadership programs available to BH youth. Identify gaps in programming and explore new programs and partnerships if needed to provide teens an opportunity to develop leadership and give back to the community. Complete Community bulletin board and kiosk project for information sharing.
2. Organize neighborhood watch groups.	<ul style="list-style-type: none"> Conducted outreach and community engagement to identify BH block captains. Conducted Neighborhood Watch orientation and training 	<ul style="list-style-type: none"> National Night Out event to be held in BH in collaboration with neighborhood residents. BH Block captains recruited in support of the Neighborhood Watch program. 	<ul style="list-style-type: none"> ✓ 11 BH Neighborhood Watch block captains recruited. ✓ 8 BH residents who attended the Neighborhood Watch orientation and received training on 7/31/14. 	<ol style="list-style-type: none"> BH residents expressed interest in forming Neighborhood Watch group composed of "Community Captains" with support of MPPD. BH Neighborhood Watch group expressed interest in promoting

Belle Haven Action Plan – Progress Toward Goals Outcome Measures Table

	<ul style="list-style-type: none"> Coordinated and facilitated meetings with BH Neighborhood Watch captains Coordinated and helped facilitate National Night Out event. 	<ul style="list-style-type: none"> Residents attend and receive training on the Neighborhood Watch program. 	<ul style="list-style-type: none"> ✓ National Night Out event was held on 8/5/14 hosted by the Mt. Olive Church and neighborhood residents which was well received and attended. 	CPTED – Crime Prevention through Environmental Design.
3. Participate in on-going dialogues with MPPD Chief and other law enforcement officers.	<ul style="list-style-type: none"> Coordinated and facilitated a dialogue with residents and the MPPD. 	<ul style="list-style-type: none"> Hold a dialogue with the MPPD and residents that is well received and attended. Improve relationships between police and residents as reflected in participant and resident surveys. Complete 6 month survey of resident public safety perceptions. 	<ul style="list-style-type: none"> ✓ A police dialogue was held on 4/30/14 with over 40 resident participants, 5 police officers, and the Police Chief. BH residents met Beat 3 officers BH residents visited new substation 67% of BH residents surveyed report that their trust with the MPPD has/somewhat has increased in the past 6 months. 60% of BH residents surveyed report that they have/somewhat have had a positive interaction with BH PD at least once over the past 6 months. 53% of BH residents surveyed report they have/somewhat have increased personal connection with MPPD assigned to BH in the past 6 months. 	1. Next resident-MPPD dialogue planned for September 2014.
4. Host a workshop on burglary prevention.	Pending	Pending	Pending	1. Workshop is pending development of Neighborhood Watch Program.
5. Develop a community advisory group to support public safety and crime prevention goals.	<ul style="list-style-type: none"> Worked with MPPD to establish public safety advisory group. Conducted outreach to recruit residents to serve on Public Safety Action Team. Convened and established a resident led Public Safety Action Team. 	<ul style="list-style-type: none"> A public safety advisory group will be formed that includes residents throughout Menlo Park and includes representation from the BH neighborhood. A Public Safety Action Team will be formed composed of BH residents to address public safety issues in neighborhood. Complete 6 month survey of 	<ul style="list-style-type: none"> ✓ 20 MP residents who serve on the Chief's Advisory Group that includes 2 BH residents. ✓ 18 residents serve on Public Safety Action Team meeting monthly. ✓ 69% of BH residents surveyed report they have/somewhat have seen efforts to address specific problems related to their own 	<ol style="list-style-type: none"> Explore combining Neighborhood Watch "Community Captains" with Public Safety Action Team. Continue to train, develop and build capacity with Action Team resulting in team leaders becoming facilitators and conveners of meetings.

**Belle Haven Action Plan – Progress Toward Goals
Outcome Measures Table**

		resident public safety perceptions.	<p>public safety concerns.</p> <ul style="list-style-type: none"> ✓ 65% of BH residents surveyed report that they have shared their crime prevention and neighborhood safety concerns with city staff in the past 6 months. ✓ 57% of BH residents surveyed report that they have/somewhat have shared how to address specific crime prevention efforts and safety concerns with other residents in the past 6 months. ✓ There have been 2-4 residents from the Action Team taking the lead on the outreaching to other residents. ✓ The Action Team partnered with City to resolve obstruction of street lights by trees in the neighborhood. ✓ The Action Team created a resident troubleshooting resource guide. 	
<p>Other Ideas for Consideration:</p> <ul style="list-style-type: none"> • Improve lighting on homes and in public spaces • Work with MPPD to add cameras or bring other surveillance technology to the neighborhood • Improve code enforcement activities • Create more ways for anonymous and safe reporting of suspicious or criminal activity • Better publicize existing MPPD reporting and communication tools (e.g., Next Door) • Support community policing 	<ul style="list-style-type: none"> • Street lighting on homes and in public places will be improved in the neighborhood. • Surveillance cameras will be installed in high traffic and areas of concern in the neighborhood. • There will be an increased presence of code enforcement in the BH neighborhood. • Residents understand the impact of their involvement in the neighborhood. 	<ul style="list-style-type: none"> ✓ 4 Surveillance cameras installed at Willow and Newbridge, Willow and Ivy, Willow and Hamilton, Chilco and Terminal. ✓ ALPR – Automated License Plate Readers have been deployed by the MPPD. ✓ Public Safety Action Team worked with Public Works to trim trees around street lights and as a result the lighting around homes and important intersections has improved based on resident feedback. ✓ New code enforcement officer 		

Belle Haven Action Plan – Progress Toward Goals Outcome Measures Table

		<p>hired and stationed at the Neighborhood Services Center that provides increased presence and convenience for BH residents.</p> <ul style="list-style-type: none"> ✓ MPPD has increased use and promotion of Black Board emergency notification system as well as using Nextdoor. ✓ 68% of residents report that they feel more or somewhat more vested and connected to the BH community over the past 6 months. 		
Traffic and Safety				
Goal	Actions	Measure	Impacts / Result	Next Steps
6. Improve safety near schools and areas where children often walk by implementing the Safe Routes to Schools Plan and other actions.	<ul style="list-style-type: none"> • Public Safety Action Team increased its scope of work to include traffic safety concerns. • Participated in Ravenswood District Safe Routes to School Coordination Meetings held quarterly with District, Safe Routes, City of Menlo Park and City of EPA. • Coordinated monthly meetings with Menlo Park Transportation and MPPD. 	<ul style="list-style-type: none"> • Meetings will be held with key neighborhood stakeholders to address the issue of Safe Routes to Schools Plan that will result in improved safety near schools. 		<ol style="list-style-type: none"> 1. Continue to coordinate efforts around Safe Routes to School. 2. Recruit parents and neighbors to be volunteer crossing guards 3. Convene and conduct a meeting of key stakeholders (MPPD, Public Works, School District and other partners) to discuss priorities and next steps. 4. Conduct resident survey to measure improved safety near schools.
7. Pursue incentives and programs to reduce driving.	<ul style="list-style-type: none"> • Communicated and promoted traffic safety, ride-share resources by using various media. 	<ul style="list-style-type: none"> • Promotions and marketing collateral materials will be developed to promote traffic safety and ride share programs. 	<ul style="list-style-type: none"> ✓ New signs, postcards, and marketing materials have been developed for the Menlo Park Shuttle Program. ✓ Hosted Bike to Work Day Energizer Station at Ringwood Pedestrian Overcrossing in May 2014. 	<ol style="list-style-type: none"> 1. Engage public safety action team to explore ride-share resources and expanded opportunities to ride-share. 2. Continue to communicate and promote traffic safety, ride-share using various media. 3. Evaluate potential grant opportunity for care share program in Menlo Park.
Other Ideas for Consideration:	<ul style="list-style-type: none"> • Work with Samtrans for new 		<ul style="list-style-type: none"> ✓ New Samtrans 281 bus stops on 	<ol style="list-style-type: none"> 1. Evaluation of Citywide

Last Updated: August 26, 2014

Belle Haven Action Plan – Progress Toward Goals
Outcome Measures Table

<ul style="list-style-type: none"> Eliminate parking around bus stops to avoid congestion and conflicts Add speed bumps or other traffic calming measures around schools Investigate traffic controls to minimize congestion during peak hours Review bus stop locations and improve bus stop amenities 	<ul style="list-style-type: none"> shelters and stop amenities. Key bus stops will see improved amenities in BH 	<p>Newbridge included parking removals, approved by City Council in May 2014.</p> <ul style="list-style-type: none"> Installed new seating at bus stops at OHCC/Senior Center/Belle Haven Library. 	<p>transportation networks and circulation patterns will occur as part of the General Plan Update.</p> <ol style="list-style-type: none"> Continue to explore Menlo Park Shuttle Service enhancements and coordinate with Samtrans 	
Education Quality and Access				
Goal	Actions	Measure	Impacts / Result	Next Steps
8. Investigate the option of joining Menlo Park City School District.	Per the request of the RCSD Superintendent to the City Council, the area of improvement concerning Education Quality and Access was to be addressed by the school district.			
9. Improve and expand educational support programs within RCSD and Belle Haven.				
<p>Other Ideas for Consideration:</p> <ul style="list-style-type: none"> Grow volunteer tutoring programs with residents and area employees Identify or provide more work spaces for students Support free or affordable homework programs Identify and organize volunteer counselors and tutors for students and families Support service learning and community service in neighborhood 			<ol style="list-style-type: none"> Explore drop-in hours for computer lab at Onetta Harris Community Center and develop a teen work study program. Outreach to neighborhood residents, business owners and partners to explore tutoring and mentorship for youth options. Conduct inventory of existing youth and teen leadership programs available to BH youth in the neighborhood. Explore new programs and partnerships to provide teens an opportunity to develop leadership and give back to the community. 	
Economic Opportunity and Job Training				
Goal	Actions	Measure	Impacts / Result	Next Steps
10. Pursue or expand partnerships with local businesses to support internships, mentoring or hiring opportunities.	Pending	Pending	Pending	<ol style="list-style-type: none"> Engage resident leaders and neighborhood groups to address this goal in winter '14. Convene meeting of neighborhood and community leaders,

Belle Haven Action Plan – Progress Toward Goals Outcome Measures Table

				businesses or liaisons to identify opportunities and next steps.
Other Ideas for Consideration: <ul style="list-style-type: none"> Continue to support Job Train Engage middle school students in community service through the City of Menlo Park Identify paid opportunities for community members to share services and expertise Promote summer employment and internships for Belle Haven youth Work with local employers to pursue priority hiring agreements and/or additional outreach to Belle Haven residents 	<ul style="list-style-type: none"> Resident and local contractors will be recruited to support the mini-grant program. 	<ul style="list-style-type: none"> ✓ 10 Belle Haven and local contractors identified and approved to perform work as a part of the mini-grant program. 	<ol style="list-style-type: none"> 1. Pursue youth leadership development program, community service program. 2. Investigate opportunities to partner with Job Train to offer classes at the Onetta Harris Community Center. 3. Promote the City’s Community Funding Process to support Job Train. 	
City Services and Programs				
Goal	Actions	Measure	Impacts / Result	Next Steps
11. Provide more afternoon and evening activities for youth and high-school age students including drop-in programs and places.	<ul style="list-style-type: none"> Promoted existing drop-in programs and places in the neighborhood and identified opportunities for expansion. Continued to promote existing drop-in programs that include Basketball and the Fitness Center. 	<ul style="list-style-type: none"> ✓ Expand drop-in programs offered by the Community Services Department. 	<ul style="list-style-type: none"> ✓ Expanded drop-in option for fitness and recreation classes at Onetta Harris Community Center 	<ol style="list-style-type: none"> 1. Conduct inventory of existing youth and teen leadership programs available to BH youth in the neighborhood. 2. Explore new programs and partnerships to provide teens an opportunity to develop leadership and give back to the community. 3. Explore drop-in hours for computer lab at Onetta Harris Community Center and development of teen work study program.
12. Improve the quality and diversity of programs and classes.	Pending	Pending	Pending	<ol style="list-style-type: none"> 1. Survey and evaluate current Community Services programs and explore opportunities to enhance and increase offerings to reflect the diversity of the neighborhood. 2. Conduct needs assessment for programs and services and recommend changes during the budget process
Other Ideas for Consideration:	<ul style="list-style-type: none"> Library services are expanded in 	<ul style="list-style-type: none"> ✓ The “Little Library” was opened 	<ol style="list-style-type: none"> 1. Expand “Little Libraries” around 	

Belle Haven Action Plan – Progress Toward Goals Outcome Measures Table

<ul style="list-style-type: none"> Consider moving and/or improving the branch library Improve resident access to fields in the neighborhood Make more computers available in public places Increase the number and hours of current popular programs Ensure responsiveness to resident requests 	<p>the BH neighborhood</p>	<p>for business at the Neighborhood Services Center with the opportunity to expand to other locations.</p>	<p>the Belle Haven Neighborhood.</p> <ol style="list-style-type: none"> 2. Upgrades are planned for the Onetta Harris Community Center Computer Lab to increase its appeal and usefulness to youth and adults. 	
Neighborhood Infrastructure and Aesthetics				
Goal	Actions	Measure	Impacts / Result	Next Steps
<p>13. Identify resources and programs to help property owners and residents maintain their property.</p>	<ul style="list-style-type: none"> Implemented neighborhood mini-grant program. Established resident-led mini-grant orientation, application and review process. Consulted and collaborated with residents on mini-grant best practices. Assisted the promotion and outreach of the mini-grant program. 	<ul style="list-style-type: none"> Implement neighborhood mini-grant program in collaboration with BH residents. Develop and implement a grant review process in collaboration with BH residents. Receive 7-10 mini grant applications in the first grant cycle. Before/After photos of projects and community events. Complete 6 month survey of resident perception of involvement and pride in the neighborhood. 	<ul style="list-style-type: none"> ✓ Belle Haven Community Development Fund made up of mostly BH residents took the lead on the mini-grant program ✓ Grant review committee was composed of 7 members, 5 of which are BH residents. ✓ 23 eligible mini-grant applications received in first round of funding ✓ 18 mini-grants awarded for a total of \$13,000 ✓ 72% of BH residents surveyed report they feel increased pride to live in the neighborhood over the past 6 months. ✓ 73% of BH residents surveyed report they have seen others taking pride in the BH neighborhood over the past 6 months. 	<ol style="list-style-type: none"> 1. Next round of mini-grant funding scheduled for September-October. 2. Document and report on results of first round of mini-grant awards. 3. Identify key maintenance issues and barriers to upkeep of resident properties and public areas.
<p>14. Organize resident efforts to clean up the neighborhood and make minor property improvements.</p>	<ul style="list-style-type: none"> Collaborated with residents and resident groups to conduct neighborhood clean-up activities. Implemented neighborhood mini-grant program to assist residents on minor property improvements. 	<ul style="list-style-type: none"> 1-2 neighborhood clean-up events will be held in the BH neighborhood. Complete 6 month survey of resident perception of involvement and pride in the neighborhood. 	<ul style="list-style-type: none"> ✓ 3 neighborhood clean-up events held over the past 6 months. ✓ 71% of BH residents report that they feel more/somewhat more vested and connected to the BH community over the past 6 months. ✓ 73% of BH residents report that they feel increased pride to live in the neighborhood over the 	<ol style="list-style-type: none"> 1. Distribute “Who to Call” resource to neighborhood that was developed by the Public Safety Action Team.

**Belle Haven Action Plan – Progress Toward Goals
Outcome Measures Table**

			past 6 months.	
Other Ideas for Consideration:				
<ul style="list-style-type: none"> • Enforce crew clean up after landscape maintenance • Provide more public trash cans and plastic bags for dog waste • Locate cameras along major streets • Locate a dog park in Belle Haven 				
Working Effectively with the City				
Goal	Actions	Measure	Impacts / Result	Next Steps
15. Meet with neighborhood groups to discuss neighborhood history and issues of distrust.	<ul style="list-style-type: none"> • Identified neighborhood resident leaders and groups for this effort. • City staff convened meetings with Belle Haven and other interested residents regarding the history of the City's RDA funds for Belle Haven. • Held community dialogues for relationship building and trust development between residents, PD and City staff. 	<ul style="list-style-type: none"> • Conduct community dialogues with residents, PD, City staff, business owners, and other neighborhood stakeholders. • Complete 6 month survey on resident perception of trust between the City and other residents. 	<ul style="list-style-type: none"> ✓ The following dialogues were conducted in the community: My changing Community, Then and Now (June 12) City staff/Resident Relationship building dialogue (June 17th), PhotoVoice Project Reception on July 16. Action plan kick off meeting (February 13), Public Safety and Traffic Community Meeting (March 26) ✓ 69% of BH residents surveyed report that their trust with other residents has/somewhat has increased with other residents in the past 6 months. ✓ 67% of BH residents surveyed report that their trust with the MPPD has/somewhat has increased in the past 6 months. 	<ol style="list-style-type: none"> 1. Consider hosting a follow-up dialogue between City staff and BH residents on the topic of RDA funding and support of Belle Haven.
16. Consider providing a dedicated Council position for Belle Haven	Pending	Pending	Pending	Pending
17. Disseminate information about City resources to support implementation of Visioning Process action items.	<ul style="list-style-type: none"> • Annual reporting of City community grant funding of community organizations has been completed. • Completed neighborhood mini- 	<ul style="list-style-type: none"> • Various media will be used to disseminate information about the Visioning Process, Neighborhood Action Plan and City resources. • Marketing collateral materials and 	<ul style="list-style-type: none"> ✓ Published 3 neighborhood newsletters during the past year in both English/Spanish. ✓ Use of NextDoor by BH residents has increased by 90% over the 	<ol style="list-style-type: none"> 1. Promotion of City's Community Funding Process through various media sources. 2. Continue to promote City's Community Funding Program

Belle Haven Action Plan – Progress Toward Goals Outcome Measures Table

	grant program orientation and promotion to residents was conducted.	neighborhood communication will be in both English and Spanish. <ul style="list-style-type: none"> • There will be a measurable increase in communication to BH residents regarding events and services. • Residents will begin to use Nextdoor with greater frequency. 	past year. <ul style="list-style-type: none"> ✓ Resident database has increased to 270 email addresses. ✓ The Public Safety Action Team produced “Who to Contact” list for BH residents. ✓ 70% of BH residents surveyed report they have an increased knowledge of where to go when they want information about BH events over the past 6 months. ✓ 56% of BH residents surveyed report they are more aware and have accessed services provided by the City over the past 6 months. 	through various media to BH organizations.
Other Ideas for Consideration: <ul style="list-style-type: none"> • Create new forums for submitting ideas and issues to the City • Create additional neighborhood action committees • Increase awareness of existing opportunities for engaging and working with the City • Identify resources to support Belle Haven residents' elections • Consider using OHCC staff as liaisons and for referrals to City services and staff • Create signs in both Spanish and English in Belle Haven 		<ul style="list-style-type: none"> • Hold community events and meetings to provide opportunities for residents to share ideas and communicate issues to the City. 	<ul style="list-style-type: none"> ✓ 32 community meetings and neighborhood events held in the past 6 months (Feb-July). ✓ 56% of BH residents surveyed report that they have increased/somewhat increased and strengthened their network in the community over the past 6 months. 	<ol style="list-style-type: none"> 1. Sponsor capacity-building workshop for BH residents to identify neighborhood representatives from various levels of governmental agencies and how to engage them effectively. 2. Consider forming neighborhood advisory group that reflects the diversity of the neighborhood.

Additional Outcomes and Impacts over the past 6 months

- 32 community meetings and events hosted in first 6 months (February and July). Average of 4 events/month and 1 event/week
- Increase in new residents (1-5 years) participating in community events
- New leaders emerged/identified during the Action Plan implementation
- Increase in BH residents accessing mediation services to resolve neighbor conflicts creating a stronger community and decreasing calls to PD and City departments
- 47% of residents report that they have or somewhat have taken leadership on one or more meetings/projects in the community over the past 6 months
- 64% of residents are more aware or somewhat more aware of and have utilized services of community based groups within Belle Haven over the past 6 months
- 78% of residents report they have taken on more responsibility to find out what’s happening in their community over the past 6 months
- 68% of residents report that they have gotten to know new people in the past 6 months

Belle Haven Action Plan – Progress Toward Goals
Outcome Measures Table

- 77% of residents report they have felt the neighborhood to be more vibrant and active in the past 6 months

*The survey conducted as part of this 6 month report had approximately 80 respondents with 72% responding in English and 28% in Spanish. Surveys were available online and on paper in both languages. Although there were a total of 80 surveys completed, some questions on individual surveys did not receive a response.



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: August 26, 2014
Staff Report #: 14-156

Agenda Item #: D-1

CONSENT CALENDAR: **Waive the Reading and Adopt an Ordinance Rezoning Property Located at 151 Commonwealth Drive and 164 Jefferson Drive**

RECOMMENDATION

Staff recommends that the City Council waive the full reading of, and adopt the Ordinance rezoning property located at 151 Commonwealth Drive and 164 Commonwealth Drive.

BACKGROUND

At the August 19, 2014 City Council meeting, the Council voted 5-0 to take the following actions related to the Commonwealth Corporate Center Project:

1. **Certify that the Environmental Impact Report (EIR)** was prepared in compliance with the California Environmental Quality Act (CEQA);
2. **Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program**, which includes specific findings that the Project includes substantial benefits that outweigh its significant, and adverse environmental impacts, and establishes responsibility and timing for implementation of all required mitigation measures;
3. **Initiate the Rezoning**, by introducing an ordinance rezoning the property from M-2 (General Industrial) to M-2(X) (General Industrial, Conditional Development) to allow for increased building height and sign area, as well as the proposed parcel configuration;
4. **Approve the Conditional Development Permit**, which specifies development standards and uses applicable to the project site;
5. **Approve the Tentative Parcel Map** to reconfigure the two existing parcels into three parcels;
6. **Approve Heritage Tree Removal Permits** to remove 22 heritage trees and retain the single coast live oak tree on site;
7. **Approve the Below Market Rate Housing Agreement** to provide an in lieu payment for the Below Market Rate housing fund; and

8. **Authorize the City Manager to Execute a Funding Agreement** to share in the cost of replacing an existing water main across the site.

The Council's motion included the acceptance of an offer by the applicant at the meeting to increase the amount of the annual sales tax guarantee from \$75,000 to \$100,000 over 10 years and an offer by the applicant to contribute \$50,000 for bicycle and pedestrian improvements along Chilco Street (between Constitution Drive and Terminal Avenue). These two changes are reflected in the Statement of Overriding Considerations and the Conditional Development Permit.

ANALYSIS

As indicated in item three above, the City Council introduced the ordinance to rezone the property from M-2 to M-2(X). The City Council did not request that any changes be made to the ordinance. Since an ordinance requires both a first and second reading, the ordinance is before the City Council again for the second reading and adoption.

Staff has prepared the final version of the ordinance approving the rezoning. If the Council takes action to adopt the ordinance, it will become effective in 30 days, or on September 26, 2014.

IMPACT ON CITY RESOURCES

There is no direct impact on City resources associated with adoption of the Ordinance to rezone the property, though the Conditional Development Permit does accept a number of community benefits offered by The Sobrato Organization.

POLICY ISSUES

The recommended action is consistent with the City Council's actions and approvals on the Project at its meeting of August 19, 2014 and would serve to complete the approval process of the land use entitlements for the Commonwealth Corporate Center Project.

ENVIRONMENTAL REVIEW

On August 19, 2014, the City Council certified the EIR for the Commonwealth Corporate Center Project.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting. In addition to the agenda posting, an email update was sent to subscribers of the project page for the proposal, which is available at the following address: <http://www.menlopark.org/519/Commonwealth-Corporate-Center-Project>. In addition to allowing for interested parties to subscribe to e-mail updates, the project page provides up-to-date information about the project, as well as links to previous staff reports and other related documents.

ATTACHMENT

- A. An Ordinance of the City Council of the City of Menlo Park rezoning properties located at 151 Commonwealth Drive and 164 Jefferson Drive and also known as Assessor's Parcel Numbers 055-243-240 and 055-243-050

Report prepared by:
David Hogan
Contract Planner

Report prepared by:
Justin Murphy
Development Services Manager

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK REZONING PROPERTIES LOCATED AT 151 COMMONWEALTH DRIVE AND 164 JEFFERSON DRIVE AND ALSO KNOWN AS ASSESSOR’S PARCEL NUMBERS 055-243-240 AND 055-243-050

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The Zoning Map of the City of Menlo Park is hereby amended such that certain real properties with the addresses of 151 Commonwealth Drive and 164 Jefferson Drive (also identified with Assessor’s Parcel Numbers of 055-243-240 and 055-243-050) are hereby rezoned from M-2 (General Industrial District) to M-2(X) (General Industrial, Conditional Development District) as more particularly described and shown in Exhibit “A.” This rezoning is consistent with the existing General Plan land use designation of Limited Industry for the property.

SECTION 2. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the 19th day of August, 2014.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the _____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Ray Mueller
Mayor, City of Menlo Park

ATTEST:

Pamela Aguilar
City Clerk

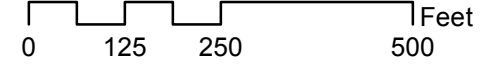
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CITY OF MENLO PARK

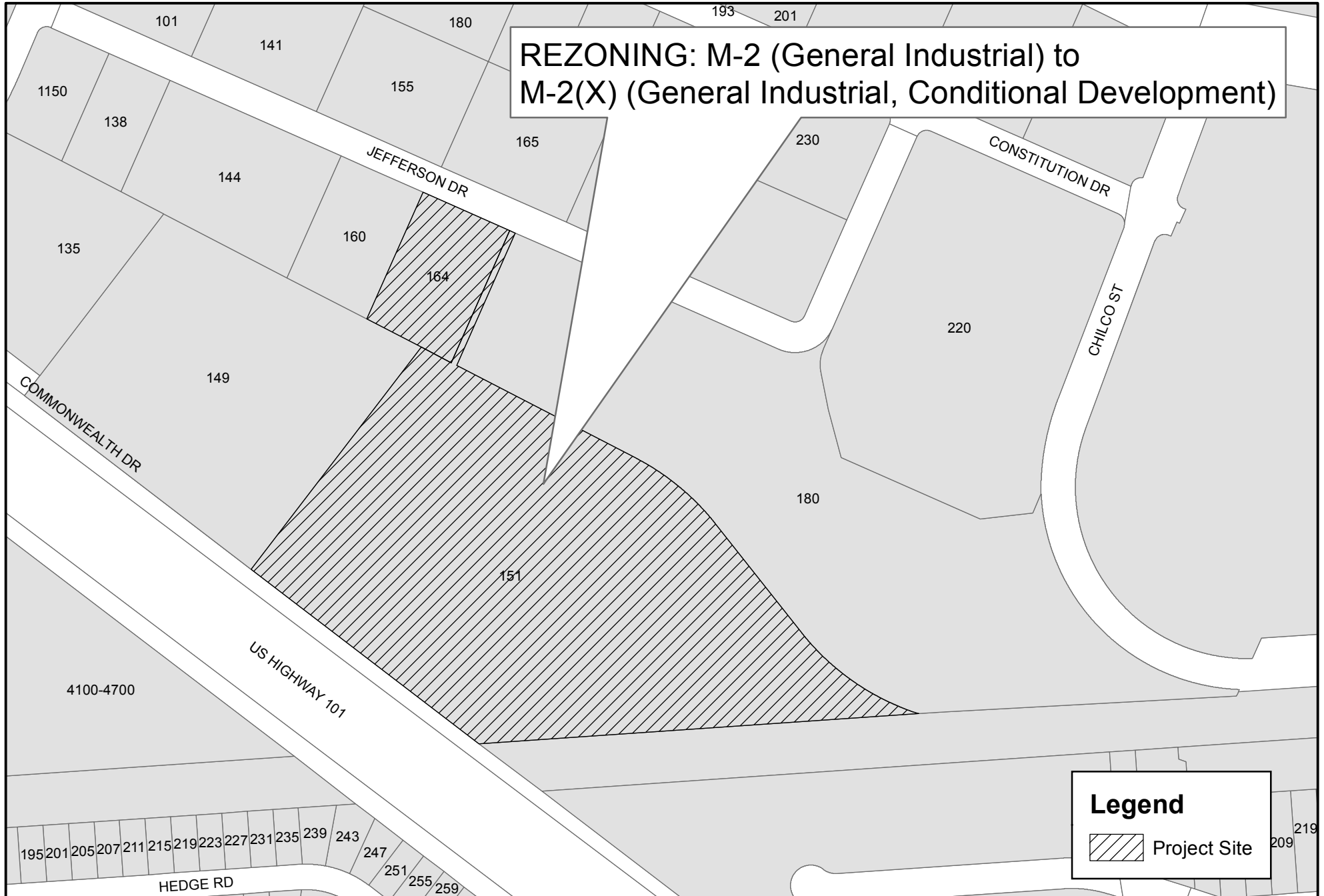
COMMONWEALTH CORPORATE CENTER PROJECT

151 Commonwealth Drive and 164 Jefferson Drive

Exhibit A



**REZONING: M-2 (General Industrial) to
M-2(X) (General Industrial, Conditional Development)**



Legend

 Project Site

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: August 26, 2014
Staff Report #: 14-155

Agenda Item #: D-2

CONSENT CALENDAR: **Authorize the City Manager to Enter Into an Agreement with West Coast Arborists, Inc. to Provide Annual Tree Maintenance Services for Five Years with Authorization to Extend the Contract for up to Five Additional Years up to the Budgeted Amount Each Year**

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to enter into an agreement with West Coast Arborists, Inc. to provide annual tree maintenance services for five years with authorization to extend the contract for up to five additional years up to the budgeted amount each year.

BACKGROUND

In 2008, the City Council authorized staff to enter into an agreement with West Coast Arborists Inc. (WCA) for the maintenance of City Trees for three years. The agreement also allowed the City Manager to extend the contract for an additional three years if the contractor's performance was satisfactory. The tree maintenance agreement consists of maintaining existing City trees and specific tree trimming needs based on the City's five-year trimming cycle. The City maintains approximately 20,210 trees that comprise the City's Urban Forest of which approximately 17,000 are street trees.

ANALYSIS

Scope of Services

The scope of services in the request for proposals includes annual tree trimming (zone/grid trimming), aesthetic pruning, palm tree trimming, tree removal, planting new trees, tree watering, crew rental, specialty equipment, emergency response, and tree inventory updates. All trimming would be performed in accordance with the standards set forth by the Western Chapter of the International Society of Arboriculture and the City. The grid trimming represents 90 percent of the work that the contractor will perform. This task includes the pre-designated trimming of trees in a specific grid. Every tree in the grid is trimmed no matter the size. This proactive trimming reduces the City's liability by preventing structural tree problems to existing trees and for smaller

trees it encourages good tree structure and shape. The contractor is also required to have a web based computer database that is updated by the contractor as each tree is trimmed. The program shall provide a history of the tree maintenance and a general description of the tree. The program shall include internet access for staff to review the data entered for each tree.

Summary of Selection Process

On April 17, 2014, staff mailed Request for Proposals (RFP) to seven firms currently providing tree maintenance services in this area.

On May 23, 2014, staff received and opened one proposal from WCA. On the basis of cost proposal, qualifications and past experience with the firm, staff concluded that WCA would best be able to continue to meet the City's tree maintenance needs within the allocated budget. Staff reviewed WCA's proposal and is satisfied with their work. During the past twelve years of contracting with the City, WCA has developed a good working relationship with staff and has been responsive to the City's tree maintenance needs. WCA also completed a tree inventory and implemented a database for the City to better track the tree maintenance cycle, removals, and replacements.

WCA has submitted a cost of \$59 per tree when performing routine grid maintenance. Twelve years ago, they submitted a cost of \$49. Adjustments have been made over the years resulting in a cost of \$59 per tree in 2007. The \$59 per tree is not dependent on the size of the tree. When the City desires WCA to respond to individual service requests, trimming costs will range from \$29 to \$449 per tree, based upon the diameter of the tree. The proposal is for five years with the ability to extend the services for an additional five years. Either party can terminate the contract with a 90 day notice. The contract amount may be increased annually based upon the Engineer's News Record Construction Price Index for San Francisco or no greater than five percent.

This contract would supplement staff in maintaining the City street trees. The fiscal year 2014-15 program budget for tree maintenance is \$250,000, of the total budget, 90 percent of the services are for grid trimming which equates to \$225,000. This will pay for grid trimming approximately 3,800 trees per year. The department's goal is to trim every street tree once every five years. Over a five-year period, a total of 19,000 trees will be trimmed, which exceeds the estimated number of street trees in Menlo Park.

IMPACT ON CITY RESOURCES

The amount of \$250,000 is included in the fiscal year 2014-15 budget for the tree maintenance services and is funded by the Landscape Assessment District.

POLICY ISSUES

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

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. WCA Proposed Schedule of Compensation

Report prepared by:

Brian Henry

Public Works Superintendent

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SCHEDULE OF COMPENSATION

In conformity with the terms and conditions of the contract, West Coast Arborists, Inc. hereby proposes to the City of Menlo Park the following schedule of compensation:

<u>DESCRIPTION</u>	<u>UNIT</u>	<u>UNIT PRICE</u>
Annual Tree Trimming on District/Zone basis	per tree	\$ <u>59.00</u>
<u>AESTHETIC PRUNING</u>		
0-6" dbh	per tree	\$ <u>29.00</u>
7-16" dbh	per tree	\$ <u>89.00</u>
17-24" dbh	per tree	\$ <u>159.00</u>
25-36" dbh	per tree	\$ <u>329.00</u>
37" dbh & over	per tree	\$ <u>449.00</u>
<u>PALM TREE TRIMMING</u>		
Coco palm, any size	per tree	\$ <u>59.00</u>
Washingtonia palm, any size	per tree	\$ <u>59.00</u>
Canary Island Date Palm, any size	per tree	\$ <u>199.00</u>
<u>TREE REMOVAL</u>		
Tree and stump removal 0-24"	per diameter inch	\$ <u>19.00</u>
Tree removals over 25" dbh	per diameter inch	\$ <u>39.00</u>
Stump only removal	per inch	\$ <u>9.00</u>
<u>PLANTING</u>		
15 gallon tree	per tree	\$ <u>139.00</u>
24 inch box tree	per tree	\$ <u>269.00</u>
36 inch box tree	per tree	\$ <u>849.00</u>
<u>TREE WATERING</u>	per day	\$ <u>500.00</u>
<u>CREW RENTAL</u>		
3 man crew with equipment	per hour	\$ <u>177.00</u>
2 man crew with equipment	per hour	\$ <u>118.00</u>
1 man crew with equipment	per hour	\$ <u>59.00</u>
<u>SPECIALTY EQUIPMENT</u>		
95 Aerial Tower	per hour	\$ <u>59.00</u>
Crane	per hour	\$ <u>59.00</u>
<u>EMERGENCY RESPONSE</u>		
3-man crew with equipment (evening, weekend, or holiday call-out)	per hour	\$ <u>219.00</u>
<u>TREE INVENTORY AND SOFTWARE PACKAGE</u>	per tree site	\$ <u>0.00</u>
<u>GPS INVENTORY (Optional)</u>	per tree site	\$ <u>2.00</u>
<u>TREE INVENTORY UPDATES</u>	per tree site	\$ <u>2.00</u>

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OFFICE OF THE CITY MANAGER

Council Meeting Date: August 26, 2014
Staff Report #: 14-151

Agenda Item #: D-3

**CONSENT CALENDAR: Approve a Resolution Authorizing the Annual
 Destruction of Records**

RECOMMENDATION

Staff recommends approval of a resolution authorizing the destruction of obsolete City records for the following departments: Community Services, Finance, Economic Development, Public Works and the Police Department, as specified in Exhibits A-D to the proposed Resolution (Attachment A).

BACKGROUND

The proposed resolution complies with the City's Records Retention Schedule adopted by the City Council on November 27, 2001 by Resolution 5351, amended on September 27, 2005 by Resolution 5625 and amended on November 15, 2011 by Resolution 6031.

The program provides for the efficient and proper management and protection of the City's records. The program also allows for the destruction of records deemed obsolete according to the City's adopted Records Retention Schedule.

ANALYSIS

In 1999, the California legislature added Section 12236 to the Government Code, which states in Section 12236(a) "The Secretary of State shall establish the Local Government Records Program to be administered by the State Archives to establish guidelines for local government retention and to provide archival support to local agencies in this state." State Archives is a division of the Secretary of State's Office that collects, catalogs, preserves and provides access to the historic records of the state government and some local governments.

One of the resources referred to by State Archives is the California City Clerks Association's 1998 list of common local government records and recommended retention periods. The State Archives prepared its own version in 2002. Menlo Park's Records Retention Schedule is largely based on these documents.

A properly completed Records Retention Schedule provides an agency with the legal authority to dispose of records entrusted in its care. It certifies the life, care and

disposition of all agency records. Disposition may include sending appropriate records to an off-site storage facility, recycling unneeded records, and/or destroying unneeded records. Once records have fulfilled their administrative, fiscal or legal function, they should be disposed of as soon as possible in accordance with the established retention schedule. Keeping records beyond the retention period causes a burden on staff with more documents to manage, slows down response time to public records requests and extends the agency's legal liability. Compliance with the Records Retention Schedule is highly recommended as it improves staff efficiency and customer service when the status of information is up to date and available when needed. It also limits the agency's legal liability as a court of law cannot demand an agency produce documents that have been disposed of in accordance with an adopted Records Retention Schedule and with accepted industry practices.

Exhibits A-E list the documents that exceed the timeframe for retention according to Government Code sections 34090 and 34090.6 and Menlo Park Municipal Code section 2.54.

IMPACT ON CITY RESOURCES

There would be a positive impact on office organization and staff efficiency.

POLICY ISSUES

The proposed action is consistent with the City's current policy and adopted Records Retention Schedule. However, unlike other San Mateo County cities, Menlo Park's policy requires an additional level of approval by Council for an action that can typically be performed administratively. In the future, staff would like to propose an update to the policy in order to streamline records destruction processing by authorizing the City Manager to grant approval.

ENVIRONMENTAL REVIEW

The proposed action does not require environmental review.

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 with Exhibits A-D

Report prepared by:
Pamela Aguilar

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE DESTRUCTION OF OBSOLETE CITY RECORDS**

WHEREAS, the City of Menlo Park has an adopted Records Retention Schedule adopted on November 27, 2001, by City Council Resolution Number 5351 and amended on November 15, 2011, by City Council Resolution Number 6031; and

WHEREAS, Section 2.54.110 of the Menlo Park Municipal governs the destruction of public records; and

WHEREAS, the City's Records Management Program provides for the efficient and proper management and protection of the City's records and allows for the destruction of records deemed obsolete according the City's adopted Records Retention Schedule.

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 authorizes the destruction of the obsolete records described in Exhibits A, B, C and D, Requests for Destruction of Obsolete Records, attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED, that once the records are destroyed, the City Clerk will maintain all original Certificates of Destruction.

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 twenty-sixth day of August, 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 twenty-sixth day of August, 2014.

Pamela Aguilar
City Clerk

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CITY MANAGER'S OFFICE & ADMINISTRATION

- Finance
- Economic Development

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

Date: 7/14/14

Page: 1

Department: FINANCE

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule established by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.


RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Account Payable and Payroll Manual checks	1 box, 201-12-606	2007-2009	5
Accounts Payable	15 boxes, 201-11-575 to 576, 201-11-578 to 580, 201-12-590 to 599	2008-2009	5
AP Batches, Check Registers, Audit bills, Audit Confirmations, Community Funding Program	1 box, 201-11-581	2008-2009	5
ADP Payroll Reports	1 box, 201-11-585	2005-2006	7
Business License	2 boxes, 201-11-565 to 566	2008-2009	5
Cash Vouchers	6 boxes, 201-10-552 to 553, 201-11-588 to 589, 201-12-600 to 601	2008-2009	5
Garbage Service	1 box, 201-11-568	2008-2009	5
Journal Entries	1 box, 201-12-603	2008-2009	5
Payroll Reports	1 box, 201-11-583	2007-2008	5
Time Sheets	4 boxes, 201-11-573, 201-11-586 to 587, 201-12-602	2008-2009	5
Water Reconciliations	1 box, 201-10-558	2008-2009	5



 Department Head

7/15/14

 Date



 City Manager

8/6/14

 Date



 City Attorney

6/6/14

 Date



 City Clerk for Council

8.6.14

 Date

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

Date: 06/10/2014

Page: _____

Department: Office of Economic
Development

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule established by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.

RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
2007 GM Project - Notes	Office of economic development	2007	Completion + 90 days
(RFP) for redevelopment implementation plan for 2009-2014	Office of economic development	Jan 13, 2008	Completion
Menlo Park News Release	Office of economic development	April 8, 2009	2 years
Notes re MTC Rail Station plan		No date	2 years
Notes re Business Development Proposed project		No date	2 years
Notes re RDA		No date	2 years
Proposed Project for Las Pulgas Community Development Project Area Tour		Oct 23, 2008	2 years
Copy of Proposed Project for Las Pulgas Community Development Project Area Tour with notes (7 copies)		Oct 23, 2008	Completion
Menlo Park – Las Pulgas Plan Fact Sheet		Dec 2004	Completion
Copies of Proposal for the Redevelopment implementations plan for 2009-2014 – Conley Consulting Group (2)		Feb 2009	When no longer required
Copy of Redevelopment Implementation Plan for the Las Pulgas Community Development Project Area – Conley Consulting Group		Oct 2009	When no longer required
Copy of Redevelopment Implementation Plan for the Las Pulgas Community Development Project Area – Conley Consulting		Dec 2004	When no longer required

Group			
Las Pulgas Community Development Project Area Staff Proposed Projects		No date	When no longer required – minimum 2 years
RDA meeting input – Service “to do’s”		No date	2 years
RDA RIP potential Projects Community Ranking Matrix		No date	2 years
Redevelopment Area Upgrade Plan		No date	2 years
Redevelopment Area Plan Update Meeting (PowerPoint Presentation)		No date	2 years
Highest rated staff projects category		No date	2 years
RDA RIP potential Projects Staff Evaluation matrix		No date	2 years
Las Pulgas Community Development Project Area Staff proposed Projects Notes		No date	When no longer required
Belle Haven Community Engagement – copies of agendas, notes		March 20, 2009	Follows retention for subject matter
Criteria for ranking / eligibility for RDA RIP projects notes		No date	When no longer required
Business and Property Owners Meeting Results		April 29, 2009	2 years
Help Revitalize the M2 industrial/ R&D District PowerPoint		April 29, 2009	2 years
Redevelopment Area Implementations Plan Business Roundtable PowerPoint and notes		April 29, 2009	2 years
RDA RIP Input – copies of agendas, notes, ranking matrix		April 29, 2009	Follows retention for subject matter
Implementation Plan – Project Initiation Las Pulgas Community Development Area		March 16, 2009	2 years
RDA RIP Community engagement process community meetings schedule and assignments		April 24, 2009	2 years

Outreach methods, Schedule and assignments		No date	2 years
Las Pulgas Community Development Project Area, Community engagement process – DRAFT		No date	2 years
Las Pulgas Community Development Project Area, Community engagement process – DRAFT Notes			When no longer required
Criteria for eligibility staff preferences for RDA RIP Notes		No date	When no longer required
Misc. Wall Sheet Summary Top Actions		April 21, 2009	2 years
Notes re GM		No date	2 years
California Municap Law Handbook Part 3. Economic Development Copy		Nov. 2006	When no longer required
WMP FORECASTS “Tomorrow’s Energy Strategies”		November 25, 2006	When no longer required – min. 2 years
Notes re Pittsburg – Chevy and Honda		No date	2 years
Notes re Moreno Valley		No date	2 years
Email Conversation Business Development – Incentives for auto dealers) notes		Oct 11, 2005	2 years
Article 39. Highway and Arterial Business/Auto Mall Zone (C-2/AM)		No date	2 years
Copy of Municipal Code, Unknown city. Article 28. Variances and Permits		No date	2 years
Copy of Municipal Code, Unknown city. Article 39. Highway and Arterial Business/auto mall zone (c-2/AM)		No date	2 years
Copy of Municipal Code, Unknown City. Article 24. Off-Street parking		No date	2 years
Notes on Incentives		No date	2 years
Copy of SB 975: Is it bad news for California real estate development article		Dec. 11, 2006	2 years
Print out of email: 2 news Releases – Century 12 Site EIR/Sign Ordinance Revisions		Dec. 20, 2006	2 years
Council Meeting Staff Report Notes		Jan 30, 2007	2 years
Notes (Caila Floin)		Jan 11, 2007	2 years
Various emails re GM Auto Mall		Oct. 18, 2006	2 years
Various correspondence regarding GM and TYCO		2005 - 2007	2 years

Notes (Electric Car Panel)		No date	2 years
Various notes re GM and TYCO		No date	2 years
Meeting Agenda: General Motors / City of Menlo Park and notes		Jan 12, 2009	Follows retention for subject matter
Newspaper clippings regarding GM project		2006-2007	When no longer required
Staff Report		Oct 10, 2006	Follow retention for subject matter
Picture of Tyco Property (3)		No date	2 years
Owner Participation Agreement between City of MP and Argonaut Holdings (Marked Draft)		July 29, 2006	Completion
News Release "New auto center proposed for Menlo Park"		Oct 5, 2006	2 years
Sale proposal letter DRAFT		Oct 4, 2006	2 years
Owner participation agreement between MP and Argonaut Holdings (marked Draft)		July 7, 2006	Completion
Memorandum: Lot line adjustment		Sept 8, 2006	2 years
Tyco Electronics and General Motors PowerPoint		Sept 26, 2006	2 years
Council Report: Consideration of Criteria for Conversion of Industrial / Commercial Sites to Residential Uses		March 22, 2005	2 years
Willow Road at 84 Map		No date	2 years
Cumulative Auto Center Revenue		Sept 22, 2005	2 years
Request for Proposal: Potential Auto Mall or Retail Development Site		Nov 7, 2006	2 years
Staff Report #: 06-0206		Nov 28, 2006	2 years
Memorandum: GM 3/23/06 Owner Participation Agreement Evaluation		April 4, 2006	2 years
Sept 22 revied - 10mil/10years revenue sharing proposal		No date	2 years
Picture of Future development of Bayfront Park		No date	2 years
Newspaper clipping: Council Oks auto dealership location		Feb 1, 2006	When no longer required
Magazine cut-out: Customer service tears down obstacles for economic development		Jan, 2006	When no longer required
Revenue Sharing Scenario		March 23, 2006	2 years
Newspaper clippings regarding citing takes a step toward an auto tow		Aug 12, 2005	When no longer required
Menlo Park Auto Mall Timeline (2 copies) and notes		Nov 30, 2005	2 years
Auto Mall Vicinity Bohannon Disc		No date	2 years

Ownership Agreement Participation issue DRAFT		May 5, 2006	2 years
GM Auto Mall incentive agreement summary		No date	Completion
Binder titled: Proposed Owner Participation Agreement between City of MP & General Motors. Containing Copies of Staff reports, press releases, PowerPoint slideshows, ownership agreements, and GM Letter		Nov 28, 2006	5 years
Staff Report #: 08-084 & #: 10-022		June 17, 2008	2 years
Redevelopment pamphlet			When no longer required
RDA RIP potential projects community ranking matrix		No date	2 years
Notice of public hearing		Oct 21, 2009	2 years
Personal re business roundtable		April 29, 2009	2 years
News Release		April 17, 2009	2 years
RDA community input summary notes		No date	2 years
Answers to 12 common questions about redevelopment		No date	2 years
Las Pulgas Redevelopment Agenda		May 13, 2009	2 years
Folder containing: RFP notes, staff reports, Emails, community ranking matrix, agenda		2009	2 years
California Redevelopment Associations estimate of each agency's 06-07 ERAF Transfer to meet 350million state budget payment		No date	2 years
Belle haven community news article		2006	2 years
Copy of McDonough Holland & Allen Articles and notes		No date	2 years
Copy of merged area implementation plan Mid Cycle update		May 2005	2 years
City of Cupertino Agenda		Dec 6, 2006	2 years
Copy of Earthquake Disaster Assistance Project area for portions of council District 7 from the city of Los Angles, Ca (2)		April 19, 2007	2 years
Community Development Agency		2008-2009	2 years
Criteria for determining eligibility for RDA projects – notes		No date	2 years
Redevelopment Implementation Plan 2009-2014—notes		2009	2 years
Copy of Las Pulgas Community Redevelopment Project		2009	2 years

Implementation Plan – Conley consulting group (5)			
Redevelopment Area Implementation Plan Business Roundtable Powerpoint (2)		April 29 th , 2009	2 years
News Release April 2009		April 9 th , 2009	2 years
Business Roundtable flowchart (2)		April 29 th , 2009	2 years
Email: Hamilton Ave East project		October 20 th , 2009	2 years
Copy of Amended and Restated LP Community Dev. Project		September 10 th , 1991	2 years
Belle Haven Community Process Planning Team notes		January 13 th , 2009	2 years
Copy of Proposed Projects LP Community Dev. Project		October 23 rd , 2008	2 years
Belle Haven Comm. Engagement Process Draft		January 2010	Until no longer required
Community Announcements Spring/Summer 2006		Spring/Summer 2006	2 years
News article re Belle Haven		November 13 th , 2009	2 years
CED Executive Summary 2002-3		2002-2003	2 years
Redevelopment: Building Better Communities flyer		2002-2003	2 years
Las Pulgas Redevelopment—Picture		No date	2 years
Belle Haven Newsletters (30)		2009	2 years
Copy of Citizen Guide to Redevelopment (2)		No date	When no longer required
Copy of Re-urbanization: A Guide for the Community		No date	When no longer required
Redevelopment Powerpoint		July 21-22, 2011	2 years
Downtown Specific Plan Draft-Shute Mihaly and Weinberger LLP		June 16 th , 2011	2 years
Summary of Enacted State Budget Regarding Redevelopment-Goldfarb Lipman Attorneys		July 20 th , 2011	2 years
Various email re RDA			When no longer required
Copy of Menlo Park Newsletter		January 11 th , 2011	2 years
Phone call transcript: Governor's proposal re RDA		March 9 th , 2011	When no longer required
Copy of Preliminary Conference Committee Report		March 3 rd , 2011	When no longer required

Notes CRA Legislative Update		February 23 rd , 2011	2 years
Copy: Restructuring Redevelopment—Reviewing the Governor's budget proposal		February 9 th , 2011	When no longer required
Staff Report #: 11-024		February 15 th , 2011	2 years
Copy of Affordable Housing Cooperation Agreement for the Las Pulgas Community Dev. Proj. Area		February 15 th , 2011	When no longer required
Copy of Summary Report Pursuant		No date	When no longer required
Staff Report #:11-019, 11-020, 11-018		February 8 th , 2011	2 years
Copy of Redevelopment Implementation Plan		October 2009	When no longer required
Notes regarding RDA		2010, 2011	When no longer required
Draft of California Redevelopment Shut Down Proposal		September 21 st , 2009	When no longer required
Notes: Plan to Protect Redevelopment in CA		January 20 th , 2011	2 years
Notes: Staff FTEs being allocated to the community development agency		No date	When no longer required
Copy of Tax Relief and Local Government		2011-2012	When no longer required
Email correspondence		2011	When no longer required
Copy of Overview of the Governor's Budget - LAO Mac Taylor Legislative Analyst		2001-2012	When no longer required
Printed Letter from Honorable Jerry Brown, Governor: Eliminating or curtailing redevelopment will weaken programs in MP (2)..		Jan 27 th , 2011	When no longer required
Controller Launches Review of Redevelopment Agencies article – notes		Jan 24 th , 2011	When no longer required
Copy of 2011-2012 Budget article – Legislative analyst's office (pages 20-22)		No date	When no longer required
Copy of summery of RDA ED Bill – AB 2531		Feb 19 th , 2010	When no longer required

Printed article from the Almanac: Menlo Park redevelopment agency in for big hit		May 4 th , 2010	When no longer required
Email: Executive director's legislative update		July 1 st , 2010	When no longer required
Meeting Agenda		July 8 th , 2010	2 years
Copy of Revenue Expenditure (4)		January 31 st , 2011	When no longer required
To-Do List		No date	When no longer required
Management Discussion Analysis Draft		2009	When no longer required
Meeting about LED Street Light Retrofits notes		January 5 th , 2010	When no longer required
Budget Notes		2009	When no longer required
Redevelopment Agency Activity Log		March 29 th , 2009	2 years
Copy of SMCCD Canada College Menlo Park Redevelopment Project-Revised Budget		2009	2 years
Binder titled Organizational and Budget Review containing BD slides and business plan and vacancies		January 27 th , 2011	2 years
Financial Report: Independent Auditors' Reports (2009, 2010)		June 30 th , 2010	When no longer required
City of MP Master Fee schedule		November 2008	2 years
Proposed Film Production Fee Schedule		March 6, 2009	2 years
Film Production guidelines, personal notes		No date	When no longer required
Letter From Deanna Chow, Senior Planner		Feb 23 rd , 2009	When no longer required
Production Summery notes – Dan Baer Production Consultation		No date	2 years
Wall Street World Financial Center Magazine		No date	When no longer required
Printed letters: WARN Notice – State/Local Officials		March 30, 2009	2 years
CA Redevelopment Association info brochure		No date	When no longer required
Copy Las Pulgas Community Development project are tour – notes		October 23, 2008	When no longer required

Fence Invoice		July 18 th , 2011	When no longer required
Pictures of Las Pulgas Redevelopment Project area – notes		No date	When no longer required
Redevelopment Notes		2000	When no longer required
Emails re CRA		2008-2010	When no longer required
Email re budget line item		2010	When no longer required
Resident letter re affordable housing		August 4 th , 2010	When no longer required
Letter from Mark Curran--PiperJaffray		November 28 th , 2007	When no longer required
Copy of/notes Check Requisition		March 24 th , 2010	When no longer required
Memorandum Draft		November 16 th , 2009	2 years
Copy of Statement of Indebtedness		September 30 th , 2010	When no longer required
Copy of Staff Report #: 10-XXX		June 22 nd , 2010	When no longer required
Notes on Redevelopment		July 20 th , 2010	When no longer required
CA Redevelopment Association Flyer		July 16 th , 2009	2 years
Copy of/notes CA Redevelopment Association Estimate of each Agency's ERAF		2009-2010	When no longer required
Copy of Letter from Conley Consulting Group		September 4 th , 2009	When no longer required
Redevelopment information plan 2009-2014 Draft (2)		August 11 th , 2009	When no longer required
Redevelopment information plan 2009-2014 relations and program activities		No date	When no longer required
California Redevelopment Association Estimate		2007 2008	2 years
Letter to David Johnson Re: CALED		July, 2009	When no longer required
Copy of Industrial – R&D Zoning District Sub- Areas		Oct 20 th , 2009	When no longer required

			required
Notes Community Development Agency of the City of Menlo Park Statement of Net Assets – Statement of Net Assets		June 30, 2009	When no longer required
Business Journal article – notes		Aug 4, 2009	
Printed article		No date	When no longer required
Newspaper Clipping regarding MP plans to channel blight eradication.		No date	When no longer required
Copy of Revenue/Expenditure		April 30, 2010	When no longer required
Summer from city of Cupertino – notes		Dec 6, 2006	
Belle Haven Community Engagement Process DRAFT		No date	When no longer required
Notes regarding RD status of litigation		Sept 20 th , 2009	When no longer required
Copy of Las Pulgas Community Development Plan		No date	When no longer required
Copy of The Belle Haven Neighborhood Association Improvement Plan		Nov, 2009	When no longer required
GM property Notes		No date	When no longer required
Community Development Agency 2009-10 Notes		2009	When no longer required
Notes about acreage		No date	When no longer required
San Jose redevelopment agency flyers		Fall 2007	When no longer required
Five year implementation plan checklist (blank)		No date	When no longer required
Staff report notes #: 05-003		Jan 4, 2005	2 years
Copy of Redevelopment area upgrade plan		Spring 2009	When no longer required
Binder containing: Copy of management's discussion and analysis 09-10, Las Pulgas Proposed Projects, Community development agency PowerPoint, Copies of staff reports		June 30, 2010	When no longer required
Newspaper clippings of various local businesses		2003-2012	

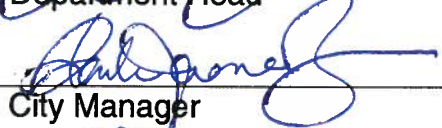
Various flyers and invites to local business events		2001-2012	
Various business cards		No dates	
Personal notes on various local businesses		2007-2012	
Left Bank (copy of permits, copy of blueprints, pictures, emails)		2009	1 year/2 years
National Safe Deposit File (emails, copy of Executive Overview)		2009	When no longer required
Hacienda Market (Application confirmation notice, business letters, emails, notes, copy of 1933 Menalto Ave repairs, Letter of Transmittal)		April 9 th , 2009	When no longer required



 Department Head

8/18/14


 Date

Asst. 

 City Manager

8.18.14

 Date



 City Attorney

8-19-14

 Date



 City Clerk for Council

8.18.14

 Date

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COMMUNITY SERVICES DEPARTMENT

- Belle Have Child Development Center
- Gymnastics
- Menlo Children's Center
- Arrillaga Recreation Center
- Onetta Harris Community Center

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

Date: 7/2/14

Page: 1


Department: CSD / BHCDC

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.

RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
ECERS / DRDP Training / Meeting Agenda / CPIN Training	CSD / BHCDC – Box 1	FY: 2006-2009	5 Years
Food Program reimbursement / Parent Fee	CSD / BHCDC – Box 2	FY: 2007-2009	5 Years
Administrative manual / CACFP management binder / Food program binder / BHCDC binder / Food buying guide / Early Steps binder/ State bulletins binder / food program bulletins binder	CSD / BHCDC – Box 3	FY: 1999-2009	5 Years
Cash Vouchers / Check Request / Berkley Farms / Costco / ADT / Holiday Survey / Permission Slips / Jose credit card / Food Program Reports	CSD / BHCDC – Box 4	FY: 2004-2009	5 Years
DRDPs and Children's files for Room 3 and Room 4	CSD / BHCDC – Box 5	FY: 2008-2009	5 Years
All class DRDPs / Teacher lesson plans	CSD / BHCDC – Box 6	FY: 2006-2009	5 Years
Attendance sheets / Time off request / State Contracts & Reports	CSD / BHCDC – Box 7	FY: 2008-2009	5 Years
DRDPs and Children's files for Room 1 and Room 2	CSD / BHCDC – Box 8	FY: 2008-2009	5 Years

Cheryl Branden
Department Head

7/21/14
Date


City Manager

8/6/14
Date

Will L. N.
City Attorney

8/6/14
Date

Pamela Guter
City Clerk for Council

8.6.14
Date

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

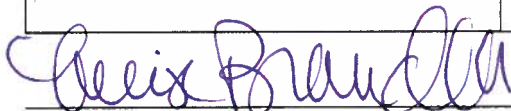
Date: 7/17/14

Page: 1/1

Department: CSD Gymnastics

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.


RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Registration Form 2008	1 gymnastics	01/01/2008-12/31/2008	5 years
Class Rosters 2008	2 gymnastics	01/01/2008-12/31/2008	5 years
Birthday Party Consent Forms 2008	2 gymnastics	01/01/2008-12/31/2008	5 years



 Department Head

7/21/14

 Date



 City Manager

8/14/14

 Date



 City Attorney

8/6/14

 Date



 City Clerk for Council

8.6.14

 Date

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

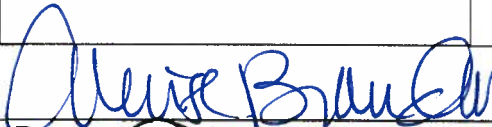
Date: 7/16/2014

Page: 1

Department: CSD/MCC

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.


RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Kids Files	CSD/MCC Box 1	1998-2002	5 years
Kids Files	CSD/MCC Box 1	2007-2009	5 years
Sign in and out Sheets	CSD/MCC Box 2	01/2011-12/2011	2 years
Sign in and out Sheets	CSD/MCC Box 2	01/2012-06/2012	2 years
Wait list	CSD/MCC Box 3	2006-2011	2 years


 Department Head

Date
8/16/14


 City Manager

Date
8/6/14


 City Attorney

Date
8.6.14


 City Clerk for Council

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

Date: 07/21/2014

Page: 2

Department: CSD/MCC

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule established by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.

RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Staff Files Sophia Law	CSD/MCC Box 3	Sept 1998	10 Years
		April 2001	10 Years
Staff Files Vickie Lubina			
Staff Files Amanda Gucanacion		June 1996	10 Years
Staff Files Marika Palotas, Manuel Duran		June 1998/ Sept 1961	10 Years
Staff Files Maria Lopez		July 2003	10 Years
Staff Files Mazetta Oliver		Jan 1998	10 Years
Staff Files Elizabeth Quinliven		Jan 1993	10 Years
Staff Files Patricia Corea		Dec 1998	10 Years
Staff Files Faye White		May 2001	10 Years
Staff Files Christina Daris		June 1999	10 Years
Staff Files Phyllis Washington		Feb 2000	10 Years
Staff Files Lauri Bordinero		Feb 2000	10 Years
Staff Files Ninoska Veliz		Oct 2001	10 Years
Staff Files Sigrette Bell		Sept 2001	10 Years
Staff Files Danielle Dennis		March 2003	10 Years
Staff Files Cuiling Hager		Nov 2003	10 Years

Chris Bandler

Department Head

8/6/14

Date

[Signature]

City Manager

8/6/14

Date

[Signature]

City Attorney

8/6/14

Date

Camela Aguilar

City Clerk for Council

8.6.14

Date

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

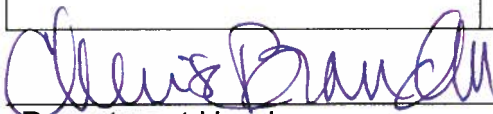
Date: 7/16/14

Page: 1

Department: CSD - REC

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.


RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Drop in sheets	CSD/REC – 2014-1	2006/2007	When no longer needed
MCC – Enrollment	CSD/REC – 2014-2	2000/2001	5 yrs.
Registration Forms	CSD/REC – 2014-3	2009	5 yrs.
Registration Forms	CSD/REC – 2014-4	2005	5 yrs.
Registration Forms	CSD/REC – 2014-5	2006	5 yrs.



 Department Head

7/21/14

 Date



 City Manager

8/6/14

 Date



 City Attorney

8/6/14

 Date



 City Clerk for Council

8.6.14

 Date

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

Date: 06/09/2014

Page: 1

Department: CSD-Recreation
(OHCC)

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.


Record Title	Container	Dates	Retention
Deposit Slips, Invoices, Receipts, Cash Vouchers and Check Requests	CSD-OHCC -Container-1	2008-2012	3 years
Registration Forms, Drop-In Basketball & Fitness Sign in Sheets	CSD-OHCC-Container-2	1991-2011	2 years Sign In Sheets 4 years Reg. Forms
Summer Camp Registration Forms, Camp Sign In, Registration forms and 2 ND Harvest Database	CSD-OHCC-Container-3	2008-2010	2 years Sign in Sheets 4 years Reg. Forms 4 years 2 nd Harvest
Facility Rentals, Class Registrations	CSD-OHCC-Container-4	2008-2012	3 years Facility Rentals 4 years Registration Forms



 Department Head

6/11/14

 Date



 City Manager

8/6/14

 Date



 City Attorney

8/6/14

 Date



 City Clerk For Council

8.6.14

 Date

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POLICE DEPARTMENT

- Administration
- Records

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

Date: August 11, 2014

Page: 1

Department: Police - Administration

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.

RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Internal Administrative Files	Administrative Sergeant's Locked Filing Cabinet	Prior to August 11, 2012	2 years
Internal Investigation #07-04	Administrative Sergeant's Locked Filing Cabinet	August 16, 2007	6 Years
Internal Investigation #07-05	Administrative Sergeant's Locked Filing Cabinet	November 7, 2007	6 Years
Internal Investigation #08-01	Administrative Sergeant's Locked Filing Cabinet	Unknown	6 Years
Internal Investigation #08-02	Administrative Sergeant's Locked Filing Cabinet	July 25, 2008	6 Years
Internal Investigation #08-03	Administrative Sergeant's Locked Filing Cabinet	Unknown	6 Years
Internal Investigation #08-04	Administrative Sergeant's Locked Filing Cabinet	Unknown	6 Years
Internal Investigation #08-05	Administrative Sergeant's Locked Filing Cabinet	Unknown	6 Years
Internal Investigation #08-06	Administrative Sergeant's Locked Filing Cabinet	January 29, 2008	6 Years


Department Head

8/11/2014
Date


Asst. City Manager

8.18.14
Date


City Attorney

8/19/14
Date


City Clerk for Council

8.18.14
Date

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

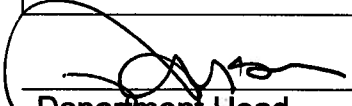
Date: 07/29/2014

Page: 1

Department: Police - Records

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.


RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
2006 Police Records – all except those otherwise specifically mentioned in City retention schedule	File shelf in Records	01/01/2006 thru 12/31/2006	7 Years
Police Reports: Marijuana less than 28.5 grams	File shelf in Records and Narrative in RMS (Records Management System)	01/01/2003 thru 12/31/2011	2 years or when subject turns 18 years old



 Department Head

7/29/14

 Date



 City Manager

8/6/14

 Date



 City Attorney

8/6/14

 Date



 City Clerk for Council

8.6.14

 Date

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PUBLIC WORKS DEPARTMENT
• Engineering

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

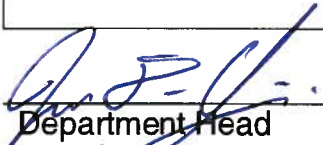
Date: August 18, 2014

Page: 1

Department: Public Works-Engineering

Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.


RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Encroachment Permits (temporary; construction street openings, sidewalk ramps, Debris Boxes, Temporarily lane closures, etc.)	Drawer 1 - Engineering	2009 - 2011	3 years



 Department Head

8-19-14

 Date



 Asst. City Manager

8-19-14

 Date



 City Attorney

8-19-14

 Date



 City Clerk for Council

8-19-14

 Date



POLICE DEPARTMENT

Council Meeting Date: August 26, 2014
Staff Report #: 14-157

Agenda Item #: D-4

CONSENT CALENDAR: Waive the Second Reading and Adopt an Ordinance to Amend Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] of the Menlo Park Municipal Code, to Include Payday Lenders and Auto Title Lenders as Added Nuisances

RECOMMENDATION

Staff recommends that the City Council waive the full reading of and adopt an ordinance to amend Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] of the Menlo Park Municipal Code, to include Payday Lenders and Auto Title Lenders as added nuisances.

BACKGROUND

At the August 19, 2014 City Council meeting, the Council voted unanimously, with all members present, to approve the attached ordinance, amending Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] of the Menlo Park Municipal Code, to include Payday Lenders and Auto Title Lenders as added nuisances

ANALYSIS

Staff completed Ordinance 1008 (Attachment A), which was introduced at the Council meeting on August 19, 2014. If the Council takes action to adopt the ordinance, it will become effective 30 days later, or September 26, 2014. It should be noted that the temporary moratorium on the establishment of payday lenders and auto title lenders within the City of Menlo Park will expire on September 28, 2014.

IMPACT ON CITY RESOURCES

There is no direct impact on City resources associated with adoption of his ordinance.

POLICY ISSUES

Adopting the proposed ordinance will add payday and auto title loans to the list of nuisances enumerated in Section 08.04.010 [Enumerated] of Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] of the Menlo Park Municipal Code.

ENVIRONMENTAL REVIEW

This action is not subject to the provisions of 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

- A. Ordinance 1008 Amending Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] of the Menlo Park Municipal Code

Report prepared by:
Dave Bertini
Police Commander

ORDINANCE NUMBER 1008**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING THE NUISANCE CHAPTER OF THE MENLO PARK MUNICIPAL CODE TO ADD PAYDAY LENDER AND AUTO TITLE LENDER TO THE LIST OF ENUMERATED NUISANCES**

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. FINDINGS AND DETERMINATIONS.

A. The City of Menlo Park has had in place a temporary moratorium on the establishment of payday lenders and auto title lenders within the City of Menlo Park. After further investigation, the City Council of the City of Menlo Park finds that prohibition of these alternative financial services is appropriate to protect the public health, safety and welfare of the City of Menlo Park. The City Council of the City of Menlo Park further finds the addition of payday lenders and auto title lenders to the list of enumerated nuisances is appropriate as these lenders threaten public health, safety, and welfare.

B. The City Council of the City of Menlo Park finds and declares the amendment to Section 08.04.010 [Enumerated] of Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] to include payday lenders and auto title lenders as a nuisance is necessary for the following reasons:

1. The inability of low-income consumers with poor credit history to obtain certain services from federally-insured banks has resulted in a two-tiered financial services industry. More financially-stable consumers are generally able to use traditional banks, which charge lower fees for checking and issue loans regulated by the federal government. Lower-income, financially vulnerable consumers, however, often have to rely upon the alternative financial services industry for the same services. Payday lending and auto title lending businesses, along with check casing businesses, are part of the growing alternative financial services industry.

2. Payday lending businesses typically offer borrowers short-term loans in which the lender provides immediate cash to the borrower in exchange for a post-dated check to be cashed on the borrower's next payday. The lender charges a fee for the loan. California law currently caps individual payday loans at Three Hundred Dollars (\$300), from which a 15 percent fee can be deducted. For example, a borrower would write a check for Three Hundred Dollars (\$300) in exchange for Two Hundred Fifty-Five Dollars (\$255) in immediate cash. The end result is a very high interest rate. In 2010, the average annual percentage rate was 414 percent.

3. Studies have shown that most payday loan borrowers are not one-time customers. In 2010, California payday lenders issued 12 million payday loans to 1.6

million borrowers. According to a 2007 survey conducted by the California Department of Corporations, more than one-third of borrowers took out payday loans from multiple lenders at the same time. Studies have also shown that most of these businesses operate in low-income neighborhoods and target the most vulnerable consumers.

4. Auto title lenders are businesses that give loans against a borrower's title to their vehicle. Typically, a borrower would bring their vehicle to a lender, who would inspect it, and provide a loan for up to half of the value of the vehicle. If the loan amount is below Two Thousand Five Hundred Dollars (\$2,500), interest rate caps exist and regulations apply. If the loan is above that amount, there is no cap on the annualized interest rate. If a loan is defaulted on, the borrower's vehicle is forfeited.

SECTION 2. ADDITION OF CODE. Section 08.04.010 [Enumerated] of Chapter 8.04 [Nuisances] of Title 8 [Peace, Safety and Morals] is hereby amended to include an additional enumerated nuisance as follows:

“(22) Payday Lenders and Auto Title Lenders. Payday lender is defined as a retail business owned or operated by a “licensee” as that term is defined in California Financial Code section 23001(d), as amended from time to time. Auto title lender is defined as a motor vehicle title lender who offers short-term loans secured by title to a motor vehicle. Payday lender and auto title lender as used in this section shall not include state or federally chartered banks, savings and loan associations, industrial loan companies, credit unions and credit agencies, mortgage lenders, investment companies, and non-profit financial institutions providing retail banking services to individuals and businesses.”

SECTION 3. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act (“CEQA”) because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 5. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posted in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the 19th day of August, 2014.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the 26th day of August, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Ray Mueller
Mayor

ATTEST:

Pamela Aguilar
City Clerk

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POLICE DEPARTMENT

Council Meeting Date: August 26, 2014
Staff Report #: 14-131

Agenda Item #: D-5

CONSENT CALENDAR: **Accept and Appropriate the State of California, Department of Transportation Selective Traffic Enforcement Program (STEP) Grant PT1529, in the amount of \$85,000, and Authorize the City Manager to Execute All Necessary Agreements to Conduct Specified Traffic Enforcement Operations**

RECOMMENDATION

Staff recommends that the City Council accept and appropriate the State of California, Department of Transportation “Selective Traffic Enforcement Program” (STEP) Grant PT1529, in the amount of \$85,000, and authorize the City Manager to execute all necessary agreements.

BACKGROUND

On June 18, 2014, the Menlo Park Police Department received approval for an \$85,000 STEP grant from the California Office of Traffic Safety. This grant will provide funding for specified equipment and will also fund personnel costs for several traffic safety related operations. The Police Department received a similar grant during the FY 13/14 time period.

ANALYSIS

In an ongoing effort to combat traffic collision rates in the City of Menlo Park, the Police Department has applied for and been awarded an \$85,000 Selective Traffic Enforcement Program (STEP) grant. This grant will be operational during the 14-15 Federal fiscal year (October 1, 2014-September 30, 2015). This year’s grant funding has increased from previous years and will allow the Police Department to conduct several more targeted enforcement operations, as well as continue to replace and augment aging traffic enforcement devices without affecting the General Fund.

This year’s grant will provide funding for the Police Department to conduct several traffic safety operations targeting: DUI drivers, distracted drivers, speeding, intersection violations, and bicycle and pedestrian safety violations. This grant funding supports the Police Department’s efforts to reduce collisions within the City of Menlo Park and

improve safety. The grant will enhance the Police Department's response to continuing traffic problems within the City, decrease accidents and save lives. The grant will also fund the purchase of three digital cameras to be used for traffic accident investigations, one laptop computer dedicated to the traffic unit and CRASH accident investigation team, along with two laser speed measuring devices.

IMPACT ON CITY RESOURCES

There will be no impact to City resources since the grant will fully fund the overtime required for the proposed operations and cover the equipment purchases.

POLICY ISSUES

This grant funding supports the Police Department's efforts to reduce collisions within the City of Menlo Park and improve safety. The grant will enhance the Police Department's response to the budget goals set for FY 14-15.

ENVIRONMENTAL REVIEW

Not applicable.

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. Approval Letter from California Office of Traffic Safety

Report prepared by:
Dave Bertini
Police Commander

STATE OF CALIFORNIA

EDMUND G. BROWN JR., GOVERNOR

OFFICE OF TRAFFIC SAFETY

2208 KAUSEN DRIVE, SUITE 300
ELK GROVE, CA 95758
www.ots.ca.gov
(916) 509-3030
(800) 735-2929 (TT/TDD-Referral)
(916) 509-3055 (FAX)



June 18, 2014

Grant No. PT1529

Sharon Kaufman, Sergeant
Menlo Park Police Department
701 Laurel Street
Menlo Park, CA 94025

Dear Sergeant Kaufman:

Congratulations! Through a competitive process, the Office of Traffic Safety (OTS) has tentatively approved your funding request for the proposal titled "Selective Traffic Enforcement Program (STEP)" in the amount of approximately \$85,000.00.

Your OTS Coordinator will contact you, to discuss your proposal and explain the Grant Agreement process. It is our goal to have all new grants start no later than October 1, 2014. If approval from a City Council or the Board of Supervisors is required, you should begin that process now. Do not incur grant reimbursable costs prior to the receipt of your official approval packet from OTS or before your grant start date.

OTS will initiate a statewide media news release regarding 2015 proposals selected for funding. Your agency *should not* publically announce this tentative award until the grant agreement is fully negotiated and signed by OTS.

Again, congratulations on the success of your proposal. If you have any questions, please contact Mark Talan, Regional Coordinator, at (916) 509-3029 or e-mail at mark.talan@ots.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Rhonda L. Craft".

RHONDA L. CRAFT
Director

MT:kn

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: August 26, 2014
Staff Report #: 14-154

Agenda Item #: F-1

REGULAR BUSINESS: **Adopt a Resolution Authorizing the Installation of Stop Signs at the Northerly and Southerly Ends of Wallea Drive at San Mateo Drive**

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the installation of stop signs at the northerly and southerly ends of Wallea Drive at San Mateo Drive in accordance with Attachment B.

BACKGROUND

Wallea Drive and San Mateo Drive are residential roadways. No speed limit signs are currently posted on Wallea Drive and on the segment of San Mateo Drive between Santa Cruz Avenue and Middle Avenue but both streets, being residential in nature, have a prima facie speed limit of 25 mph. There are currently no centerline striping on Wallea Drive and on this segment of San Mateo Drive. Both roadways do not have standard curb, gutter, and sidewalk but have valley gutters and paved shoulders. There are no existing bicycle facilities on either Wallea Drive or this segment of San Mateo Drive; however, San Mateo Drive and Wallea Drive are noted as future Class III bicycle routes in the City's *El Camino Real/Downtown Specific Plan*. Bicyclists were observed using both roadways to go to and from the bike bridge at the southerly end of San Mateo Drive.

Currently, there are no traffic controls at either end of Wallea Drive and San Mateo Drive. Both intersections do not appear to be distinctly T-intersections. At the northerly end, Wallea Drive meets San Mateo Drive at almost 90 degrees; however, at the southerly end, Wallea Drive meets San Mateo Drive at an acute angle.

ANALYSIS

At its August 8, 2007 meeting, the Transportation Commission considered the staff's recommendation to install stop signs at the northerly and southerly ends of Wallea Drive at San Mateo Drive. The recommendation was in response to complaints from drivers and residents about the traffic safety concern due to driver's confusion at the intersection of Wallea Drive and San Mateo Drive, near Middle Avenue. Staff made this recommendation to the commission for the following reasons:

- Even though there were no reported collisions at these two intersections for the three-year period between September 2003 and September 2006, there had been reports of near collisions at the southerly end of Wallea Drive at San Mateo Drive from residents as well as from drivers.
- At both intersections, especially at the southerly end, field observations indicated that due to existing landscaping, drivers have restricted field of vision.
- Yield signs are not recommended as the appropriate control device at these intersections because yield signs are not typical for low volume local roadways. They are typically used on entrances to higher volume roadways with a longer amount of sight distance available for drivers to make decisions.

Two weeks prior to the Transportation Commission meeting, staff mailed neighborhood meeting flyers regarding this item to the impacted residents. E-mails received by staff from residents who could not come to this meeting indicated support for yield signs at the intersections. There were seven people from the public who spoke before the Transportation Commission at this meeting and indicated that staff's recommended stop signs were not necessary and that yield signs should be the more appropriate traffic control device. Ultimately, the Transportation Commission passed a motion 5-1, with one commissioner dissenting, that yield signs be installed on Wallea Drive at its northerly and southerly intersections with San Mateo Drive and that any vegetation within the 30-foot triangular area in the corner property at the southerly end be trimmed to maximum height of 3 feet. With staff and commission turn-over the item was never finalized following the 2007 Transportation Commission meeting.

On February 26, 2014, staff received an e-mail from a San Mateo Drive resident about her near collision experiences with southbound Wallea Drivers at the southerly end of Wallea Drive and San Mateo Drive and inquired about the Transportation Commission's previous recommendation for yield signs at the intersections of Wallea Drive with San Mateo Drive.

Subsequently, staff brought forth this item so that the Transportation Commission could revisit and re-consider the item at their April 9, 2014 meeting. Staff reiterated its position that it would only support stop signs per the California Manual on Uniform Traffic Control Devices (CA-MUTCD), stop signs are more appropriate traffic control devices than yield signs in this context. In addition, yield signs are more difficult to enforce.

Neighborhood meeting flyers regarding this item were sent to the impacted residents two weeks prior to this subsequent Transportation Commission meeting. E-mails received by staff from residents who could not come to this meeting included varying feedback, recommending doing nothing, to supporting stop signs, to supporting yield signs. There were seven residents from Wallea Drive and San Mateo who were present at this meeting and indicated that they opposed the staff's recommendation for stop signs. Ultimately, the Transportation Commission passed a motion, 5-1, with one

commissioner dissenting, to recommend the installation of stop signs at both intersections of Wallea Drive with San Mateo Drive.

At the May 6, 2014 City Council meeting, Council directed staff to take the item to the Bicycle Commission for consideration before returning to Council. On June 7, 2014, the Bicycle Commission considered the item. Similar to the prior Transportation Commission meetings, staff mailed neighborhood meeting flyers to impacted residents two weeks prior to the Bicycle Commission meeting. E-mails received by staff from residents who could not come to this meeting had varying feedback, recommending doing nothing, to supporting stop signs, to supporting yield signs. Eleven residents attended the meeting; of these, nine opposed stop signs and two supported stop signs. The Bicycle Commission continued the item until their July 14, 2014, meeting to allow Commissioners to further review the intersections in question.

On July 14, 2014, five residents attended the meeting; three voiced opposition to stop signs and two supported stop signs. The Bicycle Commission passed a motion 3-2, with two Commissioners dissenting, to recommend installation of yield signs at both intersections of Wallea Drive with San Mateo Drive and to install bicycle route and crossing warning signs on San Mateo Drive.

On August 12, 2014, staff sent a meeting flyer inviting residents to the August 26, 2014 Council meeting to discuss this item.

IMPACT ON CITY RESOURCES

Sufficient funds are available in the operating budget designation for the City's signing and striping program for the installation of the stop signs and posts and appurtenant striping and pavement markings on Wallea Drive at its intersections with San Mateo Drive.

POLICY ISSUES

The installation of stop signs on Wallea Drive at its intersections with San Mateo Drive is consistent with several policies in the 1994 City General Plan Circulation and Transportation Element, which seeks to maintain a circulation system using the Roadway Classification System that will provide for a safe and efficient movement of people and goods throughout Menlo Park for residential and commercial purposes.

ENVIRONMENTAL REVIEW

The installation of stop signs on Wallea Drive at its intersections with San Mateo Drive is categorically exempt under Class I of the current State of California Environmental Quality Act Guidelines. Class 1 allows for minor alterations of existing facilities, including existing highways and streets, sidewalks, gutters, bicycle and pedestrian access, and similar facilities as long as there is negligible or no expansion of use.

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. Layout of San Mateo Drive Showing Proposed Stop Signs on Wallea Drive at San Mateo Drive
- C1. Sight triangle for the northerly end of San Mateo Drive at Wallea Drive (no traffic control on either roadway)
- C2. Sight triangle for the northerly end of San Mateo Drive at Wallea Drive (stop control on Wallea Drive)
- D1. Sight triangle for the southerly end of San Mateo Drive at Wallea Drive (no traffic control on either roadway)
- D2. Sight triangle for the southerly end of San Mateo Drive at Wallea Drive (stop control on Wallea Drive)

Report prepared by:
René Baile
Transportation Engineer

Nicole H. Nagaya
Interim Transportation Manager

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE INSTALLATION OF STOP SIGNS AT THE
NORTHERLY AND SOUTHERLY ENDS OF WALLEA DRIVE AT SAN
MATEO DRIVE

WHEREAS, staff received complaints from drivers and residents about traffic safety concerns due to drivers' confusion at the intersection of Wallea Drive and San Mateo Drive, near Middle Avenue;

WHEREAS, at the August 8, 2007 Transportation Commission meeting, the commission heard this traffic safety concern and ultimately, passed a motion, 5-1, with one commissioner dissenting, not to support staff's recommendation for the installation of stop signs but recommend the installation of yield signs on Wallea at its northerly and southerly intersections with San Mateo Drive and that any shrubberies within the 30-foot triangular area in the corner property at the southerly end be trimmed to maximum height of 3 feet;

WHEREAS, due to a February 26, 2014 e-mail received by staff from a San Mateo Drive resident of traffic safety incidents at the southerly end of Wallea Drive with San Mateo Drive, at the April 9, 2014 Transportation Commission meeting, the commission considered the staff's recommendation of installing stop signs at both ends of Wallea Drive with San Mateo Drive and ultimately passed a motion, 5-1, with one commissioner dissenting, to support staff's recommendation for the installation of stop signs at both ends of Wallea Drive with San Mateo Drive; and,

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED, the City Council of Menlo Park does hereby authorize the installation of stop signs at the northerly and southerly ends of Wallea Drive with San Mateo Drive.

I, Pam 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 twenty sixth day of August, 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 twenty sixth day of August, 2014.

Pamela Aguilar
City Clerk

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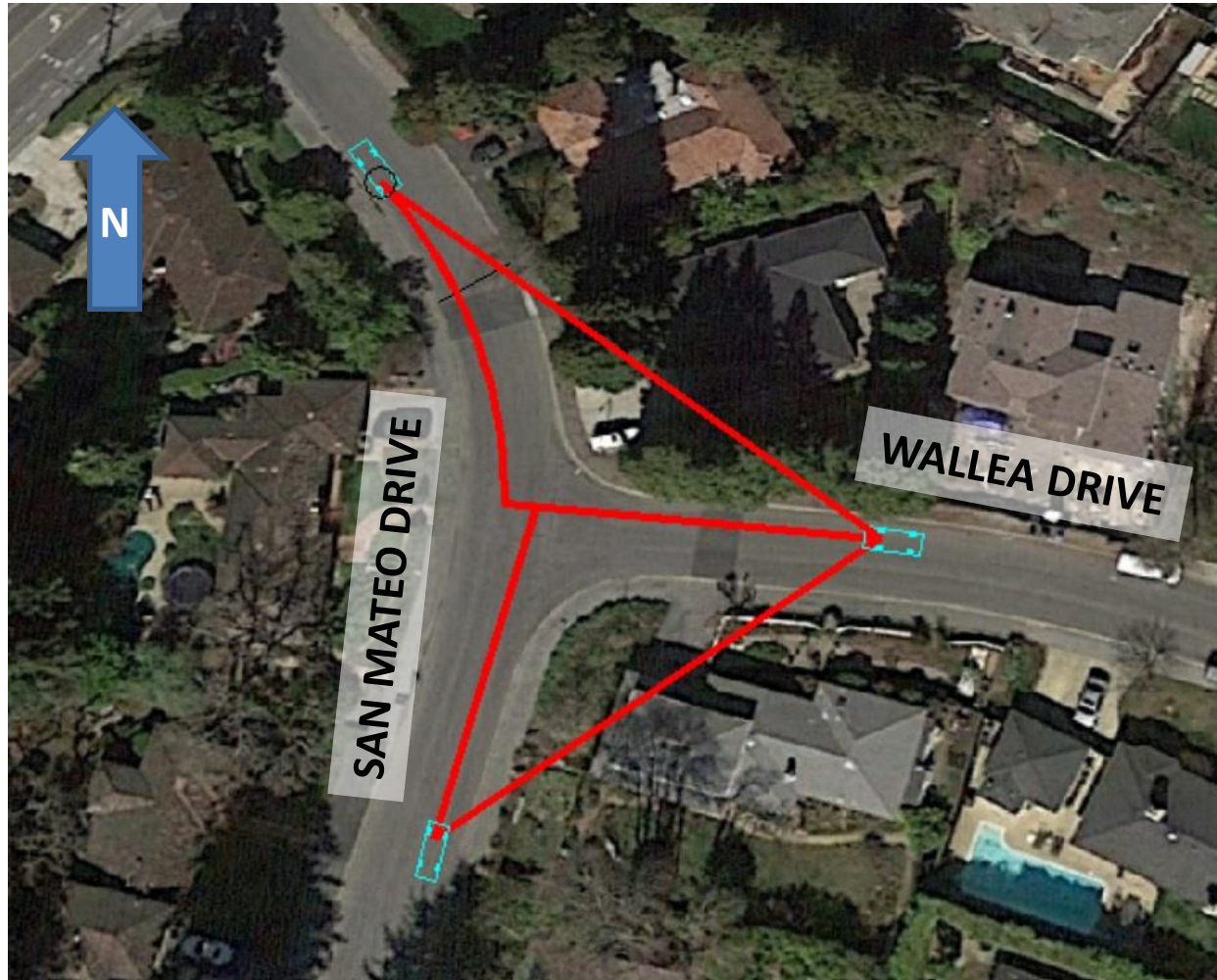
LAYOUT OF PROPOSED STOP SIGNS ON WALLEA DRIVE AT SAN MATEO DRIVE



 STOP SIGNS ON WALLEA DRIVE

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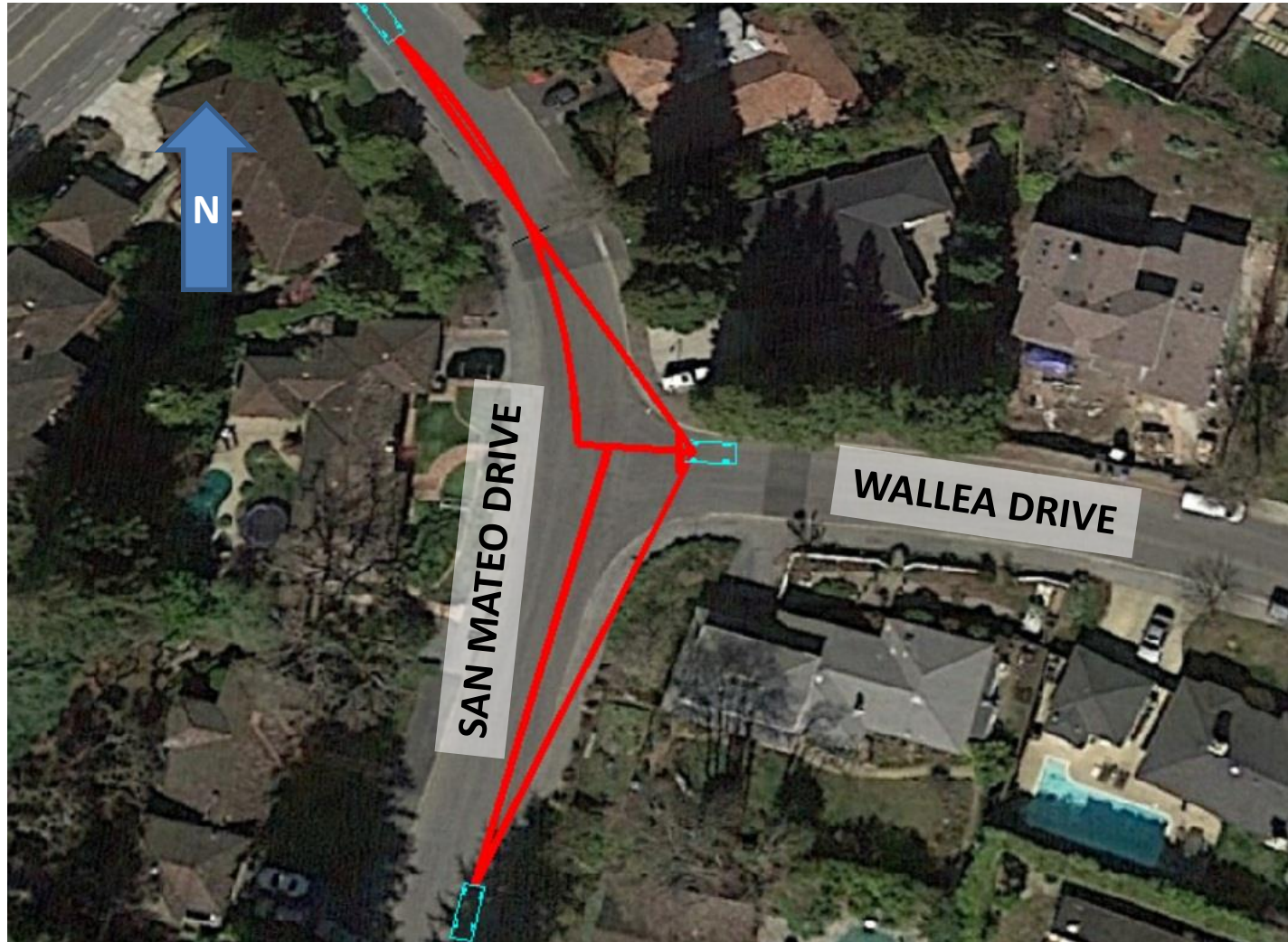
SIGHT TRIANGLES AT NORTHERLY END OF SAN MATEO DRIVE AND WALLEA DRIVE (NO TRAFFIC CONTROL ON EITHER ROADWAY)



— **SIGHT TRIANGLE FOR 25 MPH VEHICLE SPEED ON SAN MATEO DRIVE** PAGE 87

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SIGHT TRIANGLES AT NORTHERLY END OF SAN MATEO DRIVE AND WALLEA DRIVE (STOP CONTROL ON WALLEA DRIVE)



— SIGHT TRIANGLE FOR 25 MPH VEHICLE SPEED ON SAN MATEO DRIVE

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SIGHT TRIANGLE AT THE SOUTHERLY END OF SAN MATEO DRIVE AND WALLEA DRIVE (NO TRAFFIC CONTROL ON EITHER ROADWAY)



— SIGHT TRIANGLE FOR 25 MPH VEHICLE SPEED

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**SIGHT TRIANGLE AT SOUTHERLY END OF SAN MATEO DRIVE AND WALLEA DRIVE
(STOP CONTROL ON WALLEA DRIVE)**



— SIGHT TRIANGLE FOR 25 MPH VEHICLE SPEED ON SAN MATEO DRIVE

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: August 26, 2014

Staff Report #: 14-158

Agenda Item #: F-2

REGULAR BUSINESS:

Adopt an Urgency Ordinance to Implement the State Water Resources Control Board's Emergency Mandatory Regulations for Water Conservation; Adopt a Resolution to Establish a Water Conservation Plan; Introduce an Ordinance to Continue the Mandatory Regulations upon Expiration of the Urgency Ordinance; and Approve a New Environmental Programs Specialist Position and Outreach Program in the Amount of \$155,000 to be Covered by the Water Fund

RECOMMENDATION

Staff is recommending the following:

1. Adopt an urgency ordinance to
 - a. Enact chapter 7.35 of the Menlo Park Municipal Code allowing City Council to adopt by resolution a Water Conservation Plan consistent with any emergency water regulations adopted by the State Water Resources Control Board (SWRCB) or drought-related actions imposed by the San Francisco Public Utilities Commission (SFPUC).
 - b. Suspend Chapter 7.34 on Water Rationing (Ordinance 821) to the extent it is inconsistent with Chapter 7.35.
 - c. Suspend Chapter 7.38 on Water Conservation (Ordinance 849) to the extent it is inconsistent with Chapter 7.35.
2. Adopt a resolution to establish a Water Conservation Plan that will implement Stage 3 of the City's WSCP and the additional requirements of the new SWRCB regulations.
3. Introduce an ordinance to continue implementing the SWRCB's regulations upon expiration of the urgency ordinance.
4. Approve a new Environmental Programs Specialist position and outreach program in the amount of \$155,000 to be covered by the Water Fund.

BACKGROUND

The SWRCB regulations became law on July 28, 2014, and will remain in effect for up to 270 days, up to April 25, 2015. The SWRCB can determine if these regulations are no longer necessary due to changed conditions and they can renew the regulations if drought conditions continue. The new law consists of 3 components:

1. Restricting outdoor irrigation activities
2. Implementing the City's Water Shortage Contingency Plan (WSCP) Stage 3. See Attachment A for the WSCP in its entirety.
3. Submitting monthly reports to the SWRCB.

Restricted Outdoor Irrigation Activities	
1.	Applying potable water to any driveway or sidewalk.
2.	Using potable water to water outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
3.	Using a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle.
4.	Using potable water in a fountain or decorative water feature, unless the water is recirculated. Recycled water is not mandated, but encouraged for fountain use.

City's WSCP Stage 3

	Prohibited Activities	Clarification
1	No new or expanded irrigation systems	New irrigation systems cannot be installed. Existing irrigation systems cannot be expanded.
2	Prohibition against noncommercial vehicle washing	Prohibits noncommercial vehicle washing unless the hose is fitted with a shut-off nozzle or the vehicle is washed at a car wash facility that utilizes a water recirculating system.
3	Prohibition against filling swimming pools and using ornamental fountains	Prohibits filling new swimming pools. Prohibits using ornamental fountains or decorative water features, unless the water is recirculated.
4	Limited new water service connections	On a case-by-case basis, the Public Works Director, or his designee, shall determine if a new water service connection shall be allowed.
5	Prohibition against use of potable water for construction dust control	Prohibits using potable water for construction dust control.
6	Controls on groundwater use	The Public Works Director, or his designee, shall establish an outreach program for customers with private wells

		to educate on water conservation.
	Action	Clarification
7	30% reduction for residential, commercial, industrial & public customers	Residential, commercial, industrial, and public water customers shall reduce their water use by 30% from the same period during a previous year (as determined by the Public Works Director, or his designee).
8	45% reducing in dedicated irrigation accounts	Customers with dedicated irrigation accounts shall reduce their irrigation water use by 45% from the same period during a previous year (as determined by the Public Works Director, or his designee).

On August 19, 2014 the City Council held a study session to discuss implementing the State Water Resources Control Board’s (SWRCB) emergency mandatory regulations for water conservation. Attachment B is the staff report from that meeting.

The Council specifically requested that staff provide the costs involved to hire additional staff in order to meet the new regulations, and to develop a strategic communication plan to educate the community on water conservation.

ANALYSIS

Menlo Park Municipal Code

Staff recommends eliminating the outdated chapters in the Menlo Park Municipal Code regarding water conservation and adding a new chapter to provide flexibility to meet the new SWRCB regulations and any future requirements of the SWRCB or from SFPUC. The two existing Municipal Code chapters that address water conservation, Chapter 7.34 Water Rationing and Chapter 7.38 Water Conservation, conflict with each other and should be deleted. Staff recommends that the City Council adopt an urgency ordinance (Attachment C) which would become effective on the same day it is adopted and would remain in effect for up to 45 days. As the new law will remain in effect up to April 25, 2015, staff also recommends introducing an ordinance (Attachment D) that would continue implementing the new SWRCB regulations beyond the 45 days of the urgency ordinance expiration.

Effective Dates:

- August 26, 2014 Adopt an urgency ordinance, in effect for 45 days until October 10, 2014
- August 26, 2014 Introduce an ordinance that would replace the urgency ordinance
- September 9, 2014 Adopt an ordinance that would the replace urgency ordinance which would take effect 30 days later, on October 9, 2014
- October 10 2014 Urgency ordinance expires, new ordinance goes into effect

Staff will return to City Council on September 9, 2014 to adopt the ordinance that would replace the urgency ordinance.

Water Conservation Plan

Staff recommends adopting a resolution (Attachment E) to establish a Water Conservation Plan that will implement Stage 3 of the City’s WSCP, the additional outdoor irrigation activities restricted by the new SWRCB regulations, and enforcement.

Recommended Enforcement

Violation	Enforcement
1 st	Warning only. Educate customer on proper water conservation practices.
2 nd	\$50 fine
3 rd	\$100 fine
4 th	\$200 fine, and review by the Public Works Director (or his designee) to determine if a flow restricting device should be installed
5 th	\$500 fine, and review by the Public Works Director (or his designee) to determine if water service should be discontinued
6 th	\$500 fine, water service shall be discontinued

Recommended Charges for Installation or Removal of Flow Restricting Devices

Meter Size	Installation Cost	Removal Cost
5/8” to 2”	\$ 155.00	\$ 155.00
3” or larger	Actual Cost	Actual Cost

Recommended Charges for Disconnecting and Reconnecting Service

Meter Size	Cost to Disconnect Service	Cost to Reconnect Service
All sizes	\$ 155.00	\$ 155.00

Next Step – Revise the Water Shortage Contingency Plan

The current WSCP’s Stage 3 requires a 45% water use reduction for dedicated irrigation accounts and a 30% water use reduction for all other customers. In order to better reflect the SWRCB’s 20% conservation goal, staff will revise the WSCP, which is part of the 2010 Urban Water Management Plan (UWMP), as follows:

1. At least 60 days prior to a public hearing, notify the public and other agencies that the UWMP will be reviewed and possibly amended.
2. Make the amended UWMP available for public inspection.

3. Publish the time and place of the public hearing in a newspaper at least twice at least 5 days apart.
4. Hold a public hearing to adopt the amended UWMP.
5. Make the revised UWMP available for public review within 30 days of adoption.

Staff estimates that a revised WSCP could go into effect in 90 days. On the same date to adopt the UWMP, staff will also ask City Council to approve a resolution to establish an updated Water Conservation Plan to reflect the revised WSCP.

Sample Schedule:

Complete draft WSCP	September 2014
Notify public that UWMP will be reviewed and updated	September 2014
Public Hearing to adopt UWMP	November 2014
Adopt resolution to update Water Conservation Plan	November 2014
Implement Revised WSCP	November 2014

IMPACT ON CITY RESOURCES

The new SWRCB regulations involve implementing an outreach program, monitoring, and reporting to the State which is above and beyond staff's current workload. In order to effectively implement this new program, staff is recommending hiring an Environmental Programs Specialist to manage the newly required activities. The duties of this new staff person would include:

- Develop an outreach program with costs and timelines (explained in more detail below)
- Coordinate with Code Enforcement
- Work with Global Water (City's contract water billing company) to enhance the water bill format
- Develop a database to track enforcement activities
- Evaluate water use savings
- Meet with customers as needed
- Coordinate with other local water agencies
- Submit monthly reports to SWRCB
- Educate customers that have private wells

The annual cost for a new Environmental Programs Specialist is about \$98,000 including benefits. The additional costs to implement an extensive outreach program are detailed in the table below. The costs were estimated modeling the City's current Environmental Programs budget and activities for energy conservation, hazardous waste, clean air, solid waste, and water pollution prevention, and they reflect anticipated outreach activities for water conservation to implement the City's WSCP Stage 3. If the drought continues and the City is required to implement a higher WSCP stage, the estimated costs below would increase.

Outreach Program – Estimated Costs

Activity	Details	Annual Cost
Intro Letter on City Letterhead	Mailed to every water customer in the water district to introduce new regulations, \$2,030	\$2,030
Brochures	Mailed to every water customer in the water district to explain regulations and educate 2 mailings (\$15,750 each), fall and spring, hire marketing firm to design	\$31,500
Newspaper Ads	2 full-page ad 5x8, \$1,800 4 half-page ads 5x4 size, \$1,000 3 ads 5x3 size, \$750 each	\$9,850
Direct Mailers Letters or postcards	Mailed to every water customer in the water district 4 mailers (\$2,030 each)	\$8,120
Robocalls, City recorded messages	4 times (\$420 per 40 second message)	\$1,680
Doorhangers	Provide as needed to customers violating water restrictions \$2 each (2,000 pieces)	\$4,000
Chamber of Commerce Weekly E-Newsletter	Develop text	Included in staff costs \$97,959
Community Meetings	Coordinate	
Facebook	Develop text and maintain	
Garbage Bill Inserts	Develop text	
Green Ribbon Citizens Committee Calendar and Email	Develop text and maintain	
Hotline # and Email	Setup and maintain daily	
Local TV Channel	Slide ads displayed on government (ch. 26 & 29) and/or public access (ch. 27, 28, & 30) channels	
Menlo Focus	Develop text	
NextDoor.com	Develop text and maintain	
Patch.com Calendar	Develop text and maintain	
Post Flyers in Community	Starbucks, Library kiosk, Onetta Harris Community Center, Admin Bldg., Employee lounge, Cheeky Monkey Toys, Rec Center, Gymnasium, Family Gym, Downtown kiosks	
Twitter	Develop text and maintain	
Website, includes Press Releases, City Calendar, and News/Event List Serve	Develop and maintain	

Total annual costs to hire an Environmental Programs Specialist and implement an outreach program would be approximately \$155,000. The actual cost would be lower during this fiscal year since the fiscal year has already begun. The cost of the new position and operating expenses would be fully funded by the Water Fund. If the operating budget is unable to cover those expenses, a budget amendment will be done at mid-year. Since the extent and impact of the drought is not yet known, staff will provide an update regarding the continuing need for this position during the annual budget process.

POLICY ISSUES

The City has permanent water use restrictions in place and has already increased water conservation efforts in response to the dry conditions. The recommended action is consistent with those policy efforts and the strategies outlined in the 2010 UWMP that expires on April 25, 2015 unless the SWRCB revises, renews, or terminates the regulations.

ENVIRONMENTAL REVIEW

Council's adoption of the proposed ordinance and resolution is categorically exempt from CEQA under CEQA Guidelines 15307 (Actions by Regulatory Agencies for Protection of Natural Resources).

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. Water Shortage Contingency Plan (from the 2010 Urban Water Management Plan)
- B. August 19, 2014 City Council Study Session Staff Report
- C. Urgency Ordinance to Implement State Water Board's New Regulations
- D. Ordinance to Continue Implementing State Water Board's New Regulations Upon Expiration of Urgency Ordinance
- E. Resolution to Adopt Water Conservation Plan

Report prepared by:
Pam Lowe, P.E.
Associate Civil Engineer

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Water Shortage Contingency Plan

Every five years, the City must develop and update its Urban Water Management Plan (UWMP) and submit it for approval to the California Department of Water Resources. The UWMP addresses changing conditions related to water sources, water availability, water demands, and water reliability for the next 20 to 25 years. The Water Shortage Contingency Plan (WSCP), developed as part of the UWMP, describes the water supplier's response and planning for changes or shortages in water supply. It compares supply and demand under normal, single-dry, and multiple-dry years and describes stages and actions to be undertaken in response to water supply shortages of up to 50%.

Below is the City's WSCP (Table 5.11 from the 2010 UWMP). The City is currently implementing all of the voluntary Stage 2 actions. The current 2010 UWMP can be viewed in its entirety at <http://www.menlopark.org/150/Urban-Water-Management-Plan>.

Water Shortage Contingency Rationing Stages* to Address Water Supply Shortages (Table 5.11 from the 2010 UWMP)

Stage No.	Water Supply Conditions	% Shortage					
1 Ongoing	Water Waste Prohibitions including <ul style="list-style-type: none"> • Repair of defective irrigation systems • No flooding of gutter, driveways and streets • Restaurant water served on request • Water use for cooling must be recycled • Prohibition against sidewalk and building washing 	NA					
2 Voluntary	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Increase in public information budgets</td> <td rowspan="4" style="text-align: center; vertical-align: middle;">Up to 20%</td> </tr> <tr> <td style="padding: 2px;">Increased enforcement of the water waste prohibition</td> </tr> <tr> <td style="padding: 2px;">Restaurant water served on request</td> </tr> <tr> <td style="padding: 2px;">10% reduction across all customer classes</td> </tr> </table>	Increase in public information budgets	Up to 20%	Increased enforcement of the water waste prohibition	Restaurant water served on request	10% reduction across all customer classes	
Increase in public information budgets	Up to 20%						
Increased enforcement of the water waste prohibition							
Restaurant water served on request							
10% reduction across all customer classes							
3 Mandatory	All Stage 2 Prohibitions and <ul style="list-style-type: none"> • No new or expanded irrigation systems • Prohibition against noncommercial vehicle washing • Prohibition against filling swimming pools and using ornamental fountains • Limited new water service connections • Prohibitions against use of potable water for construction dust control • Controls on groundwater use 30% reductions for residential, commercial, industrial & public	25% to 35%					

Stage No.	Water Supply Conditions	% Shortage
	customers	
	45% reducing in dedicated irrigation accounts	
4 Mandatory	All Stage 2 and 3 Prohibitions	40% to 50%
	50% reductions for residential, commercial, industrial & public customers	
	75% reductions in dedicated irrigation accounts	

* One of the stages of action must be designed to address a 50 percent reduction in water supply.



PUBLIC WORKS DEPARTMENT

Council Meeting Date: August 19, 2014

Staff Report #: 14-147

Agenda Item #: SS-1

STUDY SESSION: **Discuss Implementing the State Water Resources Control Board's Emergency Mandatory Regulations for Water Conservation**

RECOMMENDATION

Discuss implementing the State Water Resources Control Board's emergency mandatory regulations for water conservation considering the following staff suggestions:

1. Adopt an urgency ordinance to
 - a. Enact chapter 7.35 of the Menlo Park Municipal Code allowing City Council to adopt by resolution a Water Conservation Plan consistent with any emergency water regulations adopted by the SWRCB or drought-related actions imposed by the SFPUC.
 - b. Suspend Chapter 7.34 on Water Rationing (Ordinance 821) to the extent it is inconsistent with Chapter 7.35.
 - c. Suspend Chapter 7.38 on Water Conservation (Ordinance 849) to the extent it is inconsistent with Chapter 7.35.
2. Adopt a resolution to establish a Water Conservation Plan that will implement Stage 3 of the City's WSCP and the additional requirements of the new SWRCB regulations.
3. Introduce an ordinance to continue implementing the SWRCB's regulations upon expiration of the urgency ordinance.

BACKGROUND

State Water Resources Control Board (SWRCB) Emergency Mandatory Regulations

On January 17, 2014, in response to the ongoing dry conditions, Governor Brown issued a drought emergency proclamation and asked for all Californians to reduce water use by 20%.

On January 31, 2014, the San Francisco Public Utilities Commission (SFPUC) asked its retail and wholesale customers, including the Menlo Park Municipal Water District (City),

to voluntarily curtail water consumption by 10%. The City responded to the voluntary request and has reduced consumption by approximately 10.3% between February and June 2014, as compared to the same period in 2013. The City has a long standing commitment to water conservation and recently stepped up efforts in response to the dry year conditions.

Some examples include:

1. Notified restaurants asking them to serve water to customers only upon request and provided free tabletop tent cards.
2. Adjusted the City's irrigation controllers to reduce watering by 10%.
3. Replaced old sprinkler heads around the Civic Center with new more efficient heads.
4. Placed electronic board signs on Santa Cruz Avenue and Willow Road informing drivers to conserve water.
5. Turned off all City decorative fountains.
6. Stopped all power washing of sidewalks.
7. Expanded the High-Efficiency Toilet (HET) rebate program to provide two rebates.
8. Provided information on the City's Water Conservation programs in the quarterly water bill inserts.
9. Implemented Conserve-A-Scape, a new landscape design assistance program to support Lawn Be Gone participants in designing a water-efficient landscape.
10. Provided free monthly water budget reports to the large landscape irrigation customers through the Large Landscape Program.
11. Offered the Landscape Audit/Analysis program for commercial and multi-family water customers.

On April 25, 2014, Governor Brown issued an Executive Order directing the SWRCB to adopt emergency drought regulations, as it deems necessary. On July 15, 2014, the SWRCB passed a resolution adopting emergency regulations adding new sections to Title 23 of the California Code of Regulations (Attachment A, and a Fact Sheet is Attachment B). The Office of Administrative Law adopted the emergency regulations, and the new law became effective on July 28, 2014, and will remain in effect for up to 270 days, up to April 25, 2015. The SWRCB can determine if these regulations are no longer necessary due to changed conditions and they can renew the regulations if drought conditions continue.

The emergency regulations prohibit the following activities, except where necessary to address an immediate health and safety need, or to comply with a term or condition in a permit issued by a state or federal agency. It also enables local agencies to fine violators up to \$500 a day.

Prohibited Activities
1. Applying potable water to any driveway or sidewalk.
2. Using potable water to water outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
3. Using a hose that dispenses potable water to wash a motor vehicle,

Prohibited Activities
unless the hose is fitted with a shut-off nozzle.
4. Using potable water in a fountain or decorative water feature, unless the water is recirculated. Recycled water is not mandated, but encouraged for fountain use.

In addition, urban water suppliers, including the City of Menlo Park, must also implement the following:

Urban Water Suppliers
<p>Conservation</p> <p>Implement all requirements and actions of the stage of its Water Shortage Contingency Plan (WSCP) that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.</p> <p>Or, as an alternative, submit a request to the SWRCB’s Executive Director to approve an alternate allocation-based rate structure that would achieve a level of water conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days/week.</p> <p>Water suppliers that do not have a WSCP, or that have been notified by the Department of Water Resources that its WSCP does not meet the requirements of Water Code Section 10632, must within 30 days of when the emergency regulations became effective limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week or implement other mandatory use restrictions that provide a comparable level of savings.</p> <p>Monthly Reporting Requirement</p> <p>To promote water conservation, each urban water supplier shall prepare and submit monthly reports to the SWRCB. The SWRCB is in the process of preparing templates for monthly reports that urban water suppliers must submit by the 15th of each month. At a minimum, the reports will likely include the items below:</p> <ol style="list-style-type: none"> 1. The amount of potable water produced or purchased from wholesalers in the preceding calendar month with a comparison to the same calendar month in 2013. 2. Beginning October 15, 2014, an estimate of the gallons of water per person per day used by residential customers.

The SWRCB can issue cease and desist orders against water agencies that don’t impose mandatory conservation measures upon their retail customers. Water agencies that violate cease and desist orders are subject to civil liability of up to \$10,000 a day.

Menlo Park Municipal Water District

The Menlo Park Municipal Water District (City) is an urban water supplier that purchases 100% of its water from SFPUC and supplies water to approximately 4,300

homes and businesses in the City through two service areas: the eastern service area and the western service area. California Water Service (CalWater) provides water to the middle area of the City. Other smaller water suppliers within City boundaries include O'Connor Tract Cooperative Water District (approximately 300 connections in the Willows neighborhood), and the Palo Alto Mutual Water Company (approximately 500 connection in Menlo Park and East Palo Alto).

Menlo Park Municipal Code

The Menlo Park Municipal Code contains two chapters that address water conservation. The chapters contradict each other and neither conforms to the new SWRCB regulations.

Chapter 7.34 Water Rationing (Ordinance 821), adopted by City Council on March 26, 1991, implemented a Water Rationing Plan during the 1998-1993 drought which included allotments and banking for each water user, excess use charges if users went above their allotments, flow restrictor installations if necessary, and an appeals process (Attachment C).

On April 21, 1993, the City Council adopted an ordinance suspending Chapter 7.34 and adding Chapter 7.38, Water Conservation (Ordinance 849) to provide regulations and restrictions on water use (Attachment D). It lists prohibited activities that correlate to the City's Water Shortage Contingency Plan (WSCP) Stage 1 voluntary actions. The WSCP is described in Attachment E.

ANALYSIS

State Regulations Implementation

Pursuant to the SWRCB's emergency regulations, the City must either implement all requirements and actions of the stage of its WSCP that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water (Stage 3), or submit a request to the SWRCB Executive Director to approve an alternate allocation-based rate structure that would achieve a level of water conservation that exceeds a two days/week watering schedule.

Staff is recommending implementing Stage 3 of the WSCP in lieu of the option to create an allocation-based rate structure. Implementing Stage 3 appears to be the best alternative for the following reasons:

1. Compliance with the SWRCB can be achieved by implementing Stage 3 of the WSCP.
2. During the 1988-1993 drought the City created an allocation-based rate structure which included allotments for each customer, banking provisions, excess use charges if allotments were exceeded, and an appeals process. Creating these processes were time consuming and impacted staff resources significantly. This increases the administration cost which further increases the rate payers cost.

3. Creation of such a structure as an alternative to implementing the WSCP would require application to and approval by the SWRCB Executive Director.
4. The new SWRCB regulations are already in effect, and the City must be in compliance as soon as possible.

For all of the foregoing reasons, staff is recommending implementing stage 3 of the WSCP. Additionally, staff is recommending the deletion of Chapter 7.34 of the Menlo Park Municipal Code which codified the 1988-1993 drought allocations, which is discussed later in this report.

Water Shortage Contingency Plan - Stage 3

	Prohibited Activities	Clarification
1	No new or expanded irrigation systems	New irrigation systems cannot be installed. Existing irrigation systems cannot be expanded.
2	Prohibition against noncommercial vehicle washing	Prohibits noncommercial vehicle washing unless the hose is fitted with a shut-off nozzle or the vehicle is washed at a car wash facility that utilizes a water recirculating system.
3	Prohibition against filling swimming pools and using ornamental fountains	Prohibits filling new swimming pools. Prohibits using ornamental fountains or decorative water features, unless the water is recirculated.
4	Limited new water service connections	On a case-by-case basis, the Public Works Director, or his designee, shall determine if a new water service connection shall be allowed.
5	Prohibition against use of potable water for construction dust control	Prohibits using potable water for construction dust control.
6	Controls on groundwater use	The Public Works Director, or his designee, shall establish an outreach program for customers with private wells to educate on water conservation.

In addition, the City must implement the following:

	Action	Clarification
7	30% reduction for residential, commercial, industrial & public customers	Residential, commercial, industrial, and public water customers shall reduce their water use by 30% from the same period during a previous year (as determined by the Public Works Director, or his designee).
8	45% reducing in dedicated irrigation accounts	Customers with dedicated irrigation accounts shall reduce their irrigation water use by 45% from the same period during a previous year (as determined by the Public Works Director, or his designee).

Because Stage 2 of the WSCP does not meet the SWRCB emergency regulations relative to restrictions on outdoor irrigation of ornamental landscapes or turf with potable

water, staff is recommending implementing Stage 3. Stage 3 significantly exceeds the intent of Governor Brown's emergency regulation to reduce water use by 20% and the SWRCB regulations. In addition it places a significant financial burden on business and residential customers in achieving a 30% water use reduction and irrigation customers in achieving a 45% water use reduction.

Recommend Revising Menlo Park Municipal Code

Staff recommends eliminating the outdated chapters in the Menlo Park Municipal Code regarding water conservation and adding a new chapter to provide flexibility to meet the new SWRCB regulations and any future requirements of the SWRCB or from SFPUC. The two existing Municipal Code chapters that address water conservation, Chapter 7.34 Water Rationing and Chapter 7.38 Water Conservation, conflict with each other and the new regulations and should be deleted. The new SWRCB regulations became effective on July 28, 2014. The City should be in compliance with the new law as soon as possible. Staff recommends that the City Council adopt an urgency ordinance which would become effective on the same day it is adopted and would remain in effect for up to 45 days. As the new law will remain in effect up to April 25, 2015, staff also recommends introducing an ordinance that would continue implementing the new SWRCB regulations beyond the 45 days of the urgency ordinance expiration.

Staff anticipates returning to Council at its next meeting (August 26, 2014) to recommend the following:

4. Adopt an urgency ordinance (Attachment F) to
 - a. Enact chapter 7.35 of the Menlo Park Municipal Code allowing City Council to adopt by resolution a Water Conservation Plan consistent with any emergency water regulations adopted by the SWRCB or drought-related actions imposed by the SFPUC.
 - b. Suspend Chapter 7.34 on Water Rationing (Ordinance 821) to the extent it is inconsistent with Chapter 7.35.
 - c. Suspend Chapter 7.38 on Water Conservation (Ordinance 849) to the extent it is inconsistent with Chapter 7.35.
5. Adopt a resolution (Attachment G) to establish a Water Conservation Plan that will implement Stage 3 of the City's WSCP and the additional requirements of the new SWRCB regulations.
6. Introduce an ordinance (Attachment H) to continue implementing the SWRCB's regulations upon expiration of the urgency ordinance.

Effective Dates:

August 26, 2014	Adopt urgency ordinance, in effect for 45 days until October 10, 2014
August 26, 2014	Introduce ordinance that would replace urgency ordinance
September 9, 2014	Adopt ordinance that would replace urgency ordinance and goes into effect 30 days later, on October 9, 2014
October 10 2014	Urgency ordinance expires, new ordinance goes into effect

The new law was signed on July 28, 2014 and will expire April 25, 2015. The SWRCB can determine if these regulations are no longer necessary due to changed conditions and can renew the regulations if drought conditions continue. When this occurs, or if SFPUC, imposes drought-related actions to its retailers (as it did in the 1988-1993 drought), staff will return to Council to adopt a resolution to implement any new regulations or requirements.

Monthly Reporting Requirement

The first monthly report was due to the SWRCB by August 15th. Staff is working with Global Water, the company that provides water billing services to the City, to receive prior water use consumption data in a timely matter so that data can be submitted to the SWRCB.

Status of 2015 Urban Water Management Plan

The UWMP was last updated in 2010. The next UWMP must be completed by the end of 2015, however, there is current legislation to extend the deadline to summer 2016. Staff is currently in the process of hiring a consultant to develop the 2015 UWMP, which would include reviewing and updating the Water Shortage Contingency Plan.

Option to Amend the 2010 Urban Water Management Plan in Order to Revise the Water Shortage Contingency Plan

Regardless of the fact that staff will be developing the 2015 UWMP within the next two years, if the City Council so chooses, staff can amend the 2010 UWMP and update the Water Shortage Contingency Plan to revise the mandatory stages to clarify required conservation measures and better reflect the needs of the community. In order to do so, the following must occur:

1. At least 60 days prior to a public hearing, notify the public and other agencies that the UWMP will be reviewed and possibly amended.
2. Make the amended UWMP available for public inspection.
3. Publish the time and place of the public hearing in a newspaper at least twice at least 5 days apart.
4. Hold a public hearing to adopt the amended UWMP.
5. Make the revised UWMP available for public review within 30 days of adoption.

Staff estimates that at the earliest a revised WSCP could go into effect in January 2015. Because of this timeframe, the uncertainty on how long the SWRCB regulations will be in effect, and the fact that staff will be updating the 2015 UWMP and WSCP within the next two years, staff does not recommend revising the current 2010 UWMP (and WSCP) at this time.

Sample Schedule:

Complete draft WSCP	October 2014
Notify public that UWMP will be reviewed and updated	October 2014

Public Hearing to adopt UWMP
 Implement Revised WSCP

January 2015
 January 2015

As an example, staff created a revised WSCP that expands the mandatory stages. If the City Council chooses to amend the WSCP, the rationing stages could be revised in their entirety.

EXAMPLE ONLY
Water Shortage Contingency Plan
Rationing Stages* to Address Water Supply Shortages

Stage No.	Water Use Regulations	% Shortage
1	<ul style="list-style-type: none"> • Flooding or runoff of potable water is prohibited. • A shut-off valve is required for hoses used to wash vehicles, sidewalks, buildings, etc. • Broken or defective plumbing and irrigation systems must be repaired or replaced within a reasonable period. 	NA
2	All Stage 1 and <ul style="list-style-type: none"> • Restaurants and other food service operations shall serve water to customers only upon request. • Landscape irrigation shall not be allowed between 10:00 a.m. and 6:00 p.m., except for drip irrigation, soaker hoses and hand watering. • Using potable water in a fountain or decorative water feature, unless the water is recirculated • Increase public information outreach • Increase enforcement activities 	Up to 20%
3	All Stage 2 and <ul style="list-style-type: none"> • Potable water shall not be used to operate, clean, fill or maintain levels in decorative fountains or ponds. • Newly constructed pools, spas and hot tubs may not be filled. 	20% to 30%
4	All Stage 3 and <ul style="list-style-type: none"> • No new landscaping installed at new construction sites. 	30% to 40%
5	All Stage 4 and <ul style="list-style-type: none"> • No new water service hookups. • Turf irrigation prohibited. • Once-through cooling systems must be converted to recycling systems. • The washing of all vehicles is prohibited outside of a commercial washing facility that recycles its water. • Irrigation by sprinklers is prohibited at all times. 	40% to 50%

* One of the stages of action must be designed to address a 50 percent reduction in water supply.

Enforcement

Per Municipal Code 1.12.010, the City can issue infractions as shown below.

Municipal Code 1.12.010 Infractions

Violation	Fine
1 st	up to \$50 fine
2 nd	up to \$200 fine (within 1 year from 1 st violation)
3 rd	up to \$500 fine (within 1 year from 1 st violation)
4 th	a misdemeanor (within 1 year from 1 st violation)

Prohibited Activities

For violations of any resolution adopted pursuant to Menlo Park Municipal Code Chapter 7.35, staff is recommending the following fines.

Recommended Enforcement

Violation	Enforcement
1 st	Warning only. Educate customer on proper water conservation practices.
2 nd	\$50 fine
3 rd	\$100 fine
4 th	\$200 fine, and review by the Public Works Director (or his designee) to determine if a flow restricting device should be installed
5 th	\$500 fine, and review by the Public Works Director (or his designee) to determine if water service should be discontinued
6 th	\$500 fine, water service shall be discontinued

Recommended Charges for Installation or Removal of Flow Restricting Devices

Meter Size	Installation Cost	Removal Cost
5/8" to 2"	\$ 155.00	\$ 155.00
3" or larger	Actual Cost	Actual Cost

Recommended Charges for Disconnecting and Reconnecting Service

Meter Size	Cost to Disconnect Service	Cost to Reconnect Service
All sizes	\$ 155.00	\$ 155.00

30% reduction for non-irrigation accounts (residential, commercial, industrial & public)

Staff recommends a proactive approach to educate residents and businesses on their indoor and outdoor water use. Staff may use several approaches such as providing comparisons to previous use, creating educational pieces that will be mailed to each customer, limiting the time of day that customers may irrigate their landscaping, meeting with customers to offer support and guidance, or provide incentives.

45% reduction for dedicated irrigation accounts

Staff recommends a proactive approach to educate customers with dedicated irrigation accounts. Staff may use several approaches such as providing comparisons to previous use, targeting those customers that have exceeded their water budgets that were developed as part of the City's Large Landscape Program, creating educational pieces that will be mailed to each customer, limiting the time of day that customers may irrigate their landscapes, meeting with customers to offer support and guidance, or providing incentives.

Implementation in Other Agencies

Within Menlo Park City boundaries, CalWater, O'Connor Tract Cooperative Water District, and Palo Alto Mutual Water Company also provide water to residents and businesses. Due to the nature of the SWRCB regulations and the requirement for an agency to implement their own WSCP at the mandatory stage, agencies may be implementing different mandatory water conservation restrictions. CalWater and the City of East Palo Alto will be required to implement their own WSCPs, and O'Connor Tract and Palo Alto Park Mutual will be required to implement a 2 days per week watering schedule or other mechanism since they do not have WSCPs.

As we perform outreach on how the City implements the new SWRCB regulations, it will be important to provide clear messages to water users that water restrictions will be dependent on who provides them with water. Staff has met with CalWater and hopes to coordinate a consistent message, however, as of the writing of this report, CalWater had not yet decided how they would implement the new regulations.

Next Steps

On August 26, 2014, staff will return to Council to adopt an urgency ordinance and the 2014 Water Conservation Plan, and introduce an ordinance to continue implementing the Water Board's regulations upon expiration of the urgency ordinance.

Following Council approval, staff will coordinate with different City departments to ensure law enforcement and other involved City staff are informed of the Water Board's request to increase enforcement of water use violations. Staff will also implement a public outreach effort to notify City customers of the new restrictions.

IMPACT ON CITY RESOURCES

Staff anticipates this new requirement will require additional staff time and may require hiring additional staff personnel. It may also require hiring new or paying overtime for existing staff for enforcement activities. Staff anticipates additional costs will be covered by the Water Fund.

POLICY ISSUES

The City has permanent water use restrictions in place and has already increased water conservation efforts in response to the dry conditions. The recommended action is consistent with those policy efforts and the strategies outlined in the 2010 UWMP that expires on April 25, 2015 unless the SWRCB revises, renews, or terminates the regulations.

ENVIRONMENTAL REVIEW

Council's adoption of the proposed ordinance and resolution is categorically exempt from CEQA under CEQA Guidelines 15307 (Actions by Regulatory Agencies for Protection of Natural Resources).

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 No. 2014-0038, State Water Resources Control Board
- B. Fact Sheet, State Water Resources Control Board
- C. Ordinance 821 (Chapter 7.34 Water Rationing) adopted on March 26, 1991
- D. Ordinance 849 (Chapter 7.38, Water Conservation) adopted on April 21, 1993
- E. Water Shortage Contingency Plan (from the 2010 Urban Water Management Plan)
- F. Urgency Ordinance to Implement State Water Board's New Regulations
- G. Resolution to Adopt 2014 Water Conservation Plan
- H. Ordinance to Continue Implementing State Water Board's New Regulations Upon Expiration of Urgency Ordinance

Report prepared by:
Pam Lowe, P.E.
Associate Civil Engineer

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**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0038**

TO ADOPT AN EMERGENCY REGULATION
FOR STATEWIDE URBAN WATER CONSERVATION

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an [executive order](#) to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. The executive order finds that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity if drought conditions continue into 2015. The [National Integrated Drought Information System](#) reported that nearly 80% of the state was reported to be under "extreme" drought conditions at the end of June;
2. The executive order refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State's dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California's rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on;
4. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";
5. Over 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water, and fish and wildlife will suffer.

6. Many Californians have taken bold steps over the years and in this year to reduce water use; nevertheless, the dire nature of the current drought requires additional conservation actions from residents and businesses. Some severely affected communities have implemented water rationing, limiting water use in some cases to only 50 gallons per person per day, foregoing showers, laundry, toilet flushing, and all outdoor watering.
7. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required ;
8. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water;
9. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
11. The emergency regulations set a minimum standard requiring only modest lifestyle changes across the state. Many communities are already doing more and have been for years. They should be commended, but can and should do more. Others are not yet doing so and should at least do this, but should do much more given the severity of the drought;
12. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
13. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation;
14. As discussed above, the State Water Board is adopting the emergency regulation because of emergency drought conditions, the need for prompt action, and current limitations in the existing enforcement process;

15. Disadvantaged communities may require assistance in increasing water conservation and state agencies should look for opportunities to provide assistance in promoting water conservation;
16. Nothing in the regulations or in the enforcement provisions of the regulations, preclude a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulations adopted by this resolution and local agencies retain their enforcement discretion in enforcing the regulations, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, sections 863, 864, and 865, as appended to this resolution as an emergency regulation;
2. The State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes;
4. These regulations shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulations and their effect;
6. Directs State Water Board staff to condition funding upon compliance with the emergency regulations, to the extent feasible;
7. Directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations; and
8. Directs State Water Board staff in developing an electronic reporting portal to include data fields so that local agencies may provide monthly reporting data on (i) conservation-related implementation measures or enforcement actions taken by the local agency and (ii) substitution during the drought of potable water with recycled water to extend water supplies.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board commends water suppliers that have increased conservation messaging and adopted innovative strategies to enhance customer awareness of water use, such as applications that let customers compare their water use to water use by others; reduce system losses, such as fixing system leaks which can deplete supplies by 10 percent or more; and establish incentives to reduce demand, such as tiered or drought rate structures. The State Water Board also commends all Californians that have already been working to maximize their conservation efforts, both at home and at work;
10. The State Water Board calls upon water suppliers to take the following actions:

Educate customers and employees

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in their customer communications;
- All water suppliers should train personnel on the regulations;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should redouble their efforts to disseminate information regarding opportunities and incentives to upgrade indoor fixtures and appliances;
- All water suppliers should use education and the tools available through the Save Our Water website (<http://saveourwater.com>); and
- All water suppliers should educate and prepare their boards and councils on the drought response actions contained in the emergency regulations and in this resolution, and to make sure that drought response items are placed on agendas as early as possible;

Increasing local supplies

- All water suppliers should accelerate the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water, "greywater," and stormwater collection projects;
- All water suppliers should improve their leak reporting and response programs and request that police and fire departments and other local government personnel report leaks and water waste that they encounter during their routine duties/patrols;
- Smaller water suppliers – those with fewer than 3,000 service connections – should take proactive steps to secure their communities' water supplies and educate their customers about water conservation and the status of their supply reserves;
- All water suppliers should conduct water loss audits and make leak detection and repair a top priority for the duration of the drought; and
- All urban water suppliers should evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. Information and assistance on setting and implementing drought rates is available from the Alliance for Water Efficiency. (<http://www.allianceforwaterefficiency.org/>).

11. The State Water Board calls on all Californians to take the following additional actions:
 - Further reduce water demand, whether by using less water in daily routines indoors and out, retrofitting appliances and installing greywater and rainwater catchment systems; and
 - Check residential and business water bills to see if there are high charges that may indicate a leak and to fix the leak, if they are able, or contact their local water utility if they need assistance.
12. The State Water Board encourages its staff, the Department of Water Resources, the Public Utilities Commission, urban water suppliers, and other local agencies to look for opportunities to encourage and promote new technologies that reduce water usage, including through timely access to water usage information and behavioral response.
13. The State Water Board encourages all state and local agencies to look for additional opportunities to minimize potable water use in outdoor spaces.
14. The State Water Board encourages investor-owned utilities to expeditiously submit applications for implementation of the regulations to the California Public Utilities Commission.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 15, 2014.

AYE: Chair Felicia Marcus
 Vice Chair Frances Spivy-Weber
 Board Member Steven Moore
 Board Member Dorene D'Adamo

 NAY: None

 ABSENT: Board Member Tam M. Doduc

 ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board

PROPOSED TEXT OF EMERGENCY REGULATIONS

Article 22.5. Drought Emergency Water Conservation

Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. 864 Prohibited Activities in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Sec. 865 Mandatory Actions by Water Suppliers

(a) The term “urban water supplier,” when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.

(2) As an alternative to subdivision (b)(1), an urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.

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Mandatory Water Conservation Regulation Go Into Effect

An [emergency regulation](#) to increase conservation practices for all Californians became effective July 29, 2014. The new conservation regulation targets outdoor urban water use. In some areas of the State, 50 percent or more of daily water use is for lawns and outdoor landscaping. This regulation establishes the minimum level of activity that residents, businesses and water suppliers must meet as the drought deepens and will be in effect for 270 days unless extended or repealed.

Prohibitions for ALL urban water users in California:

- The application of potable water to any driveway or sidewalk.
- Using potable water to water outdoor landscapes in a manner that causes runoff to adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.
- Using a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle.
- Using potable water in a fountain or decorative water feature, unless the water is recirculated. Recycled water is not mandated, but encouraged for fountain use.

Requirements for Urban Water Suppliers (serving >3000 connections):

- Implement water shortage contingency plans to a level where restrictions on outdoor irrigation are mandatory.
- Urban water suppliers without a plan, or without an adequate plan, must either mandate that outdoor irrigation be reduced to no more than twice a week or implement other mandatory use restrictions that provide a comparable level of savings.
- Report monthly water production beginning August 15. Include an estimate of the gallons per capita per day used by residential customers beginning with the October 15 report.

Requirements for Other Water Suppliers (serving <3000 connections):

- Mandate that outdoor irrigation be reduced to no more than twice a week or implement other mandatory use restrictions that provide a comparable level of savings.

Assessing Compliance

- Individual Prohibitions – evaluating alleged violations and taking enforcement action is primarily a local discretionary action.
- Water Suppliers – compliance will be evaluated based on multiple factors including implementation of the required actions, the content of the monthly reports (Urban Water Suppliers), and other relevant information.

Tips for Implementing the New Regulations

- Notify and educate staff, ratepayers and the community at large about the prohibitions.
- Inform ratepayers of the requirements of the stage of the Water Shortage Contingency Plan required by the regulations.
- Access the water conservation resources clearinghouse, a partnership of the State of California and the Association of California Water Agencies at either <http://www.saveourh2o.org/> or <http://saveourwater.com/>

Contact Information

- Report State Agency water waste at <http://www.saveourh2o.org/report-water-waste>
- Contact the State Water Board's drought hotline for questions on drought-related activities including general questions on the emergency regulations: (916) 341-5342.

More information on the emergency regulation can be found at the [Conservation Regulation Portal](#).

(This fact sheet was last updated July 29, 2014)

Chapter 7.34 WATER RATIONING

Sections:

- 7.34.010 Emergency declared—Rationing instituted.
- 7.34.020 Definitions.
- 7.34.030 Application.
- 7.34.040 Regulations and restrictions for all customers.
- 7.34.050 Allotment.
- 7.34.060 Exceptions.
- 7.34.070 Water use in excess of allocation—Remedies and charges.

7.34.010 Emergency declared—Rationing instituted.

- (a) A water shortage emergency condition prevails within the area served by Menlo Park municipal water department (hereafter called the water department) and throughout the city.
- (b) The San Francisco water department, at the direction of the San Francisco public utilities commission, has requested that all resale customers, including the water department immediately institute a revised water rationing program designed to effect further reduction in water usage.
- (c) The rules, regulations and restrictions set forth in this chapter are intended to conserve groundwater and the water supply of the water department for the greatest public benefit with particular regard to domestic use, sanitation and fire protection.
- (d) The specific uses prohibited or restricted by this chapter are nonessential, if allowed would constitute wastage of groundwater and the water department water, and should be prohibited pursuant to the water department power under Water Code Section 350 et seq., Water Code Section 71640 et seq., and the common law.
- (e) The actions taken hereinafter are exempt from the provisions of Sections 21000 et seq., of the Public Resources Code as a project undertaken as immediate action necessary to prevent or mitigate an emergency pursuant to Title 14, California Administrative Code Section 15269. (Ord. 821 § 1, 1991).

7.34.020 Definitions.

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. The "water department" is an agency of the city, a municipal corporation.
- B. "Customer" means any person using water supplied by the water department.
- C. "Director" means the director of public works of the city.
- D. "Person" means any person, firm, partnership, association, corporation, company, or organization of any kind.

E. The "water rationing plan" means any current water rationing plan adopted by resolution of the city council. (Ord. 821 § 2, 1991).

7.34.030 Application.

The provisions of this chapter shall apply to all customers using water, both in and outside the city. (Ord. 821 § 3, 1991).

7.34.040 Regulations and restrictions for all customers.

- (a) Broken or defective plumbing, sprinkler, watering or irrigation systems which permit the escape or leakage of water shall be repaired.
- (b) No new irrigation services will be permitted and additional water will not be allowed for expansion of existing irrigation facilities.
- (c) No use of water shall be allowed which results in flooding or runoff in gutters, driveways, or streets.
- (d) A hose without a positive shutoff valve shall not be used for washing cars, buses, boats, trailers or other vehicles, nor for washing building structures or parts thereof.
- (e) Filling of any existing or new swimming pools with water is prohibited.
- (f) Sidewalks, walkways, driveways, patios, parking lots, tennis courts or other hard-surfaced areas shall not be cleaned using water from hoses or by use of water directly from faucets or other outlets.
- (g) A water service connection for new construction shall not be allowed, except as provided in the water plan.
- (h) The use and operation of decorative water fountains shall be discontinued.
- (i) Restaurants shall serve water to customers only on request.
- (j) Potable water shall not be used for consolidation of backfill, dust control or other nonessential construction purposes.
- (k) Water used for cooling must be recycled to the extent possible.
- (l) Groundwater may be used for the purposes mentioned in subsections (b), (d), (e), (h) and (j) only to the extent that recycled or reclaimed water is not available and such use has been approved by the San Mateo public health department.
- (m) Verified water waste as determined by the department will serve as prima facie evidence that the allocation assigned to the water account is excessive; therefore the allocation will be subject to review and possible reduction, including termination of service. (Ord. 821 § 4, 1991).

7.34.050 Allotment.

The director shall allot water to customers of the water department in accordance with the water rationing plan. (Ord. 821 § 5, 1991).

7.34.060 Exceptions.

Consideration for exceptions regarding allotments of water or any of the regulations and restrictions set forth herein shall be as follows:

- (1) In the case of a rationing allocation, it must be shown that the allocation is not sufficient to meet public health or safety needs. In the case of water use restrictions, it must be shown that there are no alternatives to the use of water from the Menlo Park water system.
- (2) A written application for exceptions shall be made to the water department;
- (3) Appeals must be based on a documented change in circumstances.
- (4) Water use under this exception procedure must be efficiently used without waste.
- (5) Appeals of rationing allocations determined to contain false information shall result in a reduction in the allocation and the installation of a flow-restricting device in the service line of the customer.
- (6) Approval of exceptions may require verification that all appropriate conservation measures are in place and may require an on-site conservation inspection prior to approval.
- (7) Denials of applications may be appealed to the director of public works whose decisions will be final.
- (8) The only grounds for granting such applications are: prior to granting permission for an exception, the water department must be satisfied that all practical water conservation measures have been adopted by the applicant. (Ord. 821 § 6, 1991).

7.34.070 Water use in excess of allocation—Remedies and charges.

- (a) **Excess Water Uses Charge.** Charges for excess water consumption shall be as set forth in the water rationing plan.
- (b) **Installation of Restricting Device.** The city may, after one written warning, install a flow-restricting device on the service line of any customer observed by its personnel to be violating any of the regulations or exceeding water allocations hereinabove set forth. In the event that further violations occur, the water department may discontinue service.
- (c) **Charges for Installation And Removal of Flow-Restricting Devices.** Charges for the installation and removal of flow-restricting devices shall be as stated in the water rationing plan. The first installation shall be for a minimum of five (5) days. The second installation shall be for a minimum of ten (10) days.
- (d) **Discontinuance of Water Services and Charges for Reactivation of Service.** Continued water consumption in excess of the allotment may result in the discontinuance of water service by the water department. Charges for reactivating service shall be as stated in the water rationing plan. (Ord. 821 § 7, 1991).

The Menlo Park Municipal Code is current through Ordinance 1007, passed June 3, 2014.

Disclaimer: The City Clerk's Office has the official version of the Menlo Park Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.



Chapter 7.38 WATER CONSERVATION

Sections:

- 7.38.010 Findings and determinations.
- 7.38.020 Definitions.
- 7.38.030 Regulations and restrictions on water use.

7.38.010 Findings and determinations.

The city council finds and determines that:

- (1) The rules, regulations and restrictions set forth in this chapter are intended to conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation and fire protection.
- (2) The specific uses prohibited or restricted by this chapter are nonessential and if allowed would constitute wastage of water and should be prohibited pursuant to the water department power under Water Code Section 350 et seq., Water Code Section 71640 et seq., and the common law. (Ord. 849 § 1, 1993).

7.38.020 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "Water department" means an agency of the city.
- (2) "Customer" means any person using water within the city.
- (3) "Director" means the director of engineering services of the city.
- (4) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind. (Ord. 849 § 2, 1993).

7.38.030 Regulations and restrictions on water use.

It is resolved by the city council that in order to conserve the water supply for the greatest public benefit, and to reduce the quantity of water used by the city's customers, that wasteful use of water should be eliminated. Customers of the city shall observe the following regulations and restrictions on water use:

- (1) Broken or defective plumbing, sprinkler, watering or irrigation systems which permit the escape or leakage of water shall be repaired.
- (2) No use of water shall be allowed which results in flooding or runoff in gutters, driveways or streets.
- (3) A hose without a positive shut-off valve shall not be used for washing cars, buses, boats, trailers or other vehicles, nor for washing building structures or parts thereof.

- (4) A hose without a positive shut-off valve shall not be used for washing sidewalks, walkways, driveways, patios, parking lots, tennis courts or other hard-surfaced areas.
- (5) Restaurants shall serve water to customers only on request.
- (6) Water used for cooling must be recycled to the extent possible. (Ord. 849 § 3, 1993).

The Menlo Park Municipal Code is current through Ordinance 1007, passed June 3, 2014.

Disclaimer: The City Clerk's Office has the official version of the Menlo Park Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

Water Shortage Contingency Plan

Every five years, the City must develop and update its Urban Water Management Plan (UWMP) and submit it for approval to the California Department of Water Resources. The UWMP addresses changing conditions related to water sources, water availability, water demands, and water reliability for the next 20 to 25 years. The Water Shortage Contingency Plan (WSCP), developed as part of the UWMP, describes the water supplier's response and planning for changes or shortages in water supply. It compares supply and demand under normal, single-dry, and multiple-dry years and describes stages and actions to be undertaken in response to water supply shortages of up to 50%.

Below is the City's WSCP (Table 5.11 from the 2010 UWMP). The City is currently implementing all of the voluntary Stage 2 actions. The current 2010 UWMP can be viewed in its entirety at <http://www.menlopark.org/150/Urban-Water-Management-Plan>.

Water Shortage Contingency Rationing Stages* to Address Water Supply Shortages (Table 5.11 from the 2010 UWMP)

Stage No.	Water Supply Conditions	% Shortage
1 Ongoing	Water Waste Prohibitions including <ul style="list-style-type: none"> • Repair of defective irrigation systems • No flooding of gutter, driveways and streets • Restaurant water served on request • Water use for cooling must be recycled • Prohibition against sidewalk and building washing 	NA
2 Voluntary	Increase in public information budgets Increased enforcement of the water waste prohibition Restaurant water served on request 10% reduction across all customer classes	Up to 20%
3 Mandatory	All Stage 2 Prohibitions and <ul style="list-style-type: none"> • No new or expanded irrigation systems • Prohibition against noncommercial vehicle washing • Prohibition against filling swimming pools and using ornamental fountains • Limited new water service connections • Prohibitions against use of potable water for construction dust control • Controls on groundwater use 30% reductions for residential, commercial, industrial & public	25% to 35%

Stage No.	Water Supply Conditions	% Shortage
	customers	
	45% reducing in dedicated irrigation accounts	
4 Mandatory	All Stage 2 and 3 Prohibitions	40% to 50%
	50% reductions for residential, commercial, industrial & public customers	
	75% reductions in dedicated irrigation accounts	

* One of the stages of action must be designed to address a 50 percent reduction in water supply.

ORDINANCE NUMBER _____

URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADDING CHAPTER 7.35 [WATER CONSERVATION] AND SUSPENDING OF CHAPTERS 7.34 [WATER RATIONING] AND 7.38 [WATER CONSERVATION] OF TITLE 7 [HEALTH AND SANITATION] OF THE MENLO PARK MUNICIPAL CODE

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. In accordance with California Government Code Section 65858, the City Council of the City of Menlo Park hereby finds and declares that this Ordinance is deemed necessary for the following reasons:

A. On April 25, 2014, the Governor of the State of California issued an executive order finding that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater production, and additional scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was under “extreme” drought conditions at the end of June 2014.

B. The executive order refers to the Governor’s Proclamation NO. 1-17-2014, issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State’s dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California’s rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent.

C. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on.

D. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”

E. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this year is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required.

F. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

G. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).

H. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.

I. Emergency regulations set a minimum standard requiring only modest lifestyle changes across the state.

J. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation.

K. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.

L. On July 28, 2014 the State Water Board adopted the emergency regulations which will expire on April 25, 2015 to ensure that urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful practices.

M. To promote water conservation, the emergency regulations require each urban water supplier, which includes Menlo Park Water District, to implement all requirements and actions of the stage of its water shortage contingency plan that

imposes mandatory regulations on outdoor irrigation of ornamental landscapes and turf with potable water.

N. Chapter 7.34 [Water Rationing] and Chapter 7.38 [Water Conservation] of the City's Municipal Code are inconsistent with the requirements of the emergency regulations adopted by the State Water Board.

O. In light of the foregoing, the City Council finds the urgent enactment of Chapter 7.35 [Water Conservation] and the suspension of the Chapter 7.34 [Water Rationing] and Chapter 7.38 [Water Conservation] to the extent the Chapters are inconsistent with the urgent enactment of Chapter 7.35 [Water Conservation] appropriate.

SECTION 2. Chapter 7.34 [Water Rationing] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby suspended to the extent it is inconsistent with Chapter 7.35 [Water Conservation].

SECTION 3. Chapter 7.38 [Water Conservation] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby suspended to the extent it is inconsistent with Chapter 7.35 [Water Conservation].

SECTION 4. Chapter 7.35 [Water Conservation] is hereby added to Title 7 [Health and Sanitation] of the Menlo Park Municipal Code to read as follows:

**Chapter 7.35
Water Conservation**

Section 7.35.010 Purpose
Section 7.35.020 Water Conservation
Section 7.35.030 Penalty

Section 7.35.010 Purpose

The purpose of this Chapter is to promote water conservation and provide the City with the flexibility to respond to a drought emergency whether it be emergency regulations adopted by the State Water Board, or drought-related actions imposed by the San Francisco Public Utilities Commission.

Section 7.35.020 Water Conservation

Upon the adoption of emergency water conservation regulations by the State Water Board and within the timelines prescribed by the State Water Board, or drought-related actions imposed by the San Francisco Public Utilities Commission, the City Council of the City of Menlo Park shall adopt by resolution a Water Conservation Plan that mandates those water conservation measures.

Section 7.35.030 Penalty

Any violations of the Water Conservation Plan shall be an infraction or enforced as provided in the resolution adopted pursuant to Section 7.35.020.

SECTION 5. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or enforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 6. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act (CEQA) because it is a specific action necessary to prevent or mitigate an emergency, CEQA Guidelines Section 5269.

SECTION 7. This ordinance is declared to be an urgency measure adopted pursuant to the provisions of Government Code Section 65858. As set forth in the findings above, this ordinance is necessary for preserving the public safety, health, and welfare. Pursuant to Government Code Section 65858, this ordinance is effective immediately and shall be in full force and effect for 45 days from the date of its adoption. After notice pursuant to California Government Code Section 65090 and a public hearing, the City Council by four-fifths vote, may extend the effectiveness of this ordinance for 22 months and 15 days.

SECTION 8. This City Clerk shall cause this ordinance to be published in a newspaper of general circulation as required by state law.

INTRODUCED on the ___ day of _____, 2014.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ___ day of _____, 2014, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

APPROVED:

Mayor

ATTEST:

Pamela Aguilar
City Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADOPTING WATER CONSERVATION PLAN PURSUANT TO CHAPTER
7.35 OF TITLE 7 OF THE MENLO PARK MUNICIPAL CODE**

WHEREAS, on April 25, 2014, the Governor of the State of California issued an executive order finding that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater production, and additional scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was under “extreme drought conditions at the end of June 2014; and

WHEREAS, Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports”; and

WHEREAS, on July 28, 2014 the State Water Board submitted an emergency action to adopt three sections and a new article in title 23 of the California Code of Regulations pertaining to drought emergency water conservation, which was approved by the Office of Administrative Law pursuant to sections 11346.1 and 11349.6 of the Government Code;

WHEREAS, the State Water Board’s emergency regulations “Regulations” became effective on July 28, 2014 pursuant to section 1058.5 of the Water Code; and

WHEREAS, the Regulations will expire on April 25, 2015; and

WHEREAS, the Regulations require each urban water supplier to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water; and

WHEREAS, the Menlo Park Municipal Water District’s Water Shortage Contingency Plan (“WSCP”) Stage 3 must be implemented to comply with the Regulations; and

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby approve and adopt the following Water Conservation Plan, implementing Stage 3 of the Water Shortage Contingency Plan and incorporating the additional prohibited activities of the new State Water Board regulations:

1. Definitions.

For the purposes of this resolution, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. “Water District” means the Menlo Park Municipal Water District, an agency of the City.
- b. “Customer” means any person using water supplied by the Water District.
- c. “Public Works Director” means the City of Menlo Park Public Works Director or his/her designee.

2. Prohibitions.

- a. Customers may not:
 - i. Apply potable water to any driveway or sidewalk;
 - ii. Use potable water to water outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - iii. Use a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle; and
 - iv. Use potable water in a fountain or decorative water feature, unless the water is recirculated.
- b. Customers are prohibited pursuant to the Water District’s Water Shortage Contingency Plan Stage 3 from:
 - i. Installing new irrigation systems or expanding existing irrigation systems;
 - ii. Noncommercial vehicle washing unless the hose is fitted with a shut-off nozzle or the vehicle is washed at a facility utilizing a water recirculating system;
 - iii. Filling new swimming pools;
 - iv. Using ornamental fountains or decorative water features, unless water is recirculated; and
 - v. Using potable water for construction dust control.

3. The Public Works Director shall:

- a. If requested by a Customer, determine if a new water service connection shall be allowed; and
- b. Establish an outreach program for customers with private wells.

4. Water Percentage Reductions.

- a. Residential, commercial, industrial, and public water customers shall reduce their water use by 30% from the same period during a previous year (as determined by the Public Works Director).
- b. Customers with dedicated irrigation accounts shall reduce their irrigation water use by 45% from the same period during a previous year (as determined by the Public Works Director).

5. Penalties.

If a Customer fails to comply with any of the prohibitions listed above, the following penalties may result:

Violation	Enforcement
1 st	Warning only. Educate customer on proper water conservation practices.
2 nd	\$50 fine
3 rd	\$100 fine
4 th	\$200 fine, and review by the Public Works Director (or his designee) to determine if a flow restricting device should be installed
5 th	\$500 fine, and review by the Public Works Director (or his designee) to determine if water service should be discontinued
6 th	\$500 fine, water service shall be discontinued

**Charges for Installation or
Removal of Flow Restricting Devices**

Meter Size	Installation Cost	Removal Cost
5/8" to 2"	\$ 155.00	\$ 155.00
3" or larger	Actual Cost	Actual Cost

Charges for Disconnecting and Reconnecting Service

Meter Size	Cost to Disconnect Service	Cost to Reconnect Service
All sizes	\$ 155.00	\$ 155.00

BE IT AND IT IS HEREBY FURTHER RESOLVED by the City Council of the City of Menlo Park that this Water Conservation Plan shall remain in effect as long as the Emergency Regulations are in effect and shall sunset when the emergence regulations are no longer in effect.

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 City Council on _____, 2014, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

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

PAMELA AGUILAR,
City Clerk

DRAFT

ORDINANCE NUMBER _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADDING CHAPTER 7.35 [WATER CONSERVATION] TO TITLE 7 [HEALTH AND SANITATION] TO THE MENLO PARK MUNICIPAL CODE AND REMOVING CHAPTERS 7.34 [WATER RATIONING] AND 7.38 [WATER CONSERVATION] OF TITLE 7 [HEALTH AND SANITATION]

The City Council of the City of Menlo Park does hereby ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

A. On April 25, 2014, the Governor of the State of California issued an executive order finding that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater production, and additional scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was under “extreme” drought conditions at the end of June 2014.

B. The executive order refers to the Governor’s Proclamation NO. 1-17-2014, issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State’s dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California’s rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent.

C. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on.

D. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”

E. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this year is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required.

F. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

G. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).

H. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.

I. Emergency regulations set a minimum standard requiring only modest lifestyle changes across the state.

J. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation.

K. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.

L. On July 28, 2014 the State Water Board adopted the emergency regulations which will expire on April 25, 2015 to ensure that urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful practices.

N. To promote water conservation, the emergency regulations require each urban water supplier, which includes Menlo Park Water District, to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory regulations on outdoor irrigation or ornamental landscapes and turf

with potable water.

O. Chapter 7.34 [Water Rationing] and Chapter 7.38 [Water Conservation] of the City's Municipal Code are inconsistent with the requirements of the emergency regulations adopted by the State Water Board.

P. In light of the foregoing, the City Council finds adding Chapter 7.35 [Water Conservation] to the Menlo Park Municipal Code and removing Chapter 7.34 [Water Rationing] and 7.38 [Water Conservation] is appropriate.

SECTION 2. DELETION OF CODE. Chapter 7.34 [Water Rationing] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby deleted in its entirety.

SECTION 3. DELETION OF CODE. Chapter 7.38 [Water Conservation] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby deleted in its entirety.

SECTION 4. ADDITION TO CODE. Chapter 7.35 [Water Conservation] is hereby added to Title 7 [Health and Sanitation] of the Menlo Park Municipal Code to read as follows:

**Chapter 7.35
Water Conservation**

Section 7.35.010	Purpose
Section 7.35.020	Water Conservation
Section 7.35.030	Penalty

Section 7.35.010 Purpose

The purpose of this Chapter is to promote water conservation and provide the City with the flexibility to respond to a drought emergency whether it be emergency regulations adopted by the State Water Board, or drought-related actions imposed by the San Francisco Public Utilities Commission.

Section 7.35.020 Water Conservation

Upon the adoption of emergency water conservation regulations by the State Water Board and within the timelines prescribed by the State Water Board, or drought-related actions imposed by the San Francisco Public Utilities Commission, the City Council of the City of Menlo Park shall adopt by resolution a Water Conservation Plan that mandates those water conservation measures.

Section 7.35.030 Penalty

Any violations of the Water Conservation Plan shall be an infraction or enforced as provided in the resolution adopted pursuant to Section 7.35.020.

SECTION 5. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or

unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 6. REGULATIONS AND RESTRICTIONS FOR ALL CUSTOMERS. It is resolved by the City Council that in order to conserve the water supply for the greatest public benefit, and to reduce the quantity of water used by the City's customers, that wasteful use be eliminated. Customers of the Water District shall observe the rules and regulations on water use as described in the current Water Conservation Plan.

SECTION 7. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 8. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posted in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the ___ day of _____, 2014.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ___ day of _____, 2014, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

APPROVED:

Ray Mueller
Mayor

ATTEST:

Pamela Aguilar
City Clerk

ORDINANCE NUMBER _____

**URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MENLO PARK ADDING CHAPTER 7.35 [WATER
CONSERVATION] TO TITLE 7 [HEALTH AND SANITATION] OF
THE MENLO PARK MUNICIPAL CODE AND SUSPENSION OF
CHAPTERS 7.34 [WATER RATIONING] AND 7.38 [WATER
CONSERVATION] OF TITLE 7 [HEALTH AND SANITATION]**

The City Council of the City Menlo Park does hereby ordain as follows:

SECTION 1. In accordance with California Government Code Section 65858, the City Council of the City of Menlo Park hereby finds and declares that this Ordinance is deemed necessary for the following reasons:

A. On April 25, 2014, the Governor of the State of California issued an executive order finding that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater production, and additional scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was under “extreme” drought conditions at the end of June 2014.

B. The executive order refers to the Governor’s Proclamation NO. 1-17-2014, issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State’s dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California’s rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent.

C. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on.

D. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”

E. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this year is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required.

F. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

G. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).

H. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.

I. Emergency regulations set a minimum standard requiring only modest lifestyle changes across the state.

J. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation.

K. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.

L. On July 28, 2014 the State Water Board adopted the emergency regulations which will expire on April 25, 2015 to ensure that urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful practices.

M. To promote water conservation, the emergency regulations require each urban water supplier, which includes Menlo Park Water District, to implement all requirements and actions of the stage of its water shortage contingency plan that

imposes mandatory regulations on outdoor irrigation of ornamental landscapes and turf with potable water.

N. Chapter 7.34 [Water Rationing] and Chapter 7.38 [Water Conservation] of the City's Municipal Code are inconsistent with the requirements of the emergency regulations adopted by the State Water Board.

O. In light of the foregoing, the City Council finds the urgent enactment of Chapter 7.35 [Water Conservation] and the suspension of the Chapter 7.34 [Water Rationing] and Chapter 7.38 [Water Conservation] to the extent the Chapters are inconsistent with the urgent enactment of Chapter 7.35[Water Conservation] appropriate.

SECTION 2. Chapter 7.34 [Water Rationing] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby suspended to the extent it is inconsistent with Chapter 7.35 [Water Conservation].

SECTION 3. Chapter 7.38 [Water Conservation] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby suspended to the extent it is inconsistent with Chapter 7.35 [Water Conservation].

SECTION 4. Chapter 7.35 [Water Conservation] is hereby added to Title 7 [Health and Sanitation] of the Menlo Park Municipal Code to read as follows:

Chapter 7.35 Water Conservation

Section 7.35.010 Purpose
Section 7.35.020 Water Conservation
Section 7.35.030 Penalty

Section 7.35.010 Purpose

The purpose of this Chapter is to promote water conservation and provide the City with the flexibility to respond to a drought emergency whether it be emergency regulations adopted by the State Water Board, or drought-related actions imposed by the San Francisco Public Utilities Commission.

Section 7.35.020 Water Conservation

Upon the adoption of emergency water conservation regulations by the State Water Board and within the timelines prescribed by the State Water Board, or drought-related actions imposed by the San Francisco Public Utilities Commission, the City Council of the City of Menlo Park shall adopt by resolution a Water Conservation Plan that mandates those water conservation measures..

Section 7.35.030 Penalty

Any violations of the Water Conservation Plan shall be an infraction or enforced as provided in the resolution adopted pursuant to Section 7.35.030.

SECTION 5. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or enforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 6. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act (CEQA) because it is a specific action necessary to prevent or mitigate an emergency, CEQA Guidelines Section 5269.

SECTION 7. This ordinance is declared to be an urgency measure adopted pursuant to the provisions of Government Code Section 65858. As set forth in the findings above, this ordinance is necessary for preserving the public safety, health, and welfare. Pursuant to Government Code Section 65858, this ordinance is effective immediately and shall be in full force and effect for 45 days from the date of its adoption. After notice pursuant to California Government Code Section 65090 and a public hearing, the City Council by four-fifths vote, may extend the effectiveness of this ordinance for 22 months and 15 days.

SECTION 8. This City Clerk shall cause this ordinance to be published in a newspaper of general circulation as required by state law.

INTRODUCED on the ___ day of _____, 2014.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ___ day of _____, 2014, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

APPROVED:

Mayor

ATTEST:

Pamela Aguilar
City Clerk

ORDINANCE NUMBER _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK ADDING CHAPTER 7.35 [WATER CONSERVATION] TO TITLE 7 [HEALTH AND SANITATION] TO THE MENLO PARK MUNICIPAL CODE AND REMOVING CHAPTERS 7.34 [WATER RATIONING] AND 7.38 [WATER CONSERVATION] OF TITLE 7 [HEALTH AND SANITATION]

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B. The executive order refers to the Governor’s Proclamation NO. 1-17-2014, issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State’s dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California’s rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent.

C. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on.

D. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”

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N. To promote water conservation, the emergency regulations require each urban water supplier, which includes Menlo Park Water District, to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory regulations on outdoor irrigation or ornamental landscapes and turf

with potable water.

O. Chapter 7.34 [Water Rationing] and Chapter 7.38 [Water Conservation] of the City's Municipal Code are inconsistent with the requirements of the emergency regulations adopted by the State Water Board.

P. In light of the foregoing, the City Council finds adding Chapter 7.35 [Water Conservation] to the Menlo Park Municipal Code and removing Chapter 7.34 [Water Rationing] and 7.38 [Water Conservation] is appropriate.

SECTION 2. DELETION OF CODE. Chapter 7.34 [Water Rationing] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby deleted in its entirety.

SECTION 3. DELETION OF CODE. Chapter 7.38 [Water Conservation] of Title 7 [Health and Sanitation] of the Menlo Park Municipal Code is hereby deleted in its entirety.

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**Chapter 7.35
Water Conservation**

Section 7.35.010	Purpose
Section 7.35.020	Water Conservation
Section 7.35.030	Penalty

Section 7.35.010 Purpose

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Section 7.35.020 Water Conservation

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Section 7.35.030 Penalty

Any violations of the Water Conservation Plan shall be an infraction or enforced as provided in the resolution adopted pursuant to Section 7.35.020.

SECTION 5. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or

unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 6. REGULATIONS AND RESTRICTIONS FOR ALL CUSTOMERS. It is resolved by the City Council that in order to conserve the water supply for the greatest public benefit, and to reduce the quantity of water used by the City's customers, that wasteful use be eliminated. Customers of the Water District shall observe the rules and regulations on water use as described in the current Water Conservation Plan.

SECTION 7. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 8. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posted in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the __ day of _____, 2014.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the __ day of _____, 2014, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

APPROVED:

Ray Mueller
Mayor

ATTEST:

Pamela Aguilar
City Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADOPTING WATER CONSERVATION PLAN PURSUANT TO CHAPTER
7.35 OF TITLE 7 OF THE MENLO PARK MUNICIPAL CODE**

WHEREAS, on April 25, 2014, the Governor of the State of California issued an executive order finding that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater production, and additional scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was under “extreme drought conditions at the end of June 2014; and

WHEREAS, Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports”; and

WHEREAS, on July 28, 2014 the State Water Board submitted an emergency action to adopt three sections and a new article in title 23 of the California Code of Regulations pertaining to drought emergency water conservation, which was approved by the Office of Administrative Law pursuant to sections 11346.1 and 11349.6 of the Government Code;

WHEREAS, the State Water Board’s emergency regulations “Regulations” became effective on July 28, 2014 pursuant to section 1058.5 of the Water Code; and

WHEREAS, the Regulations will expire on April 25, 2015; and

WHEREAS, the Regulations require each urban water supplier to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water; and

WHEREAS, the Menlo Park Municipal Water District’s Water Shortage Contingency Plan (“WSCP”) Stage 3 must be implemented to comply with the Regulations; and

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby approve and adopt the following Water Conservation Plan, implementing Stage 3 of the Water Shortage Contingency Plan and incorporating the additional prohibited activities of the new State Water Board regulations:

1. Definitions.

For the purposes of this resolution, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. "Water District" means the Menlo Park Municipal Water District, an agency of the City.
- b. "Customer" means any person using water supplied by the Water District.
- c. "Public Works Director" means the City of Menlo Park Public Works Director or his/her designee.

2. Prohibitions.

- a. Customers may not:
 - i. Apply potable water to any driveway or sidewalk;
 - ii. Use potable water to water outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - iii. Use a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle; and
 - iv. Use potable water in a fountain or decorative water feature, unless the water is recirculated.
- b. Customers are prohibited pursuant to the Water District's Water Shortage Contingency Plan Stage 3 from:
 - i. Installing new irrigation systems or expanding existing irrigation systems;
 - ii. Noncommercial vehicle washing unless the hose is fitted with a shut-off nozzle or the vehicle is washed at a facility utilizing a water recirculating system;
 - iii. Filling new swimming pools;
 - iv. Using ornamental fountains or decorative water features, unless water is recirculated; and
 - v. Using potable water for construction dust control.

3. The Public Works Director shall:

- a. If requested by a Customer, determine if a new water service connection shall be allowed; and
- b. Establish an outreach program for customers with private wells.

4. Water Percentage Reductions.

- a. Residential, commercial, industrial, and public water customers shall reduce their water use by 30% from the same period during a previous year (as determined by the Public Works Director).
- b. Customers with dedicated irrigation accounts shall reduce their irrigation water use by 45% from the same period during a previous year (as determined by the Public Works Director).

5. Penalties.

If a Customer fails to comply with any of the prohibitions listed above, the following penalties may result:

Violation	Enforcement
1 st	Warning only. Educate customer on proper water conservation practices.
2 nd	\$50 fine
3 rd	\$100 fine
4 th	\$200 fine, and review by the Public Works Director (or his designee) to determine if a flow restricting device should be installed
5 th	\$500 fine, and review by the Public Works Director (or his designee) to determine if water service should be discontinued
6 th	\$500 fine, water service shall be discontinued

**Charges for Installation or
Removal of Flow Restricting Devices**

Meter Size	Installation Cost	Removal Cost
5/8" to 2"	\$ 155.00	\$ 155.00
3" or larger	Actual Cost	Actual Cost

Charges for Disconnecting and Reconnecting Service

Meter Size	Cost to Disconnect Service	Cost to Reconnect Service
All sizes	\$ 155.00	\$ 155.00

BE IT AND IT IS HEREBY FURTHER RESOLVED by the City Council of the City of Menlo Park that this Water Conservation Plan shall remain in effect as long as the Emergency Regulations are in effect and shall sunset when the emergence regulations are no longer in effect.

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 City Council on _____, 2014, by the following vote:

AYES: Councilmembers:
 NOES: Councilmembers:
 ABSENT: Councilmembers:
 ABSTAIN: Councilmembers:

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

PAMELA AGUILAR,
City Clerk

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COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: August 26, 2014
Staff Report #: 14-153

Agenda Item #: F-3

REGULAR ITEM: Authorize the City Manager to apply for Restoration Funding with the Department of Education to Reinstate Full-Day Child Care Services in Room Four at the Belle Haven Child Development Center and Approve 1.25 Additional FTEs at a net cost of \$16,384 for Fiscal Year 2014-15 to Staff the Room.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to apply for Restoration Funding from the California Department of Education to restore full-day Child Care Services in Room Four at Belle Haven Child Development Center for Fiscal Year 2014-15. If grant funding of \$51,968 is received, an additional budget appropriation of that amount, plus \$16,402, will be needed to support the additional 1.25 Full Time Equivalent (FTEs) needed to staff this program (total of \$68,370).

BACKGROUND

The City of Menlo Park has operated the Belle Haven Child Development Center (BHDC) for over 30 years. BHDC is licensed by the State Department of Social Services to provide quality child development services to families in Menlo Park and surrounding cities. The program receives funding from the State Department of Education, USDA Child and Adult Care Food Program, user fees, and the City of Menlo Park. The program seeks to build children's self-esteem by offering developmentally appropriate materials and activities supporting social, emotional, physical, and cognitive abilities. Children are provided breakfast, lunch, and snacks daily. The teacher to child ratio is 1:8. Until 2010-11, a highly trained and committed staff taught approximately 96 children, 3-5 years of age. Cuts in state funding for 2011-12 required closure of Classroom Four, elimination of staff and loss of 24 child care slots, resulting in just 72 children enrolled in 2012-13. In 2013-14, State funding increased, and the program was able to increase enrollment to 84 children. The additional 12 children were enrolled in a new part-day program, funded with State grant dollars and utilizing temporary staff in the vacant classroom that had been closed in 2012.

Currently, the eighty-four (84) program enrollees are subsidized under the California Department of Education Child Development Division (CDD) State Preschool Program. State funding restrictions require all parents of children enrolled in the CDC's subsidized slots to be working, in school, in training, seeking permanent housing, actively seeking employment, or incapacitated. All families of children enrolled in the CDC must meet

strict income eligibility requirements. The State contract also provides funding for additional resource materials, such as classroom supplies and small equipment to support these families.

ANALYSIS

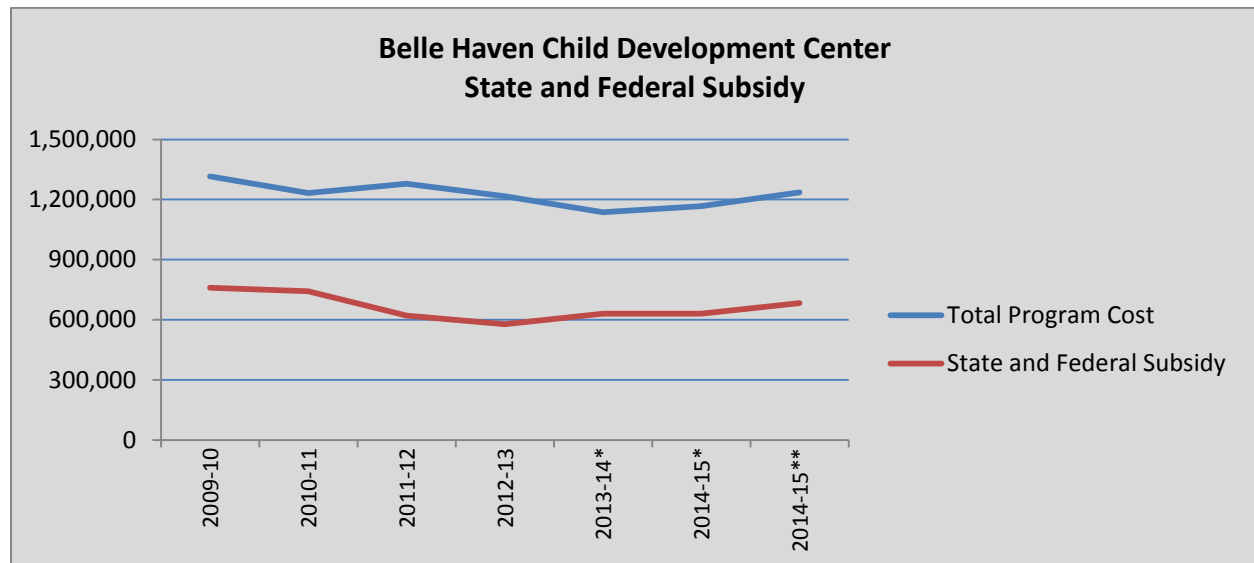
For Fiscal Year 2014-15 the CDC will have enough State funding to enroll four additional children into the part-day program to help meet community needs. The Restoration Funding available for this year, if received, would allow the CDC to fill 8 additional full-time subsidized slots from the current wait list, putting all four classrooms at their licensing capacity of 24 children for the first time since 2012. The CDC consistently has an extensive wait list of families trying to get into the program. Currently the waitlist has over 65 children.

Due to California’s financial crisis during fiscal year 2012-13, California Department of Education (CDE) contract requirements were reduced from 16,708 to 15,555 equivalent child care days (the 2010-11 requirement was 21,587 days). This translates, roughly, to a capacity of 72 subsidized slots, a further reduction from the 96 slots available in 2009-10. However, in fiscal year 2013-14 CDE contract requirements increased back up from 15,555 to 16,985. This increased the capacity of full day and part day subsidized slots to 84. In 2014-15 there is no reduction in the CDE requirement of 16,985 child care days, allowing the BHCDC to serve 88 families with full time and part time care. If this restoration funding is received this will increase to an estimated 18,953 child care days to allow the CDC to operate at capacity with 96 families receiving full time and part time care.

Fiscal Year	Total program budget	State subsidy	Percent of State decrease or increase	Number subsidized slots
2009-10	\$1,316,010	\$759,338	-----	96
2010-11	\$1,233,398	\$742,162	- 2.26%	96
2011-12	\$1,278,872	\$620,207	-14.43%	78
2012-13	\$1,217,385	\$577,412	- 6.9%	72
2013-14*	\$1,136,479	\$630,501	+ 8.5%	84
2014-15*	\$1,167,599	\$630,501	-----	88
2014-15**	\$1,235,969	\$682,469	+7.6%	96

*Budgeted amount

**Estimates for FY 2014-15 if restoration funds are received



*Budgeted amount

**Estimates for FY 2014-15 if restoration funds are received

Since the CDC must comply with Department of Social Services Licensing requirements of 1:8 teacher/child ratio, the additional children that could be enrolled if the Restoration Grant is received will require 1.25 FTEs, replacing the 3 FTEs that were eliminated in 2012. One of the FTEs will be the Child Care Teacher-Title 5 who will work in the classroom and the .25 FTE will provide necessary administrative capacity in addition to the existing .75 Program Assistant at the Center.

IMPACT ON CITY RESOURCES

The City will receive up to \$630,501 to support the Belle Haven Child Development Center through the current State contract. The City anticipates receiving additional revenues of up to \$51,968 if the restoration funding is received as well as income from parent fees, small grants, food reimbursements and other small revenue sources. The City's currently budgeted direct cost to operate the Belle Haven Child Development Center is \$1,167,599. The net cost to the City for the BH CDC program for fiscal year 2014-15 is \$537,098. An additional appropriation of \$16,384 will be needed if the grant is received and additional staffing is authorized, for a total additional appropriation of \$68,370. Should this grant funding be eliminated in the future and the classroom once again closed, we would also eliminate the additional FTEs.

POLICY ISSUES

The recommendation does not represent any change to existing City policy. As the State budget is finalized, the requirements of this particular program may change, which would require further consideration by the City Council. Staff will present additional information as it becomes available if necessary.

ENVIRONMENTAL REVIEW

Approval of this request 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. Restoration Funding Request

Report prepared by:

Natalie Bonham

Program Supervisor – BHCDC

Cherise Brandell

Director of Community Services

ATTACHMENT A

**Instructions for Completing Request for California State Preschool Program
Restoration Funding**

DIRECTIONS FOR COMPLETING REQUEST

The restoration funding must be utilized to amend existing California State Preschool Program (CSPP) contracts. The restoration funding is only available to contractors that have a current CSPP contract.

Restoration funding will be awarded in the following priority order:

Priority #1:

CSPP contractors that have existing licensed capacity and staffing to enroll additional **full-day/full-year** families and begin providing CSPP services on or before October 1, 2014. Full-day programs must operate for the number of hours per day that are necessary to meet the early education and support needs of families in the community. A minimum of 246 days of operation is required for this contract unless the contractor has received prior approval to operate for fewer days. Contractors must complete:

- Section I Contractor Information, and
- Section II Priority One Program Information and Implementation Plan and Timeline

Priority #2:

CSPP contractors currently operating a **part-day/part-year** program, who, if provided restoration funding, will provide **full-day/full-year** services on or before October 1, 2014. Contractors must complete:

- Section I Contractor Information, and
- Section III Priority Two Program Information and Implementation Plan and Timeline

Priority #3:

CSPP contractors that have existing licensed capacity and staffing to enroll additional **part-day/part-year** families and begin providing CSPP services on or before October 1, 2014. Part-day programs must operate 3 to less than 4 hours per day. Between 175 to 180 days of operation is required for this contract unless the contractor has received prior approval to operate more days. Contractors must complete:

- Section I Contractor Information,
- Section IV Priority Three Program Information and Implementation Plan and Timeline

Contractors may fax copies of the request to 916-323-6853 to meet the **5:00 p.m., Monday, August 25, 2014**, deadline or e-mail to RestorationFunding@cde.ca.gov. However, they must also submit an original signed copy to:

California Department of Education
Early Education and Support Division
Attention: Restoration Funding Team
1430 N Street, Suite 3410
Sacramento, CA 95814

If you have any questions regarding this subject, please e-mail Alice Ludwig at aludwig@cde.ca.gov or contact Maria A. Amor at 916-319-0606.

**Instructions for Completing Request for California State Preschool Program
 Restoration Funding**

Section I	CSPP CONTRACTOR INFORMATION
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CSPP Contractor Name: City of Menlo Park – Belle Haven CDC	Address: 701 Laurel Street
City: Menlo Park	Zip Code: 94025
Vendor #: 2184	FY 2014/2015 CSPP Contract #: CSPP - 4490
Phone #: 650-330-2270	Fax #: 650-327-2323
County Name: San Mateo	County #: 41
Authorized Agency Representative: Alex McIntyre	Title: City Manager
Phone #: 650-330-6610	E-mail: admcintyre@menlopark.org

<p>By signing this document the representative is certifying, under penalty of perjury, the information provided on this Request for California State Preschool Program Restoration Funding form is true and correct.</p>
--

Authorized Signature: _____

Print Name: _____ Date: _____

Instructions for Completing Request for California State Preschool Program Restoration Funding

Section II	PRIORITY ONE CSPP PROGRAM INFORMATION
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CSPP contractors that have existing licensed capacity and staffing to enroll additional **full-day/full-year** families and begin providing CSPP services on or before October 1, 2014. Full-day programs must operate for the number of hours per day that are necessary to meet the early education and support needs of families in the community. A minimum of 246 days of operation is required for this contract unless the contractor has received prior approval to operate for fewer days. Contractors must complete:

CCL License Number and Site Name (Attach copy of license)	Zip Code	Proposed Start Date	Number of Additional Full-Day/Full-Year Children to be Served	Minimum Days of Operation
414001146 –Belle Haven CDC	94025	9/29/14	8	246

IMPLEMENTATION PLAN AND TIMELINE

Implementation plan and timeline: Provide a description and timeline of the actions that must be taken to ensure facilities and staffing are secured to meet the proposed start date. The actions may include, but are not limited to, hiring staff, ordering classroom supplies and equipment, or obtaining a license. Please include this information on a separate page.

**Instructions for Completing Request for California State Preschool Program
 Restoration Funding**

Section III	PRIORITY TWO CSPP PROGRAM INFORMATION
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CSPP contractors currently operating a **part-day/part-year** program, who, if provided restoration funding, will provide **full-day/full-year** services on or before October 1, 2014. Contractors must complete:

Proposed Site/Classroom or CCL License Number and Site Name (Attach copy of license)	Zip Code	Proposed Start Date	Number of Existing Part-Day/Part-Year Children to receive Full-Day/Full-Year Services	Minimum Days of Operation

IMPLEMENTATION PLAN AND TIMELINE

Implementation plan and timeline: Provide a description and timeline of the actions that must be taken to ensure facilities and staffing are secured to meet the proposed start date. The actions may include, but are not limited to, hiring staff, ordering classroom supplies and equipment, or obtaining a license. Please include this information on a separate page.

**Instructions for Completing Request for California State Preschool Program
 Restoration Funding**

Section IV PRIORITY THREE CSPP PROGRAM INFORMATION

CSPP contractors that have existing licensed capacity and staffing to enroll additional **part-day/part-year** families and begin providing CSPP services on or before October 1, 2014. Part-day programs must operate 3 to less than 4 hours per day. Between 175 to 180 days of operation is required for this contract unless the contractor has received prior approval to operate more days. Contractors must complete:

Proposed Site/Classroom	Zip Code	Proposed Start Date	Number of Additional Part-Day Children to be Served	Minimum Days of Operation

IMPLEMENTATION PLAN AND TIMELINE

Implementation plan and timeline: Provide a description and timeline of the actions that must be taken to ensure facilities and staffing are secured to meet the proposed start date. The actions may include, but are not limited to, hiring staff, ordering classroom supplies and equipment, or obtaining a license. Please include this information on a separate page.

Instructions for Completing Request for California State Preschool Program Restoration Funding

Instructions for Section I: CSPP CONTRACTOR INFORMATION

Complete agency information as it appears on your CSPP contract.

CSPP Contractor Name: Legal agency name.

Address: Address, city, and zip code for the legal agency name as indicated above.

Vendor Number: Use the first six digits of the project number found on your contract face sheet.

FY 2014/2015 CSPP Contract Number: Provide agency's contract number as it appears on your FY 2014/2015 contract face sheet.

Phone Number: The agency phone number.

Fax Number: The agency fax number.

County Name: Name of county in which the agency is headquartered.

County Number: County number in which the agency is headquartered.

Authorized Agency Representative and Title: Name of Executive Director or Program Director. The named individual must have the authority to certify that the agency will fulfill all of the agreements, certifications, and conditions as described in the Request for California State Preschool Program Restoration Funding form (EESD.Res1415).

Phone Number and e-mail: Include phone number and e-mail address for the authorized agency representative.

Authorized Signature: Signature of the authorized agency representative named above. By signing this document the representative is certifying, under penalty of perjury, that information provided on Request for California State Preschool Program Restoration Funding form (EESD.Res1415) is true and correct.

Instructions for Section II: PRIORITY ONE CSPP PROGRAM INFORMATION

CSPP contractors that have existing licensed capacity and staffing to enroll additional **full-day/full-year** families and begin providing CSPP services on or before October 1, 2014. Full-day programs must operate for the number of hours per day that are necessary to meet the early education and support needs of families in the community. A minimum of 246 days of operation is required for this contract unless the contractor has received prior approval to operate for fewer days. Contractors must complete:

License Number and Site Name: License number and site name as it appears on the license issued by Department of Social Services, Community Care Licensing. Attach a copy of the license for each site name listed.

Zip Code: Provide zip code for the physical location of the licensed facility site.

Proposed Start Date: Insert the date you will begin providing services to additional children.

Number of Full-Day/Full-Year Children to be served: Include the number of additional children, within your current license capacity, which will begin to receive services on the proposed start date

Minimum Days of Operation: Include the days of operation for each site listed.

Implementation Plan and Timeline: Please include this information on a separate page.

Instructions for Completing Request for California State Preschool Program Restoration Funding

Instructions for Section III: PRIORITY TWO CSPP PROGRAM INFORMATION

CSPP contractors currently operating a **part-day/part-year** program, who, if provided restoration funding, will provide **full-day/full-year** services on or before October 1, 2014. Contractors must complete:

Proposed Site/Classroom or CCL License Number and Site Name: Provide the name of the site as it appears or will appear on the License Application for Child Care Centers (LIC 200A) submitted to Department of Social Services, Community Care Licensing. If the facility is currently licensed, include the license number, site name, and provide a copy of the license.

Zip Code: Provide zip code for the physical location of the proposed site or currently licensed site.

Proposed Start Date: Insert the date you are proposing to begin providing services to additional children.

Number of Existing Part-Day/Part-Year Children to Receive Full-Day/Full-Year Services: Include the number of children which will begin receiving full day full year services on the proposed start date.

Minimum Days of Operation: Include the current days of operation for each site listed

Implementation Plan and Timeline: Please include this information on a separate page.

Instructions for Section IV: PRIORITY THREE CSPP PROGRAM INFORMATION

CSPP contractors that have existing licensed capacity and staffing to enroll additional **part-day/part-year** families and begin providing CSPP services on or before October 1, 2014. Part-day programs must operate 3 to less than 4 hours per day. Between 175 to 180 days of operation is required for this contract unless the contractor has received prior approval to operate more days. Contractors must complete:

Proposed Site Name: Provide the name of the site as it appears or will appear on the License Application for Child Care Centers (LIC 200A) submitted to Department of Social Services, Community Care Licensing. If the facility is currently licensed, include the license number, site name, and provide a copy of the license.

Zip Code: Provide zip code for the physical location of the proposed site or currently licensed site.

Proposed Start Date: Insert the date you are proposing to begin providing services to additional children.

Number of Part-Day Children to be Served: Include the number of additional children, within your current license capacity, which will begin to receive services on the proposed start date. If the program operates more than one session per day, please include total number for all sessions (i.e. license capacity to serve 12 additional children in a.m. and 6 additional children in p.m., indicate 18).

Minimum Days of Operation: Include the current days of operation for each site listed

Implementation Plan and Timeline: Please include this information on a separate page.

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