



CITY COUNCIL
SPECIAL AND REGULAR MEETING AGENDA
Tuesday, May 05, 2015 at 6:00 PM
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

6:00 P.M. SPECIAL SESSION (1st floor Council Conference Room, Administration Building)

1. Interviews of applicants for appointment to the Planning Commission

7:00 P.M. REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

A. PRESENTATIONS AND PROCLAMATIONS

- A1. Proclamation recognizing Junior League of Palo Alto•Mid Peninsula
- A2. Proclamation for Bike to Work Day on May 14, 2015

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

- B1. Consider applicants for appointment to fill two vacancies on the Parks and Recreation Commission, three vacancies on the Library Commission, one vacancy on the Housing Commission, two vacancies on the Environmental Quality Commission, two vacancies on the Transportation Commission and two vacancies on the Planning Commission ([Staff report #15-050](#))

C. PUBLIC COMMENT #1

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. Amend the contract with Hello Housing for housing loan services and portfolio management and authorize the City Manager to exceed his purchasing authority and appropriate \$25,000 in below market rate housing funds ([Staff Report #15-066](#))

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- D2. Approve the Parks and Recreation Commission recommendation to negotiate with Menlo Swim and Sport to extend the lease agreement for City aquatics operations ([Staff Report #15-067](#))
 - D3. Adopt a resolution to support the City of Menlo Park's Beacon Award application for sustainable cities ([Staff report #15-068](#))
 - D4. Authorize the City Manager to execute an agreement for architectural rendering services up to \$10,000 for the Santa Cruz Sidewalk Project ([Staff report #15-070](#))
 - D5. Adopt a resolution of intention to abandon public right-of-way and public utility easements within the property at 1221 Willow Road for the Mid-Peninsula Housing Project ([Staff report #15-074](#))
 - D6. Approve minutes for the Council meeting of April 14, 2015 ([Attachment](#))

E. PUBLIC HEARING – None

F. REGULAR BUSINESS

- F1. Adopt a resolution implementing water regulations for the Menlo Park Municipal Water District ([Staff report #15-069](#))
- F2. Consider modifications to the City's Rail Policy to allow elevated rail options and approve a six-month trial installation of modifications to the Alma Street and Ravenswood Avenue intersection ([Staff report #15-072](#))

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

- I1. Parks and Recreation Commission recommendations regarding non-resident fees for recreation programs ([Staff report #15-065](#))
- I2. Chestnut paseo summer pilot program ([Staff report #15-071](#))
- I3. Update on the proposed Priority Conservation Area (PCA) for the Bayfront area of Menlo Park and East Palo Alto ([Staff report #15-073](#))

J. COUNCILMEMBER REPORTS – None

K. PUBLIC COMMENT #2

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.

ADJOURNMENT to CLOSED SESSION (1st floor Council Conference Room, Administration Building)

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

- CL1.** Closed Session pursuant to Government Code Section §54957.6 to conference with labor negotiators regarding labor negotiations with the Menlo Park Police Sergeants' Association (PSA)

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

- CL2.** Closed session pursuant to Government Code Section 54956.8 regarding real property lease negotiations (1 matter):

Property: 490 Willow Road, Menlo Park

City Negotiators: Bill McClure, City Attorney, Alex McIntyre, City Manager, or designee

Negotiating Parties: City of Menlo Park and Building Kidz, Inc.

Under Negotiation: New lease or extension of lease, rent, length of term and other provisions

- CL3.** Closed Session pursuant to Government Code Section §54957
Public Employee Performance Evaluation - City Manager
Attendees: City Attorney Bill McClure

REPORT FROM CLOSED SESSION

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at <http://www.menlopark.org/AgendaCenter> and can receive e-mail notification of agenda and staff report postings by subscribing to the [Notify Me](http://www.menlopark.org/notifyme) service on the City's homepage at www.menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting the City Clerk at (650) 330-6620. Copies of the entire packet are available at the library for viewing and copying. (Posted: 4/30/2015)

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

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

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

City Council meetings are televised live on Government Access Television Cable TV Channel 26. Meetings are re-broadcast on Channel 26 on Thursdays and Saturdays at 11:00 a.m. A DVD of each meeting is available for check out at the Menlo Park Library. Live and archived video stream of Council meetings can be accessed at <http://www.menlopark.org/streaming>. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at (650) 330-6620.

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OFFICE OF THE CITY MANAGER

Council Meeting Date: May 5, 2015
Staff Report #: 15-050

COMMISSION REPORT:

Consider applicants for appointment to fill two vacancies on the Parks and Recreation Commission, three vacancies on the Library Commission, one vacancy on the Housing Commission, two vacancies on the Environmental Quality Commission, two vacancies on the Transportation Commission and two vacancies on the Planning Commission

RECOMMENDATION

Staff recommends appointing applicants to fill two vacancies on the Parks and Recreation Commission, three vacancies on the Library Commission, one vacancy on the Housing Commission, two vacancies on the Environmental Quality Commission, two vacancies on the Transportation Commission and two vacancies on the Planning Commission.

POLICY ISSUES

Council Policy CC-01-004 establishes the policies, procedures, roles and responsibilities for the City's appointed commissions and committees, including the manner in which commissioners are selected.

BACKGROUND

Staff conducted recruitment for the vacant positions for a period of eight weeks by publishing press releases in the *Daily News*, the *Almanac* and *Patch.com*, posting notices on the City's Facebook page, twitter and website, displaying ads on the electronic bulletin boards throughout the City's recreation facilities, the main library and on government access Channel 29, and by reaching out to the community through the social media site Next Door, the Chamber of Commerce online newsletter, school district online newsletter and by emailing targeted residents.

One of the three Planning Commission appointments will be for a 3-year term expiring April 2018 in order to fill the vacancy of Commissioner Ben Eiref who recently resigned. All other appointments will be for 4-year terms expiring in April 2019.

Applicants to the Parks and Recreation Commission (currently 2 vacancies):

- Marianne Palefsky (incumbent)
- Laura Lane

Applicants to the Library Commission (currently 4 vacancies):

- Kristina Lemons
- Freda Manuel
- Regine Nelson

Applicants to the Housing Commission (currently 1 vacancy):

- Julianna Dodick (incumbent)
- TaMarra DeVaroe
- Meg McGraw-Scherer

Applicants to the Environmental Quality Commission (currently 2 vacancies):

- Nicole Angiel
- Andrea Nadosy Bunt
- M. Janelle London
- Scott Marshall (incumbent)
- Ryann Price
- Grace Yuan

Applicants to the Transportation Commission (currently 2 vacancies):

- Cheryl Cathey
- Jonas Halpren
- Elizabeth (Betsy) Nash
- Jason Pfanennstiel
- Travis Runnels
- Tiffany Seeney
- Bianca Walser (incumbent)
- Cynthia (Cindy) Welton

Applicants to the Planning Commission (currently 3 vacancies):

- Andrew Barnes
- Marc Bryman
- JoAnne Goldberg
- Susan Goodhue
- Brent Harris
- Larry Kahle
- Michael Meyer
- John Onken (incumbent)
- Carol Scal
- Michael Shaw
- Stu Soffer
- Matt Zumstein

*****All applications will be provided to the City Council under separate cover and are also available for public viewing at the City Clerk's office during regular business hours or by request.**

ANALYSIS

Pursuant to City Council Policy CC-01-0004 (Attachment A), commission members must be residents of the City of Menlo Park and serve for designated terms of four years, or through the completion of an unexpired term. Residency for all applicants has been verified by the City Clerk's office. In addition, the Council's policy states that the selection/appointment process shall be conducted before the public at a regularly scheduled meeting of the City Council. Nominations will be made and a vote will be called for each nomination. Applicants receiving the highest number of affirmative votes from a majority of the Council present shall be appointed.

IMPACT ON CITY RESOURCES

Staff support for selection of commissioners is included in the FY 2014-15 Budget.

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. Excerpt from City Council Policy CC-01-0004

Report prepared by:
Pamela Aguilar
City Clerk

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City of Menlo Park		City Council Policy
Department City Council		Effective Date 3-13-01
Subject Commissions/Committees Policies and Procedures and Roles and Responsibilities	Approved by: Motion by the City Council on 03-13-2001; Amended 09-18-2001; Amended 04-05-2011	Procedure # CC-01-0004

Application/Selection Process

1. The application process begins when a vacancy occurs due to term expiration, resignation, removal or death of a member.
2. The application period will normally run for a period of four weeks from the date the vacancy occurs. If there is more than one concurrent vacancy in a Commission, the application period may be extended. Applications are available from the City Clerk's office and on the City's website.
3. The City Clerk shall notify members whose terms are about to expire whether or not they would be eligible for reappointment. If reappointment is sought, an updated application will be required.
4. Applicants are required to complete and return the application form for each Commission/Committee they desire to serve on, along with any additional information they would like to transmit, by the established deadline. Applications sent by fax, email or submitted on-line are accepted; however, the form submitted must be signed.
5. After the deadline of receipt of applications, the City Clerk shall schedule the matter at the next available regular Council meeting. All applications received will be submitted and made a part of the Council agenda packet for their review and consideration. If there are no applications received by the deadline, the City Clerk will extend the application period for an indefinite period of time until sufficient applications are received.
6. Upon review of the applications received, the Council reserves the right to schedule or waive interviews, or to extend the application process in the event insufficient applications are received. In either case, the City Clerk will provide notification to the applicants of the decision of the Council.
7. If an interview is requested, the date and time will be designated by the City Council. Interviews are open to the public.
8. The selection/appointment process by the Council shall be conducted open to the public. Nominations will be made and a vote will be called for each nomination. Applicants receiving the highest number of affirmative votes from a majority of the Council present shall be appointed.
9. Following a Council appointment, the City Clerk shall notify successful and unsuccessful applicants accordingly, in writing. Appointees will receive copies of the City's Non-Discrimination and Sexual Harassment policies, and disclosure statements for those members who are required to file under State law as designated in the City's Conflict of Interest Code. Copies of the notification will also be distributed to support staff and the Commission/Committee Chair.
10. An orientation will be scheduled by support staff following an appointment (but before taking office) and a copy of this policy document will be provided at that time.

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COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-066

CONSENT CALENDAR: Amend the Contract with Hello Housing for Housing Loan Services and Portfolio Management, Authorize the City Manager to Exceed His Purchasing Authority and Appropriate \$25,000 in Below Market Rate Housing Funds

RECOMMENDATION

Staff recommends Council amend Hello Housing's contract to include loan servicing for the City's Rehab loan portfolio (see Amended Contract Attachment A). Staff also recommends Council authorize the City Manager to exceed his purchasing authority for the current fiscal year for unexpected work Hello completed on Below Market Rate home sales, Purchase Assistance Loan pay-offs and bringing delinquent loans to current status, requiring an additional appropriation of Below Market Rate funds of \$25,000.

POLICY ISSUES

Contracting with Hello Housing for housing services is consistent with previous Council action to eliminate the City's Housing staff while continuing to provide management of the City's Below Market Rate (BMR) Housing Program, Purchase Assistance Loans (PAL) and Rehab Loan Portfolios through this non-profit housing agency.

BACKGROUND

With the elimination of the Housing Division in 2012, the City contracted with Palo Alto Housing Corporation (PAHC) for BMR program administration and with Hello Housing for Purchase Assistance Loan portfolio management. In June 2014 Council approved consolidating those services under Hello Housing while City staff maintained management of the City's Rehab Loan portfolio consisting of 34 loans funded either through San Mateo County Community Development Block Grant Funds (CDBG) or through the City's Redevelopment Area 20% Housing Set-Aside.

Many of these rehab loans are now maturing and require additional staff time to collect and track payments, process additional deferral requests, address delinquencies and work with loan recipients on payment plans. City staff lack capacity to address this additional oversight and Hello Housing has submitted a proposal to add this work to their scope of services.

ANALYSIS

Bids for the management of the BMR program and PAL loan portfolio were received from Hello Housing and PAHC in 2014. Hello Housing was the low responsive bidder as PAHC does not offer loan servicing. Hello Housing is a non-profit organization in the Bay area serving multiple communities' housing needs and has served Menlo Park well over the past year in managing the BMR and PAL programs.

When it became evident that City staff did not have the capacity to manage the maturing CDBG and former RDA rehab loans, staff sought a proposal from Hello to take on that work. The proposed modified contract and scope of work is included as Attachment A, reflecting an additional annual cost of \$65,000 the first fiscal year the CDBG and RDA loans are added, with lesser costs of \$35,000 annually in the three remaining years of the contract.

Hello Housing has also supported City staff with unanticipated work in the current year requiring additional purchasing authority beyond the City Manager's approval level. Other housing loan management work performed by Hello includes managing delinquencies, processing requests for additional deferrals and working with additional loan pay offs that were not anticipated. The total cost of the Hello contract for the current year is anticipated to be \$60,000 for loan services (original contract was for \$35,000) and requires Council authorization and additional budget allocation of \$25,000 from the BMR fund. The current balance of the BMR fund is over \$15,000,000. The City also contracted with Hello Housing in December of 2014 for rehab of the two BMR rental units at 1175 and 1177 Willow Road for a total of \$56,000.

IMPACT ON CITY RESOURCES

Three separate funding sources are impacted by the contract amendment beginning in the next fiscal year. The City's BMR fund will continue to be used for management of the BMR program and PAL loan portfolio at an estimated cost of \$35,000 annually. Administrative costs for servicing the former RDA loans (10 loans) may legally be deducted from the loan proceeds according to redevelopment dissolution law, up to \$250,000 per year. Servicing for these 10 loans is estimated to be approximately \$30,000 in 15-16 and \$10,000 in the remaining years of the contract. The CDBG loans (24 loans) however, have no funding source to cover administrative costs and will be an additional expense to the General Fund of approximately \$40,000 in FY 15-16 and \$20,000 in the remaining years of the contract.

Given that the CDBG loans originated from San Mateo County Community Development Block grant funds, staff remains committed to pursuing returning the assets which the 24 loans represent to the County for administration in the next year, and removing that administrative cost to the General Fund if possible.

ENVIRONMENTAL REVIEW

This project requires no 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: Hello Housing Amended Contract and Scope of Work

Report prepared by:

Cherise Brandell

Community Services Director

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

THIS AMENDMENT TO AGREEMENT, made and entered into at Menlo Park, California, this 1st day of June 2015, by and between the CITY OF MENLO PARK, a Municipal Corporation, hereinafter referred to as "CITY", and HELLO HOUSING, a California non-profit public benefit corporation, hereinafter referred to as "HELLO."

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

Section 1, SCOPE OF WORK shall now reference Exhibit A-1, A-2 and A-3 which represents all activities in consideration of payment by the CITY to HELLO.

Section 2, TERM OF AGREEMENT shall now indicate that this agreement shall remain in effect for a period of June 1, 2015 through July 31, 2019, unless extended, amended, or terminated in writing by the City

Exhibit A, Scope of Work, shall be replaced with Exhibits A-1, A-2 and A-3.

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

City of Menlo Park
A Municipal Corporation

By: _____

Title: _____

Hello Housing, a California nonprofit
public benefit corporation

By: _____

Title: _____

EXHIBIT “A-1”

**SCOPE OF WORK
BELOW MARKET RATE HOUSING PORTFOLIO**

ACTIVITIES

Over the term of this contract, HELLO shall perform the following program management and administrative activities for the Below Market Rate Housing Portfolio in the City of Menlo Park for the Community Services Department:

Website and 24-hour dedicated phone line	Place program information on Hello Housing’s website and set up dedicated phone line.
BMR portfolio on-boarding	Cause to be delivered all physical files to Hello Housing. Scan and label each pertinent document in each physical file and upload to the database for easy reporting, document information access and a snapshot view of compliance status. Provide access to electronic copies of physical files to the City and return physical files to the City.
Monitoring of existing portfolio	Annually, send up to 3 letters/phone calls requesting verification of occupancy and any other compliance requirements of program. If no response after 3 attempts, report to the City. Follow up available at an hourly rate. Twice annually send check in/how are you letters on status of first loans and soundness of ownership, and include information which demonstrates potential savings if households choose to refinance (e.g. comparing 6% interest on \$300,000 to 3.5% interest on \$300,000). All monitoring outreach attempts and results will be tracked in the database and reported to the City annually.
Maintain existing and grow BMR Waitlist	Maintain existing BMR wait list which includes evaluating applicants for eligibility using stated information; follow up on incomplete applications; send acceptance/denial letters; scan application & update database; collect & process application fees; reconcile fees against Hello billings at year end. Annually send renewal applications to existing waitlist members requesting updated information; evaluate members for continued eligibility based on stated information; courtesy call for non-responders; written notification of removal from waitlist if no response; send letter if no longer eligible; update database; collect & process renewal fees; reconcile fees against Hello billings at year end. Alert wait list members of upcoming BMR opportunities or other pertinent affordable housing information. Respond to member questions as received.
Refinance request reviews and subordination creation	Answer questions and supply a letter outlining acceptable first loan products for a refinance, required documentation needed and time line expectations for lenders and owners. Provide owners and their lenders with information about subordination requirements and the BMR restricted value. Coordinate with Title Company and first lender for preliminary title report and loan terms in order to review and confirm that the refinance meets the program’s guidelines. Prepare escrow instructions, subordination agreement, and request for notice of default and route for signatures. Follow up with Title on close of escrow, and status of City copies of recorded documents.
Sales	Sale of New BMR Units – Work with developer, their sales office, and City’s contract realtor to arrange a timeline for completion and sale of BMR units. Work with developer and/or their sales office to obtain necessary information for determining the price of the BMR unit(s). Establish household size and income qualifications. Set the price of the BMR unit(s). Put together application packages including (but not limited to) purchase applications, detailed description of the property and units, sales prices and floor plans, eligibility requirements, program requirements, and information on home purchase and home financing options. Invite eligible households on the waiting list to attend an applicant orientation meeting. Evaluate all applications to ensure that (1) applicants meet minimum eligibility requirements and (2) applicants appear “mortgage ready.” Work with buyers lenders to ensure that their home financing/loans meet program requirements. Work with developer, realtor, lender and title to ensure timely close of escrow. Generate City Loan documents necessary for new owner to sign. Digitize all pertinent documents as part of the close of escrow process and share these with the City .
Resales	Resale of existing units –Work with Owner following a Notice of Intent to sale is received to orient them to the resale process and timeline. Generate City’s response letter to the

	Sellers Notice of Intent to Sell. Coordinate real estate agent throughout the resale process. Notify top 20-10 wait list members who qualify to apply based on unit size. Put together application packages including (but not limited to) purchase applications, detailed description of the property and units, sales prices and floor plans, eligibility requirements, program requirements, and information on home purchase and home financing options. Invite eligible households on the waiting list to attend an applicant orientation meeting. Evaluate all applications to ensure that (1) applicants meet minimum eligibility requirements and (2) applicants appear "mortgage ready." Work with buyers lenders to ensure that their home financing/loans meet program requirements. Work with developer, realtor, lender and title to ensure timely close of escrow. Get copies of purchase contract and all other relevant documents from Realtor. Digitize all pertinent documents and share these with the City .
Application Orientation Meetings/Workshops	Plan, write content for, and conduct the first-time homebuyer/applicant orientation meetings. This will include information about the BMR Program, requirements for home purchases, and information about the affordable home loan financing. Schedule venue and notify wait list members of the date and time of the orientation meeting. Put together application packages including (but not limited to) purchase applications, detailed description of the property and units, sales prices and floor plans, eligibility requirements, program requirements, and information on home purchase and home financing options.
Financing Support & News Letter	Stay up-to-date on current trends in the mortgage market, particularly for first-time homebuyers, related to underwriting processes and qualification criteria such as minimum credit score, down payment requirements, private mortgage insurance, and interest rates. Maintain knowledge of and provide clients with information about homebuyer purchase assistance programs such as those offered by HEART, CalHFA, FHA and VA. Maintain information on where clients can access first-time homebuyer credit repair and financial/budget training. Make referrals and update resources as needed. Periodically provide a Hello Housing BMR home ownership news letter reflective of market changes, current trends and useful financial product information.
Exit survey	Send a survey to borrowers leaving the program to track the success of the program including equity gained, and what type of housing they are moving into (rental or market rate ownership).

BILLINGS

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

BMR Portfolio Onboarding	\$135 per file
Annual Compliance Monitoring	\$165 per file/year
Refinances	\$650 per file
New Sales (fee does not include applicant orientation meeting)	\$2750 per sale
Resales (fee does not include applicant orientation meeting)	\$2750 per sale
Application Underwriting (but applicant did not close escrow through no fault of Hello)	\$650 per file
Applicant Orientation Meetings/Workshops	\$600 per workshop
Wait List Management	\$150 per month
Process New Wait List Member Applications	\$100 per file
Annual Wait List Update	\$125 per member
Newsletter (optional and/or as directed)	\$3,200 total per issue
Hourly Assistance to the City for Notice of Default Action, Policy Review or Program Design	\$125 per hour
Reimbursable Costs	Actual + 10%

EXHIBIT "A-2"

**SCOPE OF WORK
LOAN SERVICING PORTFOLIO**

ACTIVITIES

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

Activity	Description	Loan Applicability
New file digitization	Scan document in physical file and upload to database for easy reporting, document information access and dashboard view of compliance and payment status. Provide electronic copies of physical files to the City	RDA Loan ERL Loan
Onboard loan terms into servicing software	Onboard each loan and specific terms into loan servicing software system. Create loan portfolio file within system to track payments, delinquency and accrued interest.	CDBG Loan RDA Loan ERL Loan
Delinquent Loan Outreach	Send up to three pieces of correspondence by regular mail and certified mail; attempt to identify current phone number, make up to three phone calls; perform one in-person door-knock in attempt to establish communication and develop an action plan with the Borrower to address delinquency.	CDBG Loan RDA Loan ERL Loan
Monitoring of existing portfolio	Annually, send up to 3 letters/phone calls requesting verification of occupancy and any other compliance requirements of program. If no response after 3 attempts, report to the City. Follow up available at an hourly rate. Twice annually send check in/how are you letters on status of first loans and soundness of ownership, and include information which demonstrates potential savings if households choose to refinance (e.g. comparing 6% interest on \$300,000 to 3.5% interest on \$300,000). All monitoring outreach attempts and results will be tracked in the database and reported to the City annually.	PAL Loan
Refinance request reviews and subordination creation	Answer questions and supply a letter outlining acceptable first loan products for a refinance, required documentation needed and time line expectations for lenders and owners. Coordinate with Title Company and first lender for preliminary title report and loan terms in order to review and confirm that the refinance meets the program's guidelines. Prepare escrow instructions, subordination agreement, and request for notice of default and route for signatures. Follow up with Title on close of escrow, and status of City copies of recorded documents.	PAL Loan CDBG Loan RDA Loan ERL Loan
Loan Servicing	Generate payment coupons, receive, deposit and reconcile payments. Perform any necessary late, partial or non-payment follow up (up to 3 letters). Provide monthly summary of loans to City. Generate annual 1098 tax documents. Report to include date payment received, any past due information, and tracking of due date for loans that are currently deferred.	PAL Loan CDBG Loan RDA Loan ERL Loan
Loan Deferral Requests	Develop and follow a standard procedure for payment deferrals. Answer questions and review deferral requests, communicate a determination, document an approved deferral by preparing a modification agreement and route for signature. Facilitate recordation of agreement and provide City with copies of recorded documents. Update loan servicing software with new terms.	PAL Loan CDBG Loan RDA Loan ERL Loan
Loan Payoffs	Develop and follow a standard procedure for loan payoff activities. Answer questions and supply lender with a payoff demand letter. Prepare deed of recoveyance, escrow instructions and subordination agreement for BMR deed restrictions when needed. Route all documents for signature and	PAL Loan CDBG Loan RDA Loan

	coordinate with Title company on the transaction. Follow up with Title on close of escrow, and status of City copies of recorded documents.	ERL Loan
NOD Processing/Loan Write-off	Following all outreach activities prepare written recommendation to City of loan write-off or initiate notice of default: includes summary of attempts to reach Borrower and any relevant correspondence that suggests Borrower will not reengage.	PAL Loan CDBG Loan RDA Loan ERL Loan

BILLINGS

HELLO shall submit monthly invoices to the CITY per the following billing activities and rates. Invoices shall break out billable activities by loan type. Payments are due upon receipt of invoices.

New File Digitization	\$135 per file
Onboard loans into Loan Servicing Software	\$75 per file
Delinquent Loan Outreach	\$1000 per file
Monitoring of Existing portfolio (PAL Loan Only)	\$165 per file
Refinance request reviews and subordination creation	\$650 per file
Servicing of Loans with Monthly Payments	\$35 per file/month
Tracking of Loans in Default and Deferred Payments	\$25 per file/month
Loan Deferral Request	\$1000 per file
Loan Payoff	\$500 per file
Hourly Assistance to the City for Notice of Default Action or Write-off	\$125 per hour
Reimbursable Costs	Actual + 10%

EXHIBIT "A-3"

**SCOPE OF WORK
BELOW MARKET RATE RENTAL PROGRAM**

ACTIVITIES

Over the term of this contract, HELLO shall perform the following program management and administrative activities for the Below Market Rate Rental Housing program in the City of Menlo Park for the Community Services Department:

Income Qualify BMR Wait List Candidates	Upon a 15-day notification of a BMR rental opportunity, review wait list applications for potentially qualified households who have indicated an interest in BMR rental opportunities. Select the top 5 candidates from the BMR wait list and notify each selected candidate of the rental opportunity. Information provided will include a BMR rental application, the location of the rental unit, the size of the unit, the monthly rental rate and the occupancy timeline for the unit. Review rental applications and all income and household size documentation by a pre-set deadline. Following application underwriting, select the top two candidates who are income eligible per the BMR Program Guidelines and send this information to the Developer or Property Manger responsible for the BMR rental unit for tenant lease-up and move-in activities.
Annual Recertification of BMR Units	Annually recertify that the tenant's income, per household size, meets the eligibility requirements set forth in the BMR Guidelines. Notify the City and the Developer of Property manager of the eligibility status of the tenant.
Annual Report	On or before July 1 of each year, work with the Developer or Property Manager to collect information regarding the name of the eligible tenant, the rental rate and the income and household size of the occupants. Prepare an annual report based on information supplied by the Tenant or occupant of the unit.

BILLINGS

HELLO shall submit monthly invoices to the CITY per the following billing activities and rates. Invoices shall break out billable activates by loan type. Payments are due upon receipt of invoices.

Income Qualify and Certification of BMR Wait List Candidates <i>(up to three applicants per unit max billing)</i>	\$750 per file
Annual Recertification of BMR Units	\$750 per unit
Annual Report	\$200 per unit
Reimbursable Costs	Actual + 10%

ANNUAL COMPENATION AFTER SET-UP YEAR

Annual costs can be renegotiated in May of each year of this contract by consent of both parties. If no new prices are agreed upon, the prior year's cost of services will continue. In the event that annual billings invoiced by HELLO to perform program management and administrative activities for the Below Market Rate Housing portfolio and Loan Servicing activities do not exceed \$20,000, HELLO shall submit a year-end reconciliation invoice which shall bring total billing to \$20,000. Payment is due upon receipt of invoice.

CHANGES IN WORK – EXTRA WORK

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

Change in the services because of changes in the scope of the work.

Additional tasks not specified herein as required by the CITY.

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

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Pricing Proposal for the City of Menlo Park's PAL, CDGB, ERL & RDA Loan Servicing Portfolio

PAL Loan Assumptions	2015	2015/2016	2016/2017	2017/2018	2018/2019
Total PAL Loans (beginning of year count)	31	31	31	30	28
Total Active PAL Loans	24	29	29	27	26
Total loans with payments not yet due	7	2	1	1	1
Total loans currently in default and subject to Borrower Reengagement Process	0	0	0	0	0
<i>A. Loan servicing resulting in Active Payments</i>		5	0	0	1
<i>B. Loan servicing resulting in an Approved Loan Deferral Request</i>		1	0	1	1
<i>C. Loan servicing resulting in Loan Payoff</i>		0	1	2	1
<i>D. Loan Servicing resulting in write-off or foreclosure</i>		0	0	0	0
Total PAL Loan (end of year count)		31	30	28	27
CDBG Loan Assumptions	2015	2015/2016	2016/2017	2017/2018	2018/2019
Total CDBG Loans (beginning of year count)	24	24	21	16	16
Total Active CDBG Loans	4	6	6	6	6
Total loans with payments not yet due	3	10	10	10	10
Total loans currently in default and subject to Borrower Reengagement Process	17	5	3	0	0
<i>A. Outreach resulting in Active Payments</i>		2	0	0	0
<i>B. Outreach resulting in an Approved Loan Deferral Request</i>		7	0	0	2
<i>C. Outreach resulting in Loan Payoff</i>		3	3	0	2
<i>D. Loan Servicing resulting in write-off or foreclosure</i>		0	2	0	0
TOTAL CDBG Loans (end of year count)		21	16	16	14
ERL Loan Assumptions	2015	2015/2016	2016/2017	2017/2018	2018/2019
Total ERL Loans (beginning of year count)	10	10	9	8	8
Total Active ERL Loans	1	3	3	3	3
Total loans with payments not yet due	2	4	5	5	4
Total loans currently in default and subject to Borrower Reengagement Process	7	2	0	0	0
<i>A. Outreach resulting in Active Payments</i>		2	0	0	1
<i>B. Outreach resulting in an Approved Loan Deferral Request</i>		4	1	0	1
<i>C. Outreach resulting in Loan Payoff</i>		1	0	0	1
<i>D. Loan Servicing resulting in write-off or foreclosure</i>		0	1	0	0
Total ERL Loans (end of year count)		9	8	8	7
RDA Loan Assumptions	2015	2015/2016	2016/2017	2017/2018	2018/2019
Total RDA Loans (beginning of year count)	9	9	8	7	6
Total Active RDA Loans	1	5	5	4	3
Total loans with payments not yet due	4	2	2	2	3
Total loans currently in default and subject to Borrower Reengagement Process	4	1	0	0	0
<i>A. Outreach resulting in Active Payments</i>		4	0	0	0
<i>B. Outreach resulting in an Approved Loan Deferral Request</i>		2	0	0	1
<i>C. Outreach resulting in Loan Payoff</i>		1	0	1	1
<i>D. Loan Servicing resulting in write-off or foreclosure</i>		0	1	0	0
Total RDA Loans (end of year count)		8	7	6	5

Fixed Costs	Rates	2015	2015/2016	2016/2017	2017/2018	2017/2018
Onboard RDA & ERL loan files	\$135 per application		\$2,565	\$0	\$0	\$0
Onboard ERL, CDBG and RDA loans into Mortgage + Care Software	\$75 per file		\$3,225	\$0	\$0	\$0
Active Loan Servicing	\$35 per file/month		\$18,060	\$18,060	\$16,800	\$15,960
Deferred & Delinquent Loan Servicing	\$25 per file/month		\$7,800	\$6,300	\$5,400	\$5,400
Annual Compliance Monitoring (PAL Only)	\$165 per file/month		\$5,115	\$5,115	\$4,950	\$4,620
CDBG, RDA, ERL Borrower Reengagement						

Part 1: Send up to three pieces of correspondence by regular mail and certified mail; attempt to identify current phone number, make up to three phone calls; perform one in-person door-knock in attempt to establish communication and develop an action plan with the Borrower.

CDBG			\$17,000	\$5,000	\$3,000	\$0
ERL	\$1000 per file		\$7,000	\$2,000	\$0	\$0
RDA			\$4,000	\$1,000	\$0	\$0
TOTAL FIXED COSTS			\$64,765	\$37,475	\$30,150	\$25,980

Variable Costs (dependent on activity)	Rates	2015	2015/2016	2016/2017	2017/2018	2018/2019
Loan Servicing Variable Costs						
Part 2A: Set up of active payments	\$250		\$3,250	\$0	\$0	\$500
Part 2B: Process Loan Payment Deferral to return to good standing	\$1,000		\$14,000	\$1,000	\$1,000	\$5,000
Part 2C: Process Loan Payoff	\$500		\$2,500	\$2,000	\$1,500	\$2,500
Part 2D: Written recommendation to City of loan write-off or initiate notice of default: includes summary of attempts to reach Borrower and any relevant correspondence that suggests Borrower will not reengage.	\$500		\$0	\$2,000	\$0	\$0
Hourly Assistance to City for Notice of Default Action or Other City-Requested Scope of Work	\$125 per hour		\$0	\$1,125	\$0	\$0
TOTAL ESTIMATED VARIABLE COSTS			\$19,750	\$6,125	\$2,500	\$8,000
TOTAL FIXED + ESTIMATED VARIABLE COSTS			\$84,515	\$43,600	\$32,650	\$33,980



COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-067

CONSENT CALENDAR: **Approve the Parks and Recreation Commission Recommendation to Negotiate with Menlo Swim and Sport to Extend the Lease Agreement for City Aquatics Operations**

RECOMMENDATION

The Parks and Recreation Commission recommends staff work with Menlo Swim and Sport to renew and extend the Aquatic Facilities Lease Agreement and forego a Request for Proposals process.

POLICY ISSUES

Prior to completing the construction of the Burgess Pool renovation in 2006, the City Council had undertaken a community-based budget process called *Your City/Your Decision*, the results of which provided guidance for making difficult budget reductions. As a result of this process, the aquatics budget was identified for reduction. Since it was not seen as possible for public aquatic programs and facilities to achieve full cost recovery and given that the new facility -- with multiple pools -- would have higher costs than previously incurred, Council discussed several options for cost savings, including reduced hours, pool closure during winter months, and closing the Belle Haven pool entirely. An alternative solution was reached in May 2006, when the Council approved a Lease Agreement with a private contractor, Menlo Swim and Sport, to operate the Burgess facility and provide aquatic programming year-round for five years. This original lease agreement expired in May, 2011 and, following a lengthy RFP process, Council again approved an Aquatics Facilities Lease Agreement with Menlo Swim and Sport for five more years. This agreement does not expire until May of 2016, however, should the Council determine that the current arrangement for providing Aquatics Services is not their desire, terminating the Lease Agreement with Menlo Swim and Sport requires 12 months' notice.

BACKGROUND

Detailed background on the history of Menlo Park's pool operations and the evolution of the current contract with Menlo Swim and Sport can be found in the attached Parks and Recreation Commission report (Attachment A).

The current lease agreement with Menlo Swim and Sport requires an annual presentation in February of each year to the Parks and Recreation Commission reporting on:

- total program hours by program area
- participation statistics by program area including resident and non-resident percentages
- customer satisfaction survey results
- user group feedback by program area or rental
- pool schedule and allocation by program for previous year and projections to the upcoming year
- fees by program area and fee comparison to other public pools in the region
- evidence that annual audits and reviews demonstrating standards of care are being met
- risk management documentation, and more.

On February 25, 2015, the Parks and Recreation Commission reviewed this Aquatics Contractor Annual Report (Attachment D) and received a presentation from Tim Sheeper from Menlo Swim and Sport. This presentation was an important milestone, as the current lease to operate the City's aquatic facilities is set to expire in May 2016, precipitating another Request for Proposal (RFP) process or a recommendation to extend the current lease. The Commission's discussion in the meeting included an overview of the RFP process, weighing the pros and cons of a lease extension versus a complete RFP process, a review of the annual report and current contractor's performance, a question/answer session, and preliminary discussion about potential terms of a new lease agreement. Possible lease/contract terms discussed included a longer term for the agreement which would allow for greater stability, a requirement for year-round operation of Belle Haven Pool and maintaining any previous agreements to ensure community access and scheduling for such groups as the SOLO Swim Team.

The Commission agreed to table further discussion on any potential contract renewal to allow the pool contractor to respond to some of the questions that the Commission presented, receive community feedback into the process and consider terms of the agreement in order to better formulate a recommendation for staff to present to the City Council.

ANALYSIS

At their March 25, 2015 meeting, the Parks and Recreation Commission welcomed public comment on the subject of renewing and extending the lease with Menlo Swim and Sport versus engaging in an RFP process. At that meeting, the Commission discussed the lack of compelling arguments in favor of a RFP process and determined that an invitation for alternate providers was not likely to result in potential bidders who could provide the level of service of the current provider as well as a monthly lease payment to the City. In addition, the Commission inquired on whether the current lease payment is appropriate and whether circumstances may have changed that would require a re-evaluation of the terms of the agreement. Staff reported that this would be included in any negotiation with the contractor and would involve a thorough review of audited financial statements. The Commission reiterated their desire that year-round operation of Belle Haven Pool continue as part of the lease extension and any previous agreements with outside user groups are maintained to ensure maximum community accessibility. The Commission voted

unanimously in support of staff developing a term sheet for the extension of the lease agreement with Menlo Swim and Sport.

Since entering into a public/private partnership with the City of Menlo Park in 2006, Menlo Swim and Sport's unique business model allows them to promote healthy, balanced lifestyles through aquatic sports and outdoor family activity. In cooperation with the City of Menlo Park, Menlo Swim and Sport makes full use of the City's aquatic facilities by providing a proactive model of sports and aquatic programming. It is estimated that more than 488,000 users visit the Burgess Pool facility, and 15,500 users visit the Belle Haven Pool facility on an annual basis. Menlo Swim and Sport's approach has enabled it to offer a broad and diverse range of programming that includes such activities and programs as:

- aquafit
- multi-sport day camps
- lap swim, open swim
- master swim
- water polo
- competitive swim
- swim school
- personal and triathlon training.

More recently, with the hiring and promotion of Brenda Villa, former U.S. Women's Water Polo Olympian, to General Manager of the Belle Haven Pool, that facility played host to the USA Junior Olympics in Water Polo. While continuing to innovate and offer creative programming for the community, Menlo Swim and Sport just recently added underwater hockey at Burgess Pool and Corporate Inner-Tube Water Polo at Belle Haven Pool.

There are few, if any, municipally-owned pool operations on the Peninsula that compare to what is offered at the Burgess Pool in terms of the number of open hours, the level of convenience or breadth of programming. One example is the availability of lap swim in Menlo Park. Most pools, such as Rinconada in Palo Alto, Eagle Park in Mountain View or Herkner in Redwood City offer set times for individuals to do Lap Swim such as 6-9 a.m. in the morning and 6-8 p.m. in the evening, which works for some customer's schedules but not for all. At Burgess Pool, Lap Swim is available anytime during the day when the pool is open.

Menlo Swim and Sport's unique business model also makes use of numerous partnerships for success. Through its partnership with Facebook and the City, Menlo Swim and Sport has been able to maintain year-round operation of the Belle Haven Pool beyond the contractually required 10-week seasonal period in the summer. A significant partnership with the Beyond Barriers Athletic Foundation (BBAF) has helped to bring swim lessons and water polo coaching to lower income youth in Belle Haven and the East Palo Alto communities. At its peak, the Belle Haven swim school saw 431 unique students and the growth of Brenda Villa's Belle Haven Water Polo Program to almost 50 members this past year. The BBAF was able to subsidize 1,949 Belle Haven swim lessons and 1,827 Belle Haven water polo lessons. Other partnerships include those with Beechwood School to

provide lessons to children and adults and the Ravenswood Health Clinic to provide Aquafit classes at Belle Haven Pool.

IMPACT ON CITY RESOURCES

Since the current contract with Menlo Swim and Sport was implemented in May of 2006, the City's General Fund savings is estimated to have been between \$450,000 and \$550,000 annually. At the time the original contract was negotiated, there were few contractors available for this type of work and the estimated annual savings was seen as a fair and appropriate return for the contractor's use of a City facility. In addition, compared to other cities in the area providing an estimated average subsidy of \$500,000 per year per pool, the City benefited from the ability to offer high quality programs with little financial impact to the General Fund. Since Menlo Swim and Sport now has experience perfecting their business model, the current lease agreement requires a rental fee for the Burgess Facility as well as assumption of expenses for operating the Belle Haven Pool year round. The total general fund savings is \$90,000 annually for Belle Haven Pool operations alone (total expenses the last year the City operated Belle Haven Pool for 8 weeks), and an additional \$36,000 in annual revenue for Burgess Pool rental payments, for an annual net impact of \$126,000.

ENVIRONMENTAL REVIEW

This item 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. February 25, 2015 Parks and Recreation Commission Memo
- B. March 25, 2015 Parks and Recreation Commission Memo
- C. Current Aquatics Lease Agreement with Menlo Swim and Sport
- D. Aquatics Contractor Annual Report

Report prepared by:
Cherise Brandell
Community Services Director

Memo

To: Parks and Recreation Commission
From: Derek Schweigart, Community Services Manager
Date: February 25, 2015
Re: Aquatics Contractor Required Annual Report

Background

The City of Menlo Park has provided aquatics programs at Burgess Park since the 1960's and at the Belle Haven pool since the 1980's. In 2006, the Burgess Pool was extensively renovated using Measure T bonds, including addition of a 25 meter x 25 yard lap pool, 25 yard x 50 foot instructional pool, a wading pool with a mushroom splash feature, locker rooms, showers, a central lobby, support offices and concrete pool decks. Prior to the renovation, the annual net cost to operate the pool was roughly \$590,000.

The Belle Haven Pool was traditionally operated by the City mid-June through late August and averaged about 5,500 participants per season. Prior to being contracted out to Menlo Swim and Sport in 2011, the 2010-2011 budget for the Belle Haven pool was \$184,000 which included the cost of City staffing and utilities.

Prior to completing the construction of the Burgess project and opening the facility in 2006, the City had undertaken a community-based budget process called *Your City/Your Decision*, the results of which provided guidance for making difficult budget reductions. As a result of this process, the aquatics budget was identified for reduction. Due to the nature of public aquatic programs and facilities, achieving full cost recovery was not seen as possible, given that the new facility -- with multiple pools -- would have higher costs than previously incurred. Several options for cost savings were discussed, including reduced operational hours, pool closure during winter months, and closing the Belle Haven pool entirely. An alternative solution was reached in May 2006, when the City of Menlo Park entered into a Lease Agreement with a private contractor, Menlo Swim and Sport, to operate the Burgess facility and provide aquatic programming year-round for five years. This original lease agreement expired in May, 2011.

In April 2010, the City began seeking proposals from aquatic providers to operate the Burgess Aquatic Facility and the aquatic programming with the expiration of the original lease with Menlo Swim and Sport. In addition, as a part of the development of long term budget cutting strategies, staff decided to include the option to bid on operations at the Belle Haven Pool.

The Parks and Recreation Commission developed the general RFP requirements and appointed an RFP review subcommittee that included residents, pool users, City staff and aquatics experts.

Overview of the Pool RFP Process

The required scope of services for the Burgess Pool site included permitting operations between the hours of 5 a.m. and 10 p.m. seven days a week and 365 days a year. The RFP required that bidders provide, at a minimum, the following aquatic services: Recreational/Open Swimming, Swim Lessons, Lap Swimming, Masters Swimming, Swim Team, and Community Rentals. Additional proposal requirements for the Belle Haven Pool included opening the site for public use a minimum of 9 am to 7 pm during the summer season for, at a minimum, swim lessons, recreation/open swim, and lap swim.

The RFP required respondents to ensure that fees charged for public lap swimming, open/recreational swim, and swim lessons be comparable to rates and fees charged by other public facilities in surrounding communities and that rental space for other community organizations and users be provided on a reasonable and comparable fee basis. The RFP also required that the Belle Haven Pool remain an accessible community resource for the Belle Haven neighborhood and that Belle Haven Pool fees not exceed an approved rate or increase without prior City approval. The RFP indicated that all fees will be subject to review by City staff and the Parks & Recreation Commission for public input as part of an annual review process.

Similarly, the RFP required the bidder to demonstrate how they would remain in compliance with all city, county, state, and federal laws and regulations related to pool and aquatic program operations. The Provider was required to maintain health and safety standards, take all appropriate and necessary steps to provide adequate risk management and acquire and maintain Workers' Compensation, Employer Liability, and Commercial General Liability insurance through company/ies approved by the City. The RFP also stated that the City reserves the right to conduct or require periodic and regular site inspections and operational audits either internally or by outside aquatic experts.

The RFP required that the Provider be responsible for the maintenance of the equipment and facility at Burgess Pool including:

- Three pools
- Offices
- Lobby
- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Lawn Area
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

The RFP required that the Provider be responsible for the maintenance of the equipment and facility at Belle Haven Pool including:

- Two pools
- Office Area

- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

The RFP asked the bidder to assume sole financial responsibility for the operation, maintenance, and expenses of the pool sites including

- The full cost of the separately metered utilities including electrical, gas, and water.
- The full cost of pool chemicals and equipment, janitorial services, building and equipment maintenance, and grounds maintenance to the same standards as performed by the City or per manufacturer or industry guidelines.
- The actual cost of the City staff time to provide contract oversight including costs of the Finance, Community Services, and Public Works Departments.

The RFP required the Provider to pay a rental fee for the usage of the Burgess Pool with options for providing services at the Belle Haven Pool. Respondents were asked to provide proposals for all three of the following lease agreements:

A. A monthly lease payment for the Burgess Aquatics Center

B. A monthly lease payment for the Burgess Aquatics Center and provision of seasonal pool operations at the Belle Haven Pool

C. A monthly lease payment for the Burgess Aquatics Center and provision of annual pool operations at the Belle Haven Pool

RFP Distribution and Response

The RFP was issued on August 30, 2010. The RFP was sent to three pre-qualified providers including Menlo Swim and Sport (current provider), California Sports Center (currently operating pools in the City of San Jose) and SOLO Aquatics (current Burgess Pool renter and swim club). In addition, the City sent the RFP to twelve other private aquatics operators in the area, predominately swim schools. Two proposals were submitted to the City, including proposals from Menlo Swim and Sport and SOLO Aquatics. After extensive community input and debate by the Committee, the Parks and Recreation Commission recommended approval of a lease agreement with Menlo Swim and Sport. It is estimated that this process, which took place over roughly a year, consumed more than 1000 hours of City staff time, including the City Attorney, City Manager, Community Services Director, Assistant Public Works Director and Community Services Manager.

Balancing Public and Provider Needs in an Appropriate Business Model

As a private-public partnership, the lease agreement is constructed to allow the operator to implement a successful business model resulting in enough profit to allow a lease payment as well as a fair return to the operator. The assumption is that maintaining a fair and reasonable profit for the operator while balancing community needs is important to maintaining the long-term quality and success of the aquatics programs. In exchange for a reasonable profit, the operator will be expected to maintain certain standards and serve a wide spectrum of aquatic users. The lease also allows the contractor to operate with a high degree of autonomy given their position as the direct service provider closest to the end

users and the deepest understanding of the program needs for the entire aquatics community that this position implies.

While the City, through the work of staff and the Parks and Recreation Commission, provides oversight of overall operations and ensures community satisfaction and safety, the contractor is responsible for daily operations, schedules, fees, maintenance, customer communication, and the core functions of aquatics programs. The business model implied in the lease allows for competition in order to provide the highest quality programs, whether provided by the operator directly, by a rental group or additional contractor, or by both. Competition and choices allow participants options and meets the diverse needs of the community. In addition, the business model allows the provider to offer new programming and develop creative ideas to supplement traditional and long-standing aquatics programming. This allows the operator to meet the ever-changing and evolving needs of the community.

Rental Payment

In determining the appropriate rental payment for the lease agreement, staff considered the following:

- Impact of the rental fee on the long-term sustainability of the operator
- Impact of the rental fee on the operator's ability to maintain high quality programming
- Impact of the rental fee on the operator's ability to maintain participant safety
- The impact of existing program subsidies and community benefit
- City General Fund savings from elimination of utilities, chemicals, maintenance and other costs
- The limitations of the physical capacity of the pool and the result on the operator's ability to generate additional revenue
- The age of the pool and the increasing cost of maintenance over time

The Lease Agreement (Attachment A) requires MSS to provide an annual report to the Commission in February of each year that includes:

- a. Total program hours by program area;
- b. Participation statistics by program area including resident and non-resident percentages;
- c. Customer satisfaction survey results;
- d. User group feedback by program area or rental;
- e. Pool schedule and allocation by program for previous year and projections to the upcoming year;
- f. Fees by program area and fee comparison to other public pools in the region;
- g. Annual audits and reviews demonstrating standards of care, outlined in Section 11, below, are met;
- h. Risk management documentation, outlined in Section 12, below; and
- i. Training certifications listed by staff members.

Discussion

The 2015 report, being received this month by the Commission, is an important milestone, as the current Lease expires in May of 2016, and the Commission will be asked to recommend to the Council an extension of the lease for an additional time period to be determined, or another RFP process, which would need to begin in May of this year.

City staff is requesting that the Parks and Recreation Commission consider the following questions in order to provide feedback and direction on the topic of a lease extension or an RFP process:

1. Given the performance record of MSS as well as a lack of other qualified aquatics providers and the staff time required for a full RFP process, does the Commission support a contract extension with MSS?
2. If so, what questions does the Commission have about Aquatics operations, the current provider and the current lease that would provide a basis for input in changes to the lease to include in an extension?, an RFP process or other options? Additional information may include, but not be limited to, contracted service examples and best practices in other Parks and Recreation agencies.
3. If the Commission does not support a lease extension at this time, what additional information is needed in order to weigh the pros and cons of a lease extension versus a complete RFP process?
4. What are the next steps the Commission would like to take?

Suggested Time Line

City staff suggest the following time line for developing a recommendation to the Council on this topic:

- | | |
|-------------------|---|
| February meeting: | Review annual report from MSS
Discuss above focus questions and others
Direct staff on additional information needed, if any |
| March meeting: | City staff provide update to the Commission on information requested and proposed process.
Commission recommend lease changes / stipulations |
| April meeting: | Commission finalize recommend lease extension (or RFP process) |
| May meeting: | Recommendation to Council to extend lease or issue RFP\ |

Attachments:

1. MSS Annual Report to City of Menlo Park 2015
2. Team Sheeper, LLC Lease Agreement 2011



Menlo Swim and Sport

Annual Report to the City of Menlo Park

February 18, 2015

Menlo Swim and Sport

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Annual Report to the City of Menlo Park

Menlo Swim and Sport entered into a public/private partnership with the City of Menlo Park to operate the Burgess Pool in May 2006. The company is dedicated to serving the community by promoting healthy, balanced lifestyles through aquatic sports and outdoor family activity. In cooperation with the City of Menlo Park, Menlo Swim and Sport endeavors to make full use of the facility by providing a proactive approach to sports and aquatic programming.

It is estimated that more than 488,000 people visit the Burgess Pool facility, and 15,500 people visit the Belle Haven Pool facility on an annual basis.

In 2014, Menlo Swim and Sport experienced continued, steady growth of its core programming at its Burgess Pool facility and maintained continued year-round operations at the Belle Haven facility, beyond the required 10-week summer period.

This report reflects the most complete information that Menlo Swim and Sport has relative to the requested areas of interest indicated by the City of Menlo Park.

Total Amount of Program Hours by Program

Menlo Swim and Sport provided the following programming at the Burgess Pool Facility:

BURGESS POOL PROGRAMMING - 2014	
Program	Program Hours
Aqua Fit	12 classes/week
Camp Menlo	25 hours/week (summer and school holidays)
Beyond Studio Cycling	10 workouts/week
Lap Swim	85 hours/week - fall & winter 88 hours/week - spring & summer
Masters Swimming	21 hours/week
Masters Water Polo	3.5 hours/week
Menlo Fit/Boot Camp	21 hours/week
Menlo Mavericks (Swim)	15 hours/week
Menlo Mavericks (Polo)	4.5 hours/week
Open Swim	38.25 hours/week - fall & winter 56 hours/week - spring & summer
Personal Training	20 hours/week
Swim School - Youth	50 hours/week
Triathlon Team - Adult	18 hours/week
Water Safety Classes	37.5 hours/quarter
SOLO Aquatics	7.5 hours/week
Team in Training (TNT)	3.5 hours/week

TOTAL AMOUNT OF PROGRAM HOURS BY PROGRAM AREA

Menlo Swim and Sport provided the following programming at the Belle Haven Pool Facility

BELLE HAVEN POOL PROGRAMMING - 2014	
Program	Program Hours
Aqua Fit	2 hours/week
Camp Menlo	25 hours/week (summer)
Lap Swim	15 hours/week (non-summer) 44 hours/week (summer)
Menlo Mavericks (Polo)	10 hours/week
Open Swim	15 hours/week (non-summer) 35 hours/week (summer)
Personal Training	1 hours/week
Swim School - Youth	21 hours/week (summer)

Participation Statistics by Program

PARTICIPATION STATISTICS BURGESS

BURGESS POOL PARTICIPATION STATISTICS		
Program Area	2014 Participation	2013 Participation
Aqua Fit	88 active online memberships, approximately 292 drop-ins per year.	59 active online memberships, approximately 173 drop-ins per year.
Camp Menlo	1,500 participants annually	1,300 participants/annually
Beyond Studio Cycling	12 active online memberships Drop-ins: 157	15 active online memberships Drop-ins: 140
Lap Swim	18,754 drop in customers Approximately 249 customers with monthly lap swim memberships	22,000 drop in customers Approximately 245 customers with monthly lap swim memberships
Masters Swimming	300+ active members	300+ active members
Masters Water Polo	20 active members	25 active members
Menlo Fit/Boot Camp	65 active members Drop In: 33	Approximately 330 participants/week
Menlo Mavericks (Swim/Polo)	Non-summer: 355 Summer: 320	Non-summer: 250 members Summer: 380 members
Open Swim	23,350 drop-in customers 53 Summer Family Swim Passes	30,000 drop-in customers 50 Summer Family Swim Passes
Personal Training	Approximately 65/month	Approximately 180/month
Swim School - Youth	Approximately 1,250 students per week, or 60,000 lessons given annually.	Approximately 1,250 students per week, or 60,000 lessons given annually.
Triathlon Team - Adult	80 members	80 members
Water Safety Classes	111 certifications	146 certifications
SOLO Aquatics	Estimated at 80 members	Estimated at 80 members
Team in Training (TNT)	100-150 people per quarter	100-150 people per quarter

PARTICIPATION STATISTICS - BELLE HAVEN

BELLE HAVEN POOL PARTICIPATION STATISTICS		
Program Area	2014 Participation	2013 Participation
Aqua Fit	7/week - summer	2/week - summer
Camp Menlo	15/week - summer	10/week - summer
Lap Swim - Members	4/week - year-round	19/week - year-round
Lap Swim - Drop In	11/week - year-round	27/week - year-round
Menlo Mavericks (Polo)	60/week - year-round	35/week - year-round
Open Swim - Drop In	22/week - year-round average	62/week - summer
Swim School	80/week - summer	88/week - summer

Customer Satisfaction Survey Results

INCLUDES USER GROUP FEEDBACK BY PROGRAM AREA OR RENTAL

Menlo Swim and Sport conducted an annual survey of various pool user groups in 2014, which was made available online and in paper form at the front desk. Links to the online survey were provided to facility users via the Menlo Swim and Sport monthly newsletter. Facility users were also notified that a paper based version of the survey was available. Team in Training and SOLO were provided with links to the survey; however, data was not received from either group. The results are documented below.

The following questions were asked of Menlo Swim and Sport aquatic participants:

1. As a direct result of participating at the pool, I (or my child) have improved upon or developed a new skill.
2. As a direct result of participating at the pool, I (or my child) feel closer to my community.
3. My (or my child's) participation in aquatics programs supports a healthy lifestyle.
4. My (or my child's) participation in aquatics programs contributes to my (or my child's) individual growth and development.

MENLO SWIM AND SPORT PARTICIPANTS - 2014 SURVEY RESPONSES				
Answer Options	Question #1	Question #2	Question #3	Question #4
Strongly Agree	47.59%	21.69%	73.49%	46.99%
Agree	39.16%	41.57%	22.29%	33.73%
Neither Agree Nor Disagree	9.64%	31.93%	3.01%	16.27%
Disagree	1.81%	4.22%	0.6%	1.2%
Strongly Disagree	1.81%	0.6%	0.6%	1.81%

The following questions were asked of the Belle Haven Pool aquatic participants:

1. As a direct result of participating at Belle Haven Pool, I (or my child) have improved upon or developed a new skill.
2. As a direct result of participating at Belle Haven Pool, I (or my child) feel closer to my community.
3. My (or my child's) participation in aquatics programs supports a healthy lifestyle.
4. My (or my child's) participation in aquatics programs contributes to my (or my child's) individual growth and development.

BELLE HAVEN POOL

BELLE HAVEN POOL PARTICIPANTS - 2014 SURVEY RESPONSES				
Answer Options	Question #1	Question #2	Question #3	Question #4
Strongly Agree	75%	26.31%	80%	52.63%
Agree	20%	57.89%	20%	42.1%
Neither Agree Nor Disagree	5%	10.52%	n/a	5.26%
Disagree	n/a	5.26%	n/a	n/a
Strongly Disagree	n/a	n/a	n/a	n/a

Pool Schedule and Space Allocation by Program

INCLUDES PREVIOUS YEAR AND PROJECTIONS FOR 2015

Menlo Swim and Sport tracks its pool schedule and allocation of pool space by program area for both the Instructional Pool and the Performance Pool via monthly calendars. The records for January through December 2014 are attached to this document. The pool schedule and allocation for specific programs for 2015 will likely be consistent with the 2014 schedule. Minor changes to the schedule occur based on the modification or creation of new programs.

Fee Comparison by Program Area to Other Public Pools in the Region

FEE COMPARISON - 2015						
Program	Burgess Pool - Menlo Park	Belle Haven - Menlo Park	Rinconada Pool - Palo Alto	Eagle Park Pool - City of Mountain View	Fremont H.S. Pool - Sunnyvale (California Sport Center)	Herkner Pool - Redwood City
Aqua Fit (Water Exercise)	Drop In: \$20/ class \$79/month Senior & Student: Drop In: \$14/ class \$59.25/ month	Drop In: \$15/ class \$40/month Senior & Student: Drop In: \$11.50 \$28/month	n/a	n/a	n/a	n/a
Camp Menlo	\$345/wk.	\$335 Performance Water Polo \$260 Beginning WP & Spanish Immersion	n/a	n/a	Resident 1/2 Day: \$185 Full Day: \$340 Non-Resident 1/2 Day: \$210 Full Day: \$366	n/a
Indoor Cycling	Drop In: \$20/ class \$79/month	n/a	n/a	n/a	n/a	n/a

FEE COMPARISON - 2015						
Program	Burgess Pool - Menlo Park	Belle Haven - Menlo Park	Rinconada Pool - Palo Alto	Eagle Park Pool - City of Mountain View	Fremont H.S. Pool - Sunnyvale (California Sport Center)	Herkner Pool - Redwood City
Lap Swim	<p>Resident Youth: \$4 Adult: \$6 Family: \$15 Senior & Student: \$5</p> <p>\$47/month</p> <p>Non-Resident Youth: \$5 Adult: \$7 Family: \$18 Senior & Student: \$6</p> <p>\$54/month</p>	<p>Resident Youth: \$3 Adult: \$4 Family: \$12 Senior & Student: \$4</p> <p>\$40/month</p> <p>Non-Resident Youth: \$3 Adult: \$5 Family: \$15 Senior & Student: \$4</p> <p>\$45/month</p>	<p>Non-Member Adult: \$5 Senior (60+): \$3</p> <p>Member - Resident Adult: \$3.50 Senior (60+): \$2 Youth: \$3</p> <p>Member - Non-Resident Adult: \$4 Senior (60+): \$2.50 Youth: \$3.50</p>	<p>Resident (25 Swims) - \$87.50</p> <p>Non-Resident (25 Swims) - \$109</p> <p>Resident Senior: (25 Swims) - \$30</p> <p>Non-Resident Senior: (25 Swims) - \$38</p> <p>Resident (1 Swim) - \$5</p> <p>Non-Resident (1 Swim) - \$6</p>	<p>Resident Drop-in: \$6 12-punch: \$52 Monthly: \$50 Senior (55+): \$35</p> <p>Non-Resident Drop-in: \$8 12-punch: \$62 Monthly: \$60 Senior (55+) \$45</p>	<p>Fees Youth: \$3 Adults 18-59: \$5 Senior (60+): \$3</p>

FEE COMPARISON - 2015						
Program	Burgess Pool - Menlo Park	Belle Haven - Menlo Park	Rinconada Pool - Palo Alto	Eagle Park Pool - City of Mountain View	Fremont H.S. Pool - Sunnyvale (California Sport Center)	Herkner Pool - Redwood City
Masters Swimming	\$79/month Drop In: \$20/class Student/Sr. Drop In: \$14/class	\$40/month	Monthly dues: \$55 (\$50 for seniors 65+) Discounted semi-annual dues: \$300 (\$270 for seniors 65+) Drop-in: \$8	Resident: \$45 per month Non-Resident: \$55 per month Resident married couple: \$80 per month Non-Resident married couple: \$100 per month	Resident Drop-in: \$10 10 punch: \$64 Senior 10 punch: \$43 Non-Resident Drop-in: \$11 10 punch: \$74 Senior 10 punch: \$53 Masters monthly Resident: \$57 Non-Resident: \$67	n/a
Masters Water Polo	\$79/month Drop In: \$20/class Student/Sr. Drop In: \$14/class	n/a	n/a	n/a	n/a	n/a
Menlo Fit	All Access \$185/month Drop In: \$20/class Student/Sr. Drop In: \$14/class	n/a	n/a	n/a	n/a	n/a

FEE COMPARISON - 2015						
Program	Burgess Pool - Menlo Park	Belle Haven - Menlo Park	Rinconada Pool - Palo Alto	Eagle Park Pool - City of Mountain View	Fremont H.S. Pool - Sunnyvale (California Sport Center)	Herkner Pool - Redwood City
<p>Youth Competitive Swim Team</p>	<p>Level 1 \$55 to \$75 per month</p> <p>Level 2 \$60 to \$81 per month</p> <p>Level 3 \$65 to \$86 per month</p> <p>Level 4 \$81 to \$91 per month</p> <p>Level 5 \$107 per month</p> <p>Level 6 \$118 per month</p>	<p>1/wk: \$55/month</p> <p>2/wk: \$65/month</p> <p>3/wk: \$75/month</p>	<p>Offered by PASA</p> <p>Range from \$90 to \$240 per month depending on age and ability.</p> <p>Annual registration fees: \$240 per swimmer.</p>	<p>Offered by Los Altos - Mountain View Aquatics</p> <p>Range from \$100 to \$200 per month w/ discounts for multiple children.</p> <p>Annual registration fees: \$150 per swimmer plus 20 hrs. of service.</p>	<p>Pre-Comp</p> <p>Option 2 includes 15 minutes of extra conditioning</p> <p>1x per week Option 1: \$43 Option 2: \$56</p> <p>2x per week Option 1: \$85 Option 2: \$110</p> <p>3x per week Option 1: \$125 Option 2: \$160</p>	<p>Pricing information unavailable</p>

FEE COMPARISON - 2015						
Program	Burgess Pool - Menlo Park	Belle Haven - Menlo Park	Rinconada Pool - Palo Alto	Eagle Park Pool - City of Mountain View	Fremont H.S. Pool - Sunnyvale (California Sport Center)	Herkner Pool - Redwood City
Open Swim	<p>Resident Youth: \$4 Adult: \$6 Family: \$15 Senior & Student: \$5</p> <p>\$47/month</p> <p>Non-Resident Youth: \$5 Adult: \$7 Family: \$18 Senior & Student: \$6</p> <p>\$54/month</p>	<p>Resident Youth: \$3 Adult: \$4 Family: \$12 Senior & Student: \$4</p> <p>\$40/month</p> <p>Non-Resident Youth: \$3 Adult: \$5 Family: \$15 Senior & Student: \$4</p> <p>\$45/month</p>	<p>Daily Drop In Youth: \$4 Adult: \$5 Senior: \$3 Infant: \$2</p> <p>Resident 10-card program discount Youth: \$3 Adult: \$3.50 Senior: \$2</p> <p>Non-Resident 10-card program discount Youth: \$3.50 Adult: \$4 Senior: \$2.50</p>	<p>Resident Child: \$3 Adult: \$4 Family: \$10</p> <p>Non-Resident Child: \$4 Adult: \$5 Family: \$18</p> <p>Spectator: \$3</p>	<p>Offered May to September: Pricing not currently available.</p>	<p>Baby Pool Drop-in: \$2 per child. Add'l \$1 per child</p> <p>Youth: \$3 Adult: \$5 Senior: (60+) \$3</p>
Personal Training	Range from \$65 per 30 minutes to \$120 per hour	Range from \$50 per 30 minutes to \$115 per hour.	n/a	n/a	n/a	n/a

FEE COMPARISON - 2015						
Program	Burgess Pool - Menlo Park	Belle Haven - Menlo Park	Rinconada Pool - Palo Alto	Eagle Park Pool - City of Mountain View	Fremont H.S. Pool - Sunnyvale (California Sport Center)	Herkner Pool - Redwood City
Swim School	Water babies: \$86 per month Group: \$86 per month Semi-Private: \$144 per month Private: \$255 per month	Group: \$15/ lesson kids \$5/lesson (w/ BBAF Scholarship) Semi-Private: \$25 Private: \$45	Lessons provided with PASA during summer. Pricing not available.	Lessons in summer. Pricing not available.	Winter, Spring & Fall Session: Resident 1x per week: \$68 Non-Resident 1x per week: \$78 Resident 2x per week: \$120 Non-Resident 2x per week: \$130	Resident (10 classes): \$90 Non-Resident (10 classes): \$107
Triathlon Team, Menlo Fit (Boot Camp), ALL ACCESS	All Access \$180/month	n/a	n/a	n/a	n/a	n/a

FEE COMPARISON - 2015						
Program	Burgess Pool - Menlo Park	Belle Haven - Menlo Park	Rinconada Pool - Palo Alto	Eagle Park Pool - City of Mountain View	Fremont H.S. Pool - Sunnyvale (California Sport Center)	Herkner Pool - Redwood City
Water Polo - Youth	n/a	\$80/month \$32/month (w/BBAF Scholarship)	n/a	n/a	Residents 6-week session, 1/wk: \$59 Non-Residents 6-week session, 1/wk: \$69 Residents 8-week session, 1/wk: \$77 Non-Residents 8-week session, 1/wk: \$87	Resident 5 day camp: \$75 Non-Resident 5 day camp: \$89

Based on the above fee comparison, Menlo Swim and Sport continues to offer a full compliment of sport and aquatic programming relative to the public pools operating in the local area. This is evident by the fact that the other facilities do not offer camp programs, boot camp (Menlo Fit), indoor cycling (Beyond Studio Cycling) or triathlon teams (Team Sheepier). They offer limited masters water polo (only one facility), limited youth aquatic swim teams and water exercise (Aqua Fit) programs; and in some cases they do not offer swim lessons or a masters swim team.

The Burgess Pool facility via Menlo Swim and Sport continues to offers users a broad selection of high-quality aquatic programming at or below market rate.

Pricing Structure

Registration for adult programs continues with a simplified pricing structure. Patrons have the option to register for a single sport or activity (e.g. Level 1 or Level 2), or they can combine programs/activities with either the All-Access Silver or All-Access Gold packages.

MENLO SWIM AND SPORT MONTHLY PRICING LEVELS			
Level 1	Level 2	Level 3 (All Access Silver)	Level 4 (All Access Gold)
\$54	\$79	\$133	\$185
(Choose One) <ul style="list-style-type: none"> Lap & Open Swim Menlo Bike Club Tattersols Women's Running Team All Terrain Runners 	(Choose One) <ul style="list-style-type: none"> Aqua Fit Water Exercise Masters Swim Indoor Cycling Menlo Mavens Water Polo 	Access to All Level 1 and Level 2 programs. Except: <ul style="list-style-type: none"> Boot Camp Triathlon 	Access to all Level 1 and Level 2 programs. Including: <ul style="list-style-type: none"> Boot Camp Triathlon

- Menlo Park Resident Lap Swim only membership available at \$47.
- 25% Senior, Student, and Family Discounts are available.

Annual Audits and Review Demonstrating Standards of Care

Menlo Swim and Sport takes great care in managing the facility above industry standards for public pools. Certified Pool Operators manage and care for the pool systems and balance the water on a daily basis. Written records are kept and reviewed on a regular basis by qualified city staff and the County Public Health Department. Custodial staff maintains the facility and surrounding grounds approximately eight to ten hours per day. Mid-day on-site restroom cleanings are conducted during the peak seasonal use times in order to keep up with the high volume of daily visits. It should be noted that the estimated number of people who pass through this facility is estimated to be 488,000 annually.

The company employs a human resources manager who tracks employee certifications and conducts and tracks employee training with the assistance of a human resources management and payroll system. Customer registration is conducted via two systems: one specifically deals with the nuances of the swim school, and the other system manages all non-swim school related functions.

The company's lifeguards are all fully certified and encouraged to seek advanced lifeguard certifications. Water safety/lifeguard instruction is provided by company staff to existing and

prospective employees. The lifeguarding surveillance techniques employed are consistent with the standards set by the American Red Cross.

Risk management and employee safety are addressed via monthly employee safety meetings. Menlo Swim and Sport continues to contract with DuAll Safety in order to stay current with relevant safety issues and to ensure that Menlo Swim and Sport meets the safety requirements required by the City of Menlo Park for the operation of the Burgess and Belle Haven Pools. The DuAll Safety Plan includes work in the following health and safety areas:

1. Injury and Illness Prevention Program (IIPP)
2. Confined Space Program Update and Revision
3. Emergency Action Plan revision
4. Hazardous Materials Business Plan Development (Burgess & Belle Haven Pool)
5. Exposure Control Plan (e.g. bloodborne pathogens)
6. Fall Protection Standard Operating Procedure
7. Heat Illness Prevention Program
8. Cold Illness Prevention Program
9. Ladder/Climb Safety Training
10. Chemical Inventory
11. Hazard Communication Program
12. Personal Protective Equipment (PPE) program
13. Respiratory Protection
14. Fall Protection
15. Driver Safety Training
16. Develop 2014 Safety Plan of Action
17. PPE Hazard Assessment
18. Aerosol Transmittable Disease (ATD) Plan

Knorr Systems Inc., is contracted to perform scheduled pool and equipment maintenance, and quarterly audits/analysis of the water to ensure proper chemical and operational balance.

Total Aquatic Management is scheduled to perform an operational audit for the Burgess Pool on February 14, 2015. The audit results were not available at the time of this report.

Risk Management Documentation

Menlo Swim and Sport has an active Risk Management Program for the Burgess and Belle Haven Pools which focuses on the following areas:

- **Emergency Action Plan (EAP):** Individual departments are trained via drills to respond to appropriate emergency scenarios (e.g. fire alarm); EAP guidelines are issued to new hires, relevant EAP sections are posted on employee break room walls; emergency equipment stations (e.g. first aid stations, AED & oxygen station), two way radio communication system is in place.
- **Facilities and Equipment:** The custodial staff has created and utilizes a Pool Maintenance Essential Duties Checklist as a guide for essential tasks and key job duties. The City conducts occasional inspections to ensure the company is maintaining the facility

appropriately. Any deficient areas are identified and addressed quickly by staff. Appropriate signage is maintained around both the Burgess and Belle Haven Pool facilities.

- **Supervision:** Menlo Swim and Sport employs in excess of 190 employees during the peak season of summer and maintains a staff of approximately 130 employees throughout the year. The company is structured with a CEO, Chief Financial Officer, Director of Operations, as well as directors for the following positions: human resources, customer service, athletic programming (e.g. swim school, camps), lifeguard, and marketing. The company now maintains a contract with an IT company for technology related issues. Menlo Swim and Sport maintains a comprehensive workers' compensation insurance plan as required by the State of California.
- **Training:** The management team (described above) works hard to ensure that the company provides high-quality staff with exceptional training in their area of expertise. Appropriate levels of training and screening occur prior to hiring new staff. Constant quality improvement is the goal when it comes to staff and program development.
- **Documentation:** Menlo Swim and Sport has created policy and procedure manuals to provide guidance to staff. These manuals are available for review upon request.
- **Safety Suggestion Boxes:** Menlo Swim and Sport provides Safety Suggestion Boxes for employees to submit ideas related to safety concerns and improvements. The Safety Committee follows up on these suggestions during its monthly safety meetings.

Staff Training Certifications

Lifeguards: Red Cross Lifeguard/First Aid, CPR/AED for the Professional Rescuer

Swim Coaches: American Swim Coaches Association (ASCA), USA Swim Coach, Lifeguard, Lifeguard Instructor, Automated External Defibrillator (AED), Crossfit Level 1, Emergency Medical Technician (EMT)

Other Coaches: Menlo Fit (Boot Camp): Individual fitness certifications; Aqua Fit: appropriate water exercise certifications, Triathlon Coaches: USA Triathlon (USAT), Cross Fit certification Level 1 and Cross Fit kids, and Associated Swim Coaches of America (ASCA) Level 3.

Pool Maintenance Staff: Certified Pool Operator (CPO) or Aquatic Facility Operator (AFO)

Facility Maintenance

Custodial staff initiates a thorough cleaning of the all restrooms (men, women, and family) at least three hours prior to facility opening. An ongoing, mid-day facility cleaning of the restrooms and facility windows was added in fall of 2013 to account for the high visitor volume. The mid-day cleaning is handled by an outside vendor. Staff maintains the facility and surrounding grounds, spending eight to ten hours per day cleaning and maintaining the facility. Dozens of

restroom checks are conducted throughout the day by a combination of company lifeguard and management staff.

Staff spends at least three hours per day cleaning the surrounding outdoor areas to include: the pool deck, pool bottom & tiles, mechanical room, administrative offices, picnic areas and facility lobby. The City of Menlo Park conducts facility checks of both the Burgess and the Belle Haven Pools. Menlo Swim and Sport staff review the facility check reports and respond quickly to address any facility-related concerns noted by city staff.

Program Transition to Include Lane Changing Coordination

The Menlo Swim and Sport philosophy is to have shared water space and to rarely grant exclusivity of space to any one user group. Aligning with that theme the pools are transitioned/changed 16 times per day on average.

The daily pool schedule is printed in a hardcopy and available at the front desk and a schedule is also available online. The basic schedule remains the same year round with some alterations around the summertime schedule. The program transition process is initiated by our deck lifeguard staff that moves different colored cones in place by the lanes to signify the user group (yellow=laps, blue=open, orange=teams, green=private lesson). As a courtesy, our front desk staff alert users initiating their activity close to a transition time and our guard staff also alerts the current users to the impending change over and give users a 5-10 minute countdown.

Tolerance, flexibility and patience on the part of staff and users can always be improved. We feel that we have employed a transition system that is user-friendly and compassionate.

Description of Programs

Aqua Fit: Aqua Fit classes use the natural resistive forces of water to strengthen both muscles and the cardiovascular system. Water exercise has proven to be one of the healthiest, most versatile whole-body workouts for top athletes, fitness enthusiasts, youth and seniors alike.

Camp Menlo: Camp Menlo offers aquatics instruction, water sports, and dry land activities for a variety of ages. Menlo Swim and Sports goal is to give campers a unique and inspiring experience while cultivating skills for a lifetime of aquatics and sports safety, health, and enjoyment.

Lap Swim: Lanes are dedicated to lap swimming in the performance pool and the instructional pool seven days per week year-round with a lifeguard on duty at all times. We observe circle swimming when there are more than two swimmers per lane. The number of lanes for lap swimming varies according to scheduled activities in each pool, but during the times below, you will find designated lap lanes.

Masters Swimming: Menlo Masters was organized in 1988 and is now one of the largest Masters Swimming teams in Northern California and in the U.S. The club welcomes

participation from swimmers of all abilities, age 19 or over, who are interested in regular structured workouts.

Previous experience in competitive swimming is not necessary. Members range from beginning swimmers to triathletes to former collegiate swimmers and nationally-ranked Masters competitors.

Menlo Masters conducts ongoing conditioning, stroke instruction, intra-club activities, competitions, and social events throughout the year. Emphasis is placed on developing swimming skills, enhancing the enjoyment of swimming through regular workouts and professional instruction, and the promotion of lifetime fitness through swimming.

Masters Water Polo: Menlo Swim and Sport offers women's water polo for all experience levels, ages 19 and over. Our team, the Menlo Mavens, is a fun, inclusive, and diverse group with a passion for water polo. The coaching staff brings years of top level play and coaching experience to the Menlo Mavens team. Our goal is to build a strong and exciting women's water polo program that both introduces new players to the sport and provides professional coaching and challenge for experienced players.

Menlo Fit: Menlo Fit offers 21 weekly classes of boot camp with experienced and trusted instructors who provide a variety of cardio interval training routines.

Menlo Mavericks (Swim and Water Polo): The Menlo Mavericks is a year round swim team, which aims to create a swimming community that is extremely positive about being in and around the water. We emphasize learning sound techniques through our committed and competent coaches in a pleasant and positive environment. With a team segmented into smaller groups to meet the needs of swimmers of all ability levels, the Menlo Mavericks receive the best quality of coaching, instruction, and fun. In 2012, the team became an officially recognized USA Swimming program.

Open Swim: The pool is open to the community seven days per week. Lifeguards are on duty at all times during open swim. No registration required, just drop in.

Personal Training: Menlo Swim and Sport offers the expertise of our personal trainers for individual lessons. The personal trainers bring coaching talent and passion for swimming and sport so clients can benefit from one-on-one lessons no matter what their skill level.

The personal training program has expanded to include the following areas: Swim Pro, Swim School Select, Mavericks Performance Pro, Aqua Fit Pro, Water Polo Pro, Triathlon Pro, Fitness Pro, Tennis Pro, and Bike Pro.

Swim School: The Menlo Swim School is a year-round school that provides professional, goal-oriented swim lessons for all ages and levels, developing life-long competency and a life-long love of swimming.

Triathlon Team: Team Sheeper is a full-service multi-sport organization providing coaching and training to athletes of all levels and ages.

Special Events and Accomplishments

BURGESS POOL

Mavericks Swim Team

- The Menlo Mavericks placed 3rd for the first time in team history at the summer league championships
- The team entered into the Central California Junior Olympics and placed 20th overall
- We had 3 swimmers achieve Far Western times since our start in USA Swimming in 2012, and 8 swimmers achieve Pacific Swimming Junior Olympic times
- The Mavericks head coach, Aaron Burrows, was selected as the Pacific Swimming All Star Head Coach and represented the team in Seattle, WA
- All Mavericks coaches are now American Swim Coach Association (ASCA) members

Camp Menlo

In 2014, Camp Menlo increased summer enrollment by 250 registrations over 2013, while focusing on raising the quality of the camp experience for young people. Quality in our camps was consistently achieved by recruiting excellent counselor-leaders; setting clear program goals for the children's sport and social development; and conducting the camps in a safe, well-organized, fun environment. In the past year, we solidified our committed to providing enjoyable school holiday camps, which meet the needs of working families, whose children are out of school for one to five days.

Tennis

The Menlo Tennis Academy, providing lessons for children 7-14 years, has been steadily growing. Our tennis program is now expanding to provide private and semi-private lessons for both children and adults. We look forward to starting beginning and intermediate tennis for adults.

Can-Do Challenge

The Can-Do February Challenge has been a team tradition for nearly 20 years. The goal for each Menlo Masters member to swim 50,000 yards in the month or as much as 100,000 yards. The team tallies up the yardage each day and swimmers reaching these thresholds receive gifts from the team to honor their efforts. The real reward is that for every 2000 yards logged, we ask team members to bring in a can of food. The canned food then donated to a local food bank, along with a monetary donation from Menlo Masters based on the number of cans collected. Money and cans go to the Brown Bag Lunch Program through the Menlo Park Senior Center.

Family Giving Tree

This was the eighth consecutive year that Menlo Swim and Sport participated in Family Giving Tree's Holiday Wish Drive. Every year the employees and clients of Menlo Swim and Sport fulfill approximately 85 wishes for the children of the underserved community.

Kid's Triathlon

Saturday, July 12, 2014

Open to children age 5-14, provided a safe and fun environment for kids to compete in a triathlon with kids their same age. Approximately 300 children participated in the race.

Charitable Giving

Donations of sports and aquatic program access to local schools and local non-profits to raise money through their auction by our donations. Some of the many schools and organizations include:

- San Mateo Co. Chronic Disease and Injury Prevention Unit
- Little Hands Pre-School
- Bing Pre-School
- Phillips Brooks School
- Nativity Catholic School
- Nueva School
- Orion Alternative School.

BELLE HAVEN POOL

USA Water Polo - Junior Olympics

Belle Haven Pool was one of the Bay Area site hosts for the 2014 USA Water Polo Junior Olympics. Girls 10 and under, Boys 12 and under, and Co-Ed 10 and under teams all played at Belle Haven. The event occurred in late July and early August.

Facebook Adult Swim Lessons

Offered free lessons on a first come, first served basis, two days per week with the intent to develop new swimmers to populate the lap swim program at Belle Haven Pool.

Beechwood School Parent Swim Lessons

Offered fee for service lessons for adult parents of Beechwood students so that a swimming environment could be created within the household.

Charitable Organizations

Beyond Barriers Athletic Foundation (BBAF)

In Spring 2013, Beyond Barriers Athletic Foundation partnered with Menlo Swim and Sport to help bring swim lessons and water polo coaching to lower income youth in the Belle Haven and East Palo Alto community. This relationship continues today. Thanks in large part to the help of BBAF, Belle Haven Swim School saw a peak of 431 unique students in early July. While the Belle Haven Swim School program has closed for the winter, Brenda Villa's Belle Haven Water Polo program continues to thrive with almost 50 members.

BBAF was able to subsidize 1,949 Belle Haven swim lessons and 1,827 Belle Haven water polo lessons.

Ravenswood Clinic

Though the Belle Haven Aqua Fit program was initially run at-cost, Ravenswood Clinic saw the program as an opportunity to provide athletic support to its lower income clientele. As part of an agreement with Menlo Swim and Sport, Ravenswood helped fund the cost of running the program. In return, Menlo Swim and Sport provided Ravenswood clients with free access to the Belle Haven Aqua Fit Program.

Menlo Swim and Sport Goals for 2015

Menlo Swim and Sport is committed to constant improvement of its aquatics program offerings in order to better serve the various community user groups. To that end, we plan to focus on the following areas in 2015:

- I. Implement new programming
 - A. Corporate inner-tube water polo at Belle Haven
 - B. Underwater Hockey at Burgess
- II. Continuing relationships with Beyond Barriers for scholarships at Belle Haven
- III. Continued partnership with Facebook at Belle Haven

LEASE AGREEMENT
(Menlo Park Aquatic Facilities)

This Lease Agreement (“Lease”) is made and executed as of March 15, 2011, by and between the City of Menlo Park, a municipal corporation (“City”), and Team Sheeper, L.L.C., a California limited liability company (“Provider”) and collectively referred to herein as “Parties”.

WHEREAS, City is the owner of certain premises (“Premises”) described below, and City and Provider wish to enter into a lease for the Premises on the terms and conditions set forth below.

NOW, THEREFORE, the Parties agree as follows:

1. **PREMISES.** The Premises includes both the “Burgess Pool”, 501 Laurel Street, Menlo Park, CA and the “Belle Haven Pool”, 100 Terminal Avenue, Menlo Park, CA as defined herein. Burgess Aquatic Facility (“Burgess Pool”) consists of the fenced pool area at the City’s Civic Center campus at Burgess Park. Burgess Pool includes the lap pool, instructional pool, toddler activity pool, locker rooms and restrooms, offices, lawn area, pool mechanical room, lobby area, and all associated areas in the City of Menlo Park, County of San Mateo, State of California, as more particularly shown in Exhibit A, attached hereto and incorporated herein by reference. The Belle Haven Pool (“Belle Haven Pool”) is a five lane x 25 meter outdoor swimming pool located adjacent to the Onetta Harris Community Center. Belle Haven Pool includes a high dive and low dive, locker room, shower facilities, mechanical room, office and small children’s wading pool in a fenced area as shown in Exhibit B, attached hereto and incorporated herein by reference.

2. **TERM.** The term of this Lease shall be for a period of period of five (5) years (“Term”) commencing on May 20, 2011 (“Commencement Date”) and ending five (5) years from the Commencement Date, unless automatically extended as hereinafter provided. If during the first four years of the Term, Provider has completed capital improvements with the written consent of the City to either or both the Burgess Pool and/or the Belle Haven Pool with a total cumulative cost of \$200,000 or more, the Term shall automatically be extended by five (5) years to May 19, 2021. Notwithstanding the foregoing, Provider shall have the option to terminate this Lease solely as to the Belle Haven Pool between October 1, 2012 and December 31, 2012, and October 1, 2013 and December 31, 2013, if in Provider’s opinion it cannot operate a financially viable program at the Belle Haven Pool.

3. **RENT.** In consideration for Provider’s use of the Premises as granted by this Lease, Provider assumes sole financial responsibility for the operation and maintenance of the Premises and shall operate and maintain the Premises at no cost to the City. Additionally, Provider will remit monthly rent (“Rent”) in the

amount of Three Thousand Dollars (\$3,000.00) to the City for use of the Burgess Pool on the first day of each month for the first year of the Term. Each year thereafter, the Rent shall increase pursuant to the Consumer Price Index ("CPI") for all Urban Consumers (All Items) in the San Francisco-Oakland-San Jose Area (U.S. Department of Labor, Bureau of Labor Statistics), with a minimum increase of two percent (2%) and a maximum increase of five percent (5%) per annum.

Should Provider cease to operate the Belle Haven Pool as provided in Section 2 of this Lease, Provider and City shall renegotiate the Rent to the then Fair Market Value ("FMV") rental rate for the Burgess Pool with consideration given to gross revenues for the Burgess Pool, the fixed costs of operating the Burgess Pool, the profitability of the Burgess Pool operations, the rental rate for similar facilities and the other terms and conditions of this Lease.

If the Term is extended for an additional five years as provided for in Section 2 of this Lease, effective at the beginning of the sixth year of the Lease, the Rent shall be adjusted to the then-prevailing FMV rental rate (which under no circumstances shall be less than the rental rate paid in the preceding year), with consideration given to gross revenues for the Burgess Pool, the fixed costs of operating the Burgess Pool, the profitability of the Burgess Pool operations, the rental rate for similar facilities and the other terms and conditions of this Lease. The FMV rental rate shall be determined by mutual agreement, or if the Parties cannot agree by a neutral third party arbitrator selected by the Parties. Each year thereafter, the Rent shall increase pursuant to the CPI for all Urban Consumers (All-Items) in the San Francisco-Oakland-San Jose Area (U.S. Department of Labor, Bureau of Labor Statistics), with a minimum increase of two percent (2%) and a maximum increase of five percent (5%) per annum.

Throughout the Term, Provider shall pay to the City within fifteen (15) days of receipt of written invoice submitted to Provider by City, or directly to the provider thereof, in addition to the Rent, and as additional rent ("Additional Rent") the following:

- a. The full cost of the separately metered utilities for the Premises;
- b. The cost of the utilities for the locker rooms and the portion of the Premises occupied by Provider (if not separately metered) prorated according to Provider's usage (proration to be determined by mutual agreement, or if the Parties cannot agree by a neutral third party arbitrator selected by the Parties);
- c. If the City elects to install solar equipment on the Premises, Provider shall pay monthly to the City the calculated savings from the reduced utility bills for the Term hereof; and
- d. The maintenance and repair obligation costs set forth in Section 14.

Any payment due by the Provider not received by City within fifteen (15) days of the due date shall be subject to a late payment penalty of five percent (5%) of the amount due.

At the initiation of the City's Community Services Director not later than December 31, 2011, the Provider and Community Services Director shall explore whether charging a surcharge to non-resident participants/users by Provider would generate additional revenues without adversely affecting Provider's operation of the pool facilities. This exploration will be done through such tasks as market pricing comparisons, surveys, or other such means so as not to negatively affect any of Provider's business during the period of exploration. If the Community Services Director and Provider determine that such a surcharge would not adversely affect the Provider's operation of the pool facilities, Provider shall charge such a surcharge which shall be passed through to the City as additional rent, less any administrative, programming or system enhancement costs that are incurred by Provider to implement such surcharge, including additional staffing that may be required to verify City residency and to track and submit such fees to the City. The pass through of non-resident surcharges as additional rent payable to the City shall not apply to existing non-resident fees charged by Provider for open swim and lap swim. The City shall set aside such additional revenue derived from non-resident surcharges in a separate fund and shall utilize such funds to pay the City's cost of repair, maintenance and capital improvements.

4. EXCLUSIVE USE OF PREMISES. Subject to the terms of this Lease, Provider shall have exclusive use of the Premises for purposes of conducting aquatics programs, including, but not limited to, a masters swim program, swim team, swim lessons, fitness training, recreational swimming, community rentals and other aquatics programs that Provider offers and provides for reasonable public access to and use of the Premises pursuant to Section 6 of this Lease. Provider shall have the exclusive right to staff, supervise and contract for such uses of the Premises, subject to the terms of this Lease.

Provider shall have non-exclusive use of the locker rooms, as depicted on Exhibit A and Exhibit B, to accommodate Provider's use of the Premises. The Parties agree that use of the locker rooms shall be limited to persons participating in programs and activities offered by Provider or City or other members of the public upon payment to Provider of fees for such use. Specifically, City reserves the right to use the locker rooms for any City program, including facility rentals and programs and for public use on a "pay for use" basis. The Provider may only refuse locker room access when patrons fail to follow the rules of conduct approved by the City. Patrons shall have the right to appeal Provider's decision to the Director of Community Services, if the Patron feels denial of locker room access was unreasonable. The Director of Community Services' decision shall be final.

5. OPERATION OF PREMISES. The Provider will be solely responsible for operation of the Premises including all costs and expenses associated with such operation and shall be entitled to all revenues from the operation of the Premises, except where otherwise provided in this Lease. The Provider may use

the Premises between the hours of 5 a.m. to 10 p.m. seven (7) days a week and 365 days a year.

6. COMMUNITY ACCESS AND SCHEDULING. The Provider will be solely responsible for the operations and schedule of the Burgess Pool and the Belle Haven Pool. The Provider shall provide reasonable public access and community use of the Premises. Provider will not reduce the public access and community use without prior City approval. The Director of Community Services is authorized to finalize the City's schedule of use of the Premises. When evaluating the pool space and time allocation, the Provider shall consider and give scheduling priority for programs based on the number and percentage of City residents.

Notwithstanding the forgoing, the Provider shall accommodate the SOLO swim team's use of Burgess Pool in accordance with schedule and terms set forth in Exhibit C, which schedule and terms shall not be modified or reduced without mutual agreement of Provider and SOLO, unless SOLO is in breach of its sublease agreement with Provider.

Minimum public access and community use at the Burgess Pool will include:

- a. Year-round lap swim, seven (7) days per week (except holidays);
- b. Seasonal open/recreational swim daily from Memorial Day through Labor Day for a reasonable amount of time and with adequate pool space;
- c. Reasonable availability for other community organizations/users
- d. Programs and reasonable accommodation for all ages and abilities;
- e. Inclusive programs for people with disabilities when possible; and
- f. Winter programming by providing a dome over the instructional pool if possible.

Minimum public access and community use at the Belle Haven Pool:

- a. Open to the public for a minimum of ten (10) weeks during the summer season in June, July, and August. During that time period, the pool shall be open for a minimum of six (6) days a week, Monday through Saturday; and
- b. Open/recreational swim hours will be at least three (3) hours per day, six (6) days per week but will be allowed on a "pool sharing" basis with other programming.

7. PROGRAM FEES. The program fees charged by Provider shall be as follows:

- a. The fees charged by the Provider for public lap swimming, open/recreational swim, and swim lessons shall be comparable to rates and fees charged by other aquatic facilities in surrounding communities and in alignment with the approved business model.

- b. The Provider shall provide rental space for other community organizations and users for competitive youth swimming programs, instructional programs, fitness training, etc., on a reasonable and comparable fee basis.
- c. Review of the program fees shall be included in the annual report to the City.
- d. Provider and City shall mutually agree to exchange an equal amount of field space and activity room hours for pool hours for their respective programs (i.e. summer camp) in lieu of charging rental fees. If either party's request exceeds the number of hours requested by the other party, the additional hours will be charged at the current approved fees for use of the facilities.

8. PROGRAM ADMINISTRATION. The Provider shall have a method for the public to register, pay, and receive adequate customer service in an easy and effective manner. Provider shall provide adequate administrative staff and assistance to support all hours of operation. Policies and procedures for handling registration, refunds, and complaints are required. The Provider shall provide sufficient communication and marketing in order to inform the public of the programs and services. The Provider shall maintain a customer database and appropriate records retention. The City will provide reasonable marketing space in the tri-annual activity guide for the Provider to promote their aquatics programs at the Premises. The Provider shall be responsible for meeting the deadlines and providing accurate and sufficient information to City staff.

The Provider shall take appropriate steps to maintain a high level of customer service and overall satisfaction at all times. Provider shall attend monthly meetings with City staff and attend annual meetings of an Aquatics Users Group which shall be convened by the City. Additionally, the Provider shall provide an annual report no later than January 30 of each year during the Lease Term to staff which will be presented to the City's Parks & Recreation Commission for review and comment by the Commission at its February meeting. The annual report should include the following items:

- a. Total program hours by program area;
- b. Participation statistics by program area including resident and non-resident percentages;
- c. Customer satisfaction survey results;
- d. User group feedback by program area or rental;
- e. Pool schedule and allocation by program for previous year and projections to the upcoming year;
- f. Fees by program area and fee comparison to other public pools in the region;
- g. Annual audits and reviews demonstrating standards of care, outlined in Section 11, below, are met;
- h. Risk management documentation, outlined in Section 12, below; and
- i. Training certifications listed by staff members.

The Provider shall maintain reasonable evidence and documentation of these statistics and results and have these records accessible to the City at any time following ten (10) days written notice.

In the event of a third party dispute or conflict arising out of or related to this Lease, the City will use best efforts to notify and discuss the issue with Provider before engaging in any dialogue with the third party involved.

9. COMPLIANCE WITH LAWS AND REGULATIONS. The Provider shall comply with all city, county, state, and federal laws and regulations related to pool and aquatic program operations. These regulators and laws include but are not limited to:

- a. City of Menlo Park
- b. Menlo Park Fire Department
- c. San Mateo County Health Department
- d. California Department of Health Services
- e. California Department of Labor
- f. Occupational Safety and Health Administration (OHSA)
- g. Emergency Medical Services Authority (EMSA)
- h. Consumer Product Safety Commission & Virginia Graeme Baker Act
- i. Americans with Disabilities Act
- j. California Department of Fair Employment and Housing

10. HEALTH AND SAFETY. The Provider is required to maintain health and safety standards in a reasonable and acceptable manner for the Premises, participants, and its employees in compliance with City standards and the other regulatory agencies listed above. These standards include but are not limited to:

- a. Employee Injury and Illness Prevention Plan
- b. Hazardous Materials Communications and Business Plan
- c. Blood borne Pathogens and Bio Hazardous Exposure Control Plan
- d. Lifting and Fall Prevention
- e. Electrical Safety
- f. Emergency Action Planning
- g. First Aid
- h. Heat Illness and Sun Protection
- i. Confined Spaces
- j. Chemical Storage
- k. Personal Protective Equipment
- l. Recreational Waterborne Illnesses (RWI's)
- m. Signage

The Provider is responsible for keeping up to date with all changes, additions, or amendments to the laws, regulations and codes related to pool operations and aquatics programs.

11. STANDARD OF CARE. The Provider will provide aquatic programs and manage the Premises in a manner that is comparable to or above the standard of care that is reasonable and acceptable for a public pool in the surrounding communities. This standard of care should be demonstrated in all areas of operations including: supervision and lifeguard coverage, surveillance techniques, staff training, record keeping, maintenance and janitorial, cleanliness of facilities, safety, and risk management. The Provider is expected to ensure this standard of care by conducting annual audits by qualified external experts and including this information in the annual report to city staff and the City's Parks and Recreation Commission mentioned in Section 8, above.

12. RISK MANAGEMENT. The Provider shall take all appropriate and necessary steps to provide adequate risk management planning to minimize liability or negligence by the Provider. The Provider shall manage their risk by demonstrating proficiency in the following areas:

- a. Emergency Action Plan
 - Staff Training to Plan
 - Drills Conducted
 - Emergency Equipment
 - Communication Process
- b. Facilities & Equipment
 - Inspection
 - Maintenance
 - Checklists
 - Signage
- c. Supervision
 - Quality
 - Quantity
 - Lessons Plans & Progression
- d. Training
 - Requirements
 - Appropriate Staff
- e. Documentation
 - Manuals
 - Waivers
 - Medical Screening
 - Skills Screening
 - Risk Information Provided to Public
 - Policies
 - Evaluations

13. EMERGENCY ACTION PLAN AND PROCEDURES. The Provider shall create and maintain all emergency procedures and emergency action plans for the Premises. An emergency action plan is required under Title 29 of Federal Regulations Sections 1910.38/.120/.156, and Title 8 California Code of

Regulations, Sections 3220 and 3221. The emergency action plan covers all employees and non-employees who may be exposed to hazards arising from emergency situations. It must contain information for all of the Provider's employees, including administration and line level employees using the plan in order to reduce the severity of emergency situations and minimize the risk to life and property.

14. MAINTENANCE. The Provider shall maintain the Burgess Pool and the Belle Haven Pool in an orderly, clean and professional condition at all times. The Provider will be responsible for the maintenance and repair of the equipment and facilities at both of these sites including:

a. Burgess Pool:

- Three pools
- Offices
- Lobby
- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Fences and Gates
- Lawn Area
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

b. Belle Haven Pool:

- Two pools
- Office
- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Fences and Gates
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

The Provider shall maintain standard operation procedure manuals and maintenance records and logs. These records will include:

- Daily Pool & Chemical Log
- Check lists for routine maintenance and janitorial duties (Daily, Weekly, Monthly, Quarterly, Bi-annual, and Annual)
- Equipment Logs for each piece of major equipment with the maintenance schedule, maintenance contracts, record of work or repairs conducted, manufacturer guidelines, and specifications

The Provider shall maintain and continue all preventative maintenance agreements and contracts to ensure the quality and life of the equipment. The Provider will be responsible for all maintenance and repairs to equipment. Provider shall be responsible for repairs and replacement of all equipment due to failure or damage where the cost is less than One Thousand Five Hundred Dollars (\$1,500) per item at the Belle Haven Pool and Two Thousand Five Hundred Dollars (\$2,500) per item at the Burgess Pool. Provider shall arrange and be billed directly by the vendor for such repair(s) and/or replacement(s). Provider will also be responsible for any damage that is outside the normal wear and tear of the Premises and/or for failure to adequately maintain the Premises or any equipment. If damage beyond normal wear and tear of the Premises or any equipment is determined by the City, the Provider will be required to make the appropriate repairs within thirty (30) days of written notice. The City shall be responsible for individual repair/replacement for any item of equipment having a cost greater than One Thousand Five Hundred Dollars (\$1,500) per item at the Bell Haven Pool. For individual repair/replacement for any item of equipment at the Burgess Pool having a cost of between Two Thousand Five Hundred Dollars (\$2,500) and Twelve Thousand Five Hundred Dollars (\$12,500) per item, the City shall pay for the cost of the item, but the cost shall then be amortized over the greater of the life expectancy of the item or the Term of the Lease remaining, and Provider shall pay the monthly amortized cost of the replacement equipment with a reasonable rate of interest for the remaining Term of the Lease. If the cost of the item exceeds \$12,500, the City shall be responsible for the cost of the work. City shall be responsible for payment of the cost of replacement and reserves the right to perform replacement of the item. The Provider is responsible for reimbursing the City for the cost of repairs and replacement due to misuse, poor maintenance and/or damage caused by Provider, Provider's employees, agents and service users. The Provider shall assist the City by providing the necessary bids and due diligence for replacement of an item of equipment having a cost greater than \$2,500 to ensure an expedited process when possible and reduce any loss of operations. The City shall use its best efforts to respond to the Provider for all replacements for which the City is responsible within two (2) business days with a decision based on the information provided by the Provider.

15. SIGNAGE. The Provider will be required to maintain and provide all necessary and required signage for both Premises. These signs include:

- a. Maximum Pool Capacity & Hours
- b. No Lifeguard on Duty
- c. Children under 14 not allowed without an adult
- d. Shallow Water Diving Warnings
- e. Chemical Storage
- f. No swimming allowed after dark
- g. Pool Rules
- h. 911 Emergency
- i. Shower Before Entering Pool

- j. No Running
- k. Depth Markers
- l. First Aid/CPR
- m. Other signs as needed or required

16. INSURANCE. Provider shall acquire and maintain Workers' Compensation, Employer Liability, and Commercial General Liability relating the Provider's use of the Premises. The insurance company(ies) must be approved by the City. Provider will furnish City with certificates and copies of information or declaration pages of the insurance required. Provider would need to provide the City with thirty (30) days notice if any changes, cancellation, or non-renewals. Provider is required to disclose any self-insured retentions or deductibles, which shall be subject to City's approval, not to be unreasonably withheld. Provider's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability (cross liability endorsement). Provider's insurance coverage shall be primary insurance with respect to City, its Council, Boards, Commissions, agents, officers, volunteers or employees, and any insurance or self-insurance maintained by City, for themselves, and their Council, Boards, Commissions, agents, officers, volunteers or employees shall be in excess of Provider's insurance and not contributory with it.

The minimum amounts of coverage corresponding to these categories of insurance per insurable event shall be as follows:

Insurance Category	Minimum Limits
Workers' Compensation	Statutory Minimum - include endorsement waiving the insurer's right of subrogation against the City, its officers, officials, employees and volunteers.
Employer's Liability	One Million Dollars (\$1,000,000) per accident for bodily injury or disease – include endorsement adding the City, its officers, officials, employees and volunteers as additional insured for both ongoing operations as well as products and completed operations; include endorsement to provide primary insurance and waive any rights of contribution from the City's coverage.
Commercial General Liability	Three Million Dollars (\$3,000,000) per occurrence for bodily injury, personal injury and premises damages. Must include all areas in Insurance Service Office (ISO) Form No. CG 00 01

(including Products and Completed Operations if food is served or for repairs done by the tenant, Contractual Liability, Broad form property damage, Participants and spectators coverage, and Personal and Advertising injury liability)

If Provider fails to maintain any of the insurance coverage required herein, then City will have the option to terminate this Lease, or may purchase replacement insurance or pay the premiums that are due on existing policies in order that the required coverage may be maintained. Provider is responsible for any payments made by City to obtain or maintain such insurance and City may collect the same from Provider as Additional Rent.

Provider shall require any longer term renters and/or longer term sublessees (longer term shall mean and refer to renters/sublessees for more than a single use in any 12 month period) to maintain and carry the same coverage as described above, which policies shall name the City as an additional insured. Provider shall require such long term renters and/or long term sublessees to obtain and provide a certificate of insurance evidencing said coverage to the City.

Each party hereby waives and does hereby agree to obtain from each insurance carrier of the insured a "subrogation waiver endorsement" waiving its right of recovery to the extent of insurance proceeds, against the other party, the other party's officers, directors, agents, representatives, employees, successors and assigns with respect to any loss or damages, including consequential loss or damage to the insured's property caused or occasioned by any peril or perils (including negligent acts) covered by any policy or policies carried by the party.

17. INSPECTIONS AND AUDITS. The City reserves the right to conduct periodic and regular site inspections and operational audits.

- a. Safety: The Provider will be required to comply with the City's safety program guidelines and protocol. Quarterly inspections by an outside vendor will be conducted and recommendations for compliance will be enforced. City staff will be responsible for following up with the Provider on specific safety issues identified in the quarterly inspection. The Provider will be required to comply with the City's requests in a timely manner. In addition, documentation demonstrating compliance with all City, County, State and Federation Regulations will be required to be kept up to date and reviewed on an annual basis or more frequently as deemed necessary by the City.
- b. Maintenance: City staff reserves the right to conduct weekly, monthly, quarterly, and annual inspections of maintenance practices for the pool maintenance operations and facility cleanliness. The inspections will ensure the Provider is following the manufacturer's specifications

- c. Operations: An annual operational audit will be conducted by an external expert and industry professional approved by the City and paid for by the Provider. An observational audit, lifeguard skills assessment, and site inspection shall be conducted annually. An overall operational audit shall be conducted every two years. This audit should include but may not be limited to:
- Staff Skills Assessment
 - Staff Selection and Training procedures
 - Policies & Procedures Review
 - Site Inspection
 - Code Compliance and Record Keeping Practices
 - Adherence to Aquatic Safety Standards
- d. Financial Review/Audit: Provider shall provide complete financials for all aquatics programs and/or programs operated out of the Premises [with administrative costs/salaries that may be related to both aquatics and non-aquatics programs fairly allocated between such programs] prepared in accordance with generally accepted accounting principles and reviewed by an independent CPA for calendar years 2011-2014 on or before May 1, 2015 (or sooner if required to determine the FMV rate if Provider elects to terminate the Belle Haven Pool operations) for City staff and outside consultant review. The purpose for such review shall be for the negotiation of rent for the extended term and/or for purposes of negotiating a new lease. The City shall have the right to require audited financial statements in lieu of or in addition to the reviewed statements at the City's cost with an independent auditor to be selected by the City.

18. CITY ACCESS. Upon prior written notice to Provider, City shall have the right to restricted access to the Premises or any part thereof solely for certain municipal purposes which may include the performance of necessary maintenance and repairs of any and all structures or public improvements, heretofore or hereafter installed and/or constructed in or upon the Premises, the inspection of the Premises, or the use, maintenance, repair of adjoining areas; provided, as to maintenance or repair of the Premises, Provider has requested such maintenance or repairs or Provider has neglected such activity to the detriment of the Premises.

19. IMPROVEMENTS. Provider shall not make, nor cause to be made, nor allow to be made, alterations or improvements to the Premises not hereinabove specified (including installation of any fixture affixed to the Premises), without the prior written consent of City, not to be unreasonably delayed or withheld. All improvements or alterations constructed or installed

shall be removed and the Premises restored to substantially the same condition existing prior to such construction or installation, upon the termination of this Lease, unless the prior written approval of City is secured, allowing such improvements or alterations to remain in place, in which case, title thereto shall vest in City. All improvements undertaken pursuant to this Lease will be at Provider's sole expense and Provider will be responsible for the use and maintenance of the improvements.

20. NOISE. Except in the event of an emergency, Provider shall not use any amplified sound, whistles, bullhorns, music, etc., between the hours of 5:30 a.m. to 8:00 a.m., and/or from 8:00 p.m. to closing during any day of operation.

In order to minimize impacts of major events on residents of the surrounding neighborhood, the Provider will notify the City on a quarterly basis of all swimming meets or other large group events beyond normal operations to allow the City to notify the neighborhood in advance of such events.

21. PARKING. Provider shall instruct its patrons to park away from the nearest residences before 8:00 a.m. and after 8:00 p.m.

22. WAIVER OF CLAIMS. City assumes no responsibility for the guarding or safekeeping of the Premises, equipment, or improvements installed or constructed by Provider upon, or used in connection with, the Premises. Provider waives all claims against City, its Council, Commissions, agents, officers, volunteers, contractors or employees for any damages to the improvements in, upon or about the Premises and for injuries to any employees of Provider or their agents, invitees or sub-contractors in or about the Premises from any cause arising at any time, where City had no involvement or where such damages or injuries did not arise out of the instruction or guidance of the City. In no event shall the City be responsible for loss of profits or any consequential damages to Provider.

23. INDEMNIFICATION. Provider will defend, indemnify and hold City, its Council, Commissions, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property, from any cause of action arising at any time from the use of the Premises by Provider, and Provider's invitees, program participants, and visitors, or from the failure of Provider to keep the Premises in good condition and repair, including all claims arising out of the negligence of Provider, but excluding any damage or injury caused by the willful misconduct or negligence of City or its employees, agents or contractors. City will defend, indemnify and hold Provider, its members, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property, from any cause of action arising at any time from the willful misconduct or negligence of City or its employees, agents or contractors.

Each party's indemnification obligation set forth above will include any and all costs, expenses, attorneys fees and liability incurred by any indemnified party or person in defending against such claims, whether the same proceed to judgment or not. Each party will, at its own expense and upon written request by a party to be indemnified as provided hereinabove, defend any such suit or action brought against the party to be indemnified, its Council, Commissions, members, agents, officers, volunteers or employees (as applicable). This Section will survive the expiration or termination of this Lease.

24. HOLDING OVER BY PROVIDER. If Provider remains in possession of the Premises after the expiration of the Term of this Lease, and without executing a new lease but with the consent of City, then such holding over shall be construed as a year-to-year tenancy subject to all of the applicable conditions, provisions, and terms of this Lease, except that Provider shall pay to City the fair FMV rental value of the Premises as defined in Section 3. Either party may terminate any year-to-year tenancy by giving the other party notice of termination to be effective upon not less than six (6) months prior written notice.

25. HAZARDOUS MATERIALS. Provider shall not use or store any Hazardous Materials in, on, or about the Premises except in compliance with all applicable federal, state, and local laws, statutes, ordinances, and governmental regulations, and the highest standards prevailing in the industry for storage and use of any such Hazardous Materials, nor allow any Hazardous Materials to be brought in the Premises, except to use in the ordinary course of Provider's business, and then only after written notice to City of the Hazardous Materials to be used by Provider. Provider shall not cause or permit the escape, release, or disposal of any Hazardous Materials in the Premises. If any governmental agency or the beneficiary of any deed of trust against the Premises requires any testing of the Premises to ascertain whether any Hazardous Materials have been released in, on, or about the Premises, Provider shall reimburse City, as Additional Rent, for the cost of any such inspection if the inspection, together with any other evidence obtained by City, shows that the presence of such Hazardous Materials in the Premises was caused by Provider, its agents, employees, contractors or invitees.

In addition, Provider shall, at City's request, execute affidavits, representations, or other documents concerning Provider's best knowledge and belief regarding the presence of any Hazardous Materials in the Premises. Provider shall indemnify, defend, and hold harmless City from any liability, cost, or expense, including reasonable attorneys' fees, arising from the use, storage, release or disposal of any Hazardous Materials in, on, or about the Premises by Provider, its agents, employees, contractors, or invitees. The provisions of this section shall survive the expiration or earlier termination of this Lease.

For the purposes of this Lease, the term "Hazardous Material" shall mean any substance or material which has been designated hazardous or toxic by any

federal, state, county, municipal, or other governmental agency or determined by such agency to be capable of endangering or posing a risk of injury to, or adverse effect on, the health or safety of persons, the environment, or property, including without limitation those substances or materials described in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq.

26. ATTORNEY'S FEES. In any legal action brought by either party to enforce the terms of this Lease, the prevailing party is entitled to all costs incurred in connection with such an action, including reasonable attorneys' fees.

27. ARBITRATION. Any dispute regarding the breach of this Lease shall be decided by binding arbitration pursuant to the rules of the American Arbitration Association, and not by court action, except as otherwise provided in this Section or as allowed by California law for judicial review of arbitration proceedings. Judgment on the arbitration award may be entered in any court having jurisdiction. The Parties may conduct discovery in accordance with California Code of Civil Procedure. This provision shall not prohibit the Parties from filing a judicial action to enable the recording of a notice of pending action for order of attachment, receivership, injunction, or other provisional remedy. Venue for the resolution of any such dispute or disputes shall be in San Mateo County, California.

BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTER INCLUDED IN THE ARBITRATION OF DISPUTES' PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR BY JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.

WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION TO NEUTRAL ARBITRATION.

Provider

City

28. VENUE. Provider agrees and hereby stipulates that the proper venue and jurisdiction for resolution of any disputes between the parties arising out of this Lease is San Mateo County, California.

29. ASSIGNMENT AND NONTRANSFERABILITY. Provider understands and acknowledges that assignment of this Lease is absolutely prohibited without the written consent of City, and any attempt to do so without City's written consent may result in termination of the Lease at the will of City. Notwithstanding the foregoing, City shall grant permission to Provider to contract with other entities or organizations to provide some of the programs at the Premises and/or to sublease the Premises to other entities or organizations for certain hours, subject to prior notice to City. Such use is contingent, in part, upon said sub-user indemnifying and insuring City in the same manner and amount that Provider has indemnified and insured City under this Lease. City, its Council, Boards, Commissions, agents, officers, volunteers and employees shall be named as additional insureds. Any insurance policy maintained by a sub-user will be in addition to, and shall not replace, any insurance required of Provider.

30. LIENS AND ENCUMBRANCES. Provider shall have no authority to do anything that may result in a lien or encumbrance against the Premises. Without limiting the foregoing, however, Provider agrees to pay promptly all costs associated with the activities associated with this Lease and not to cause, Lease, or suffer any lien or encumbrance to be asserted against the Premises. In the event that Provider causes, leases, or suffers any lien or encumbrance to be asserted against the Premises related to activities associated with this Lease, Provider, at its sole cost and expense, shall promptly cause such lien or encumbrance to be removed.

31. TERMINATION OF LEASE.

a. Default. City or Provider shall have the right to terminate this Lease by written notice to the other party for any default or breach of any term or condition of this Lease by the other party; provided, however, the non-defaulting and non-breaching party must first deliver written notice to the other party of any such default or breach, and if such breach or default exists for more than thirty (30) days after the delivery of such notice without being cured, the non-defaulting and non-breaching party may elect to terminate this Lease by giving written notice of such termination to the defaulting party. Termination shall be effective on the date specified in the notice, which date shall not be less than thirty (30) days nor more than one hundred eighty (180) days following such notice. In addition to termination, the non-defaulting and non-breaching party shall be entitled to pursue any and all other remedies provided by law.

b. City Dissatisfaction. If City and/or Menlo Park community believes Provider has not satisfied community needs with respect to public access, service and program quality, public safety, noise restrictions and/or parking, City may deliver written notice to Tenant of such dissatisfaction and the Parties shall meet and confer within fifteen (15) days of Provider's receipt of such notice. If the matter is not resolved to the City Manager's satisfaction, City may terminate this Lease by giving written notice of such termination to Provider. Termination shall be effective not less than ninety (90) days after the date of such notice. Provider shall have the right to appeal such termination to the City Council within ten (10) days of Provider's receipt of such notice. Upon receipt of Provider's timely appeal, the Council shall place the matter on the City Council agenda and make the final determination with regard to the termination of the Lease and shall give written notice to Provider of such final determination. If the City Council determines the lease should be terminated, termination of the Lease shall be effective not less than ninety (90) days after the date of such notice.

c. Provider's Option. Provider may terminate the Lease at Provider's option upon the occurrence of any of the following:

- Upon the death of Tim Sheeper; or
- Upon the disability of Tim Sheeper, if such disability prevents him from running Provider's business operations for a continuous period of 60 consecutive days; or
- Upon financial hardship, which shall require not less than six (6) month written notice to terminate lease based on financial hardship

Termination shall be effective not less than ninety (90) days after the date of any such notice. In the event Provider does not elect to terminate the Lease as permitted herein, the Lease shall remain in full force and effect for the remainder of the Term, unless subsequently terminated for another cause or event as specified herein.

32. CONDITION OF PREMISES UPON TERMINATION. Upon the effective termination of the Lease, Provider shall restore the Premises to its condition prior to the execution of this Lease, remove all personal property, including furniture, furnishings, vehicles, and equipment, belonging to Provider or Provider's employees, invitees, and agents. Should Provider fail to perform those obligations by the effective termination date, the Parties agree to the following:

- a. Such remaining property shall be deemed abandoned and Provider waives all provisions for disposition of abandoned personal property required by California law including but not limited to California Code of Civil Procedure Section 1980 et. seq. (requiring notice for reclaiming abandoned property and public sale for disposition).

- b. City has the right to take action to remove Provider's personal property. Should City exercise this right, Provider shall be liable to City for:
- the actual cost of this removal, demonstrated by valid receipts and invoices;
 - a fifteen percent (15%) overhead to City for reasonable costs in contracting and supervising the removal work; and
 - any attorneys' fees incurred by City to remove Provider from the Property after termination, if necessary. Invoices must be paid within ten (10) days of submission of invoice to Provider. If not paid within this time, then interest will be charged at ten percent (10%) or the maximum extent allowed by law, whichever is less.

33. NOTICE. All notices under this Lease shall be in writing and, unless otherwise provided herein, shall be deemed validly given if sent by certified mail, return receipt requested, or via recognized overnight courier service, addressed as follows (or to any other mailing address which the party to be notified may designate to the other party by such notice). All notices properly given as provided for in this section shall be deemed to be given on the date when sent. Should City or Provider have a change of address, the other party shall immediately be notified as provided in this section of such change.

Provider

Team Sheeper, L.L.C
Attn: Tim Sheeper
501 Laurel Street
Menlo Park, CA 94025
(650) 369-7946

City

City of Menlo Park
Attn: City Manager
701 Laurel Street
Menlo Park, CA 94025
(650) 330-6610

34. COMPLETE AGREEMENT. This Lease contains the entire agreement between the Parties with respect to the matters set forth herein, and supersedes all prior or contemporaneous agreements (whether oral or written) between the Parties with respect to the matters set forth herein.

35. AMENDMENT. This Lease may be amended only by a written instrument executed by the Parties.

36. AUTHORITY. The individuals executing this Lease on behalf of Provider represent and warrant that they have the legal power, right and actual authority to bind Provider to the terms and conditions of this Lease.

37. NO WAIVER. Waiver by either party of a breach of any covenant of this Lease will not be construed to be a continuing waiver of any subsequent breach. City's receipt of rent with knowledge of Provider's violation of a covenant does not waive City's right to enforce any covenant of this Lease. No waiver by

either party of a provision of this Lease will be considered to have been made unless expressed in writing and signed by all parties.

IN WITNESS WHEREOF, the Parties have executed this Lease by their officers therein duly authorized as of the date and year first written above.

CITY OF MENLO PARK

By: _____

ATTEST:

City Clerk

TEAM SHEEPER, L.L.C.
501 Laurel Street
Menlo Park, CA 94025

By: _____
Tim Sheeper, Chief Executive Officer

GUARANTY

TIM SHEEPER hereby unconditionally personally guarantees all of the obligations arising or accruing during the term of the Lease and/or arising out of Provider's operation of the Premises. City is not responsible to enforce the terms of the Lease upon TEAM SHEEPER, L.L.C., or to first institute suit, or to pursue or exhaust its remedies against TEAM SHEEPER, L.L.C. TIM SHEEPER shall, without demand, pay City's reasonable attorneys' fees and all costs and expenses incurred by City in enforcing the terms of the Lease and/or this Guaranty.

This Guaranty shall inure to the benefit of City, its successors and assigns, and this Guaranty shall bind TIM SHEEPER, his legal representatives, and assigns.

TIM SHEEPER

Exhibits

- A. Burgess Pool Site Map
- B. Belle Haven Pool Site Map
- C. SOLO Agreement

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Memo

To: Parks and Recreation Commission

From: Derek Schweigart, Community Services Manager

Date: March 25, 2015

Re: Approve a Recommendation to Work with Menlo Swim and Sport to Develop a Term Sheet for the Renewal of the Aquatic Facilities Lease Agreement/Contract

Recommendation

City Staff recommend that the Parks and Recreation Commission consider and approve a recommendation to work with Menlo Swim and Sport to develop a term sheet for the potential renewal of a pool contract to operate both Burgess and Belle Haven aquatic facilities for an additional 5-10 year period once the current lease expires in May, 2016.

Background

On February 25, 2015, the Parks and Recreation Commission reviewed the [Aquatics Contractor Annual Report](#) and received a presentation from Tim Sheeper from Menlo Swim and Sport. This presentation was an important milestone, as the current lease to operate the City's aquatic facilities is set to expire in May 2016, precipitating another Request for Proposal (RFP) process or a recommendation to renew or extend the current lease. The discussion in the meeting included an overview of the RFP process, weighing the pros and cons of a lease extension versus a complete RFP process, a review of the annual report and current contractor's performance, a question/answer session and preliminary discussion about potential terms of a new lease agreement. Possible lease/contract terms discussed included a longer term for the agreement which would allow for greater stability, year-round operation of Belle Haven Pool and maintaining any previous agreements to ensure community access and scheduling for such groups as the SOLO Swim Team.

The Commission agreed to table further discussion on any potential contract renewal to allow the pool contractor to respond to some of the questions that Commission presented, receive community feedback into the process and consider terms of the agreement in order to formulate a recommendation for staff to present to the City Council.

Discussion

City staff is requesting that the Parks and Recreation Commission consider the following questions to guide the discussion on the topic of a potential renewal of the pool contract:

1. Does the Commission have any further questions about Aquatics operations, the current provider and the current lease that would provide a basis for input into a potential contract renewal? Are there any follow-up questions from the Aquatics Contract Annual Report and Presentation that occurred at the Commission meeting on February 25, 2015?
2. If the Commission is in support of a renewal of the Aquatics Facilities Lease Agreement, are there any terms of the agreement for which the Commission would like to provide input? Are there any terms that should be considered in the development of a term sheet with the contractor?
3. If the Commission does not support a lease renewal at this time, what additional information is needed in order to weigh the pros and cons of a lease renewal versus completing an RFP process?
4. What further role would the Commission like to take in this process and what additional steps would the Commission like to take?

Suggested Time Line

City staff suggest the following time line for developing a recommendation to the Council on this topic:

February meeting:	Review annual report from MSS Discuss above focus questions and others Direct staff on additional information needed, if any
March meeting:	Commission recommend lease changes / stipulations / terms Commission to recommend to City staff to develop term sheet for renewal of lease agreement
April meeting:	Commission will receive update from City staff on development of term sheet for renewal of lease agreement
May meeting	Term sheet for renewal of lease agreement presented to the Commission for their consideration and finalize recommendation for lease renewal
June meeting:	Recommendation to Council to accept term sheet and renew lease agreement

Attachments:

1. Aquatics Contractor Annual Report Staff Memo 02 25 15
2. MSS Annual Report to City of Menlo Park 2015
3. Team Sheeper, LLC Lease Agreement 2011

LEASE AGREEMENT
(Menlo Park Aquatic Facilities)

This Lease Agreement (“Lease”) is made and executed as of March 15, 2011, by and between the City of Menlo Park, a municipal corporation (“City”), and Team Sheeper, L.L.C., a California limited liability company (“Provider”) and collectively referred to herein as “Parties”.

WHEREAS, City is the owner of certain premises (“Premises”) described below, and City and Provider wish to enter into a lease for the Premises on the terms and conditions set forth below.

NOW, THEREFORE, the Parties agree as follows:

1. **PREMISES.** The Premises includes both the “Burgess Pool”, 501 Laurel Street, Menlo Park, CA and the “Belle Haven Pool”, 100 Terminal Avenue, Menlo Park, CA as defined herein. Burgess Aquatic Facility (“Burgess Pool”) consists of the fenced pool area at the City’s Civic Center campus at Burgess Park. Burgess Pool includes the lap pool, instructional pool, toddler activity pool, locker rooms and restrooms, offices, lawn area, pool mechanical room, lobby area, and all associated areas in the City of Menlo Park, County of San Mateo, State of California, as more particularly shown in Exhibit A, attached hereto and incorporated herein by reference. The Belle Haven Pool (“Belle Haven Pool”) is a five lane x 25 meter outdoor swimming pool located adjacent to the Onetta Harris Community Center. Belle Haven Pool includes a high dive and low dive, locker room, shower facilities, mechanical room, office and small children’s wading pool in a fenced area as shown in Exhibit B, attached hereto and incorporated herein by reference.

2. **TERM.** The term of this Lease shall be for a period of period of five (5) years (“Term”) commencing on May 20, 2011 (“Commencement Date”) and ending five (5) years from the Commencement Date, unless automatically extended as hereinafter provided. If during the first four years of the Term, Provider has completed capital improvements with the written consent of the City to either or both the Burgess Pool and/or the Belle Haven Pool with a total cumulative cost of \$200,000 or more, the Term shall automatically be extended by five (5) years to May 19, 2021. Notwithstanding the foregoing, Provider shall have the option to terminate this Lease solely as to the Belle Haven Pool between October 1, 2012 and December 31, 2012, and October 1, 2013 and December 31, 2013, if in Provider’s opinion it cannot operate a financially viable program at the Belle Haven Pool.

3. **RENT.** In consideration for Provider’s use of the Premises as granted by this Lease, Provider assumes sole financial responsibility for the operation and maintenance of the Premises and shall operate and maintain the Premises at no cost to the City. Additionally, Provider will remit monthly rent (“Rent”) in the

amount of Three Thousand Dollars (\$3,000.00) to the City for use of the Burgess Pool on the first day of each month for the first year of the Term. Each year thereafter, the Rent shall increase pursuant to the Consumer Price Index ("CPI") for all Urban Consumers (All Items) in the San Francisco-Oakland-San Jose Area (U.S. Department of Labor, Bureau of Labor Statistics), with a minimum increase of two percent (2%) and a maximum increase of five percent (5%) per annum.

Should Provider cease to operate the Belle Haven Pool as provided in Section 2 of this Lease, Provider and City shall renegotiate the Rent to the then Fair Market Value ("FMV") rental rate for the Burgess Pool with consideration given to gross revenues for the Burgess Pool, the fixed costs of operating the Burgess Pool, the profitability of the Burgess Pool operations, the rental rate for similar facilities and the other terms and conditions of this Lease.

If the Term is extended for an additional five years as provided for in Section 2 of this Lease, effective at the beginning of the sixth year of the Lease, the Rent shall be adjusted to the then-prevailing FMV rental rate (which under no circumstances shall be less than the rental rate paid in the preceding year), with consideration given to gross revenues for the Burgess Pool, the fixed costs of operating the Burgess Pool, the profitability of the Burgess Pool operations, the rental rate for similar facilities and the other terms and conditions of this Lease. The FMV rental rate shall be determined by mutual agreement, or if the Parties cannot agree by a neutral third party arbitrator selected by the Parties. Each year thereafter, the Rent shall increase pursuant to the CPI for all Urban Consumers (All-Items) in the San Francisco-Oakland-San Jose Area (U.S. Department of Labor, Bureau of Labor Statistics), with a minimum increase of two percent (2%) and a maximum increase of five percent (5%) per annum.

Throughout the Term, Provider shall pay to the City within fifteen (15) days of receipt of written invoice submitted to Provider by City, or directly to the provider thereof, in addition to the Rent, and as additional rent ("Additional Rent") the following:

- a. The full cost of the separately metered utilities for the Premises;
- b. The cost of the utilities for the locker rooms and the portion of the Premises occupied by Provider (if not separately metered) prorated according to Provider's usage (proration to be determined by mutual agreement, or if the Parties cannot agree by a neutral third party arbitrator selected by the Parties);
- c. If the City elects to install solar equipment on the Premises, Provider shall pay monthly to the City the calculated savings from the reduced utility bills for the Term hereof; and
- d. The maintenance and repair obligation costs set forth in Section 14.

Any payment due by the Provider not received by City within fifteen (15) days of the due date shall be subject to a late payment penalty of five percent (5%) of the amount due.

At the initiation of the City's Community Services Director not later than December 31, 2011, the Provider and Community Services Director shall explore whether charging a surcharge to non-resident participants/users by Provider would generate additional revenues without adversely affecting Provider's operation of the pool facilities. This exploration will be done through such tasks as market pricing comparisons, surveys, or other such means so as not to negatively affect any of Provider's business during the period of exploration. If the Community Services Director and Provider determine that such a surcharge would not adversely affect the Provider's operation of the pool facilities, Provider shall charge such a surcharge which shall be passed through to the City as additional rent, less any administrative, programming or system enhancement costs that are incurred by Provider to implement such surcharge, including additional staffing that may be required to verify City residency and to track and submit such fees to the City. The pass through of non-resident surcharges as additional rent payable to the City shall not apply to existing non-resident fees charged by Provider for open swim and lap swim. The City shall set aside such additional revenue derived from non-resident surcharges in a separate fund and shall utilize such funds to pay the City's cost of repair, maintenance and capital improvements.

4. EXCLUSIVE USE OF PREMISES. Subject to the terms of this Lease, Provider shall have exclusive use of the Premises for purposes of conducting aquatics programs, including, but not limited to, a masters swim program, swim team, swim lessons, fitness training, recreational swimming, community rentals and other aquatics programs that Provider offers and provides for reasonable public access to and use of the Premises pursuant to Section 6 of this Lease. Provider shall have the exclusive right to staff, supervise and contract for such uses of the Premises, subject to the terms of this Lease.

Provider shall have non-exclusive use of the locker rooms, as depicted on Exhibit A and Exhibit B, to accommodate Provider's use of the Premises. The Parties agree that use of the locker rooms shall be limited to persons participating in programs and activities offered by Provider or City or other members of the public upon payment to Provider of fees for such use. Specifically, City reserves the right to use the locker rooms for any City program, including facility rentals and programs and for public use on a "pay for use" basis. The Provider may only refuse locker room access when patrons fail to follow the rules of conduct approved by the City. Patrons shall have the right to appeal Provider's decision to the Director of Community Services, if the Patron feels denial of locker room access was unreasonable. The Director of Community Services' decision shall be final.

5. OPERATION OF PREMISES. The Provider will be solely responsible for operation of the Premises including all costs and expenses associated with such operation and shall be entitled to all revenues from the operation of the Premises, except where otherwise provided in this Lease. The Provider may use

the Premises between the hours of 5 a.m. to 10 p.m. seven (7) days a week and 365 days a year.

6. COMMUNITY ACCESS AND SCHEDULING. The Provider will be solely responsible for the operations and schedule of the Burgess Pool and the Belle Haven Pool. The Provider shall provide reasonable public access and community use of the Premises. Provider will not reduce the public access and community use without prior City approval. The Director of Community Services is authorized to finalize the City's schedule of use of the Premises. When evaluating the pool space and time allocation, the Provider shall consider and give scheduling priority for programs based on the number and percentage of City residents.

Notwithstanding the forgoing, the Provider shall accommodate the SOLO swim team's use of Burgess Pool in accordance with schedule and terms set forth in Exhibit C, which schedule and terms shall not be modified or reduced without mutual agreement of Provider and SOLO, unless SOLO is in breach of its sublease agreement with Provider.

Minimum public access and community use at the Burgess Pool will include:

- a. Year-round lap swim, seven (7) days per week (except holidays);
- b. Seasonal open/recreational swim daily from Memorial Day through Labor Day for a reasonable amount of time and with adequate pool space;
- c. Reasonable availability for other community organizations/users
- d. Programs and reasonable accommodation for all ages and abilities;
- e. Inclusive programs for people with disabilities when possible; and
- f. Winter programming by providing a dome over the instructional pool if possible.

Minimum public access and community use at the Belle Haven Pool:

- a. Open to the public for a minimum of ten (10) weeks during the summer season in June, July, and August. During that time period, the pool shall be open for a minimum of six (6) days a week, Monday through Saturday; and
- b. Open/recreational swim hours will be at least three (3) hours per day, six (6) days per week but will be allowed on a "pool sharing" basis with other programming.

7. PROGRAM FEES. The program fees charged by Provider shall be as follows:

- a. The fees charged by the Provider for public lap swimming, open/recreational swim, and swim lessons shall be comparable to rates and fees charged by other aquatic facilities in surrounding communities and in alignment with the approved business model.

- b. The Provider shall provide rental space for other community organizations and users for competitive youth swimming programs, instructional programs, fitness training, etc., on a reasonable and comparable fee basis.
- c. Review of the program fees shall be included in the annual report to the City.
- d. Provider and City shall mutually agree to exchange an equal amount of field space and activity room hours for pool hours for their respective programs (i.e. summer camp) in lieu of charging rental fees. If either party's request exceeds the number of hours requested by the other party, the additional hours will be charged at the current approved fees for use of the facilities.

8. PROGRAM ADMINISTRATION. The Provider shall have a method for the public to register, pay, and receive adequate customer service in an easy and effective manner. Provider shall provide adequate administrative staff and assistance to support all hours of operation. Policies and procedures for handling registration, refunds, and complaints are required. The Provider shall provide sufficient communication and marketing in order to inform the public of the programs and services. The Provider shall maintain a customer database and appropriate records retention. The City will provide reasonable marketing space in the tri-annual activity guide for the Provider to promote their aquatics programs at the Premises. The Provider shall be responsible for meeting the deadlines and providing accurate and sufficient information to City staff.

The Provider shall take appropriate steps to maintain a high level of customer service and overall satisfaction at all times. Provider shall attend monthly meetings with City staff and attend annual meetings of an Aquatics Users Group which shall be convened by the City. Additionally, the Provider shall provide an annual report no later than January 30 of each year during the Lease Term to staff which will be presented to the City's Parks & Recreation Commission for review and comment by the Commission at its February meeting. The annual report should include the following items:

- a. Total program hours by program area;
- b. Participation statistics by program area including resident and non-resident percentages;
- c. Customer satisfaction survey results;
- d. User group feedback by program area or rental;
- e. Pool schedule and allocation by program for previous year and projections to the upcoming year;
- f. Fees by program area and fee comparison to other public pools in the region;
- g. Annual audits and reviews demonstrating standards of care, outlined in Section 11, below, are met;
- h. Risk management documentation, outlined in Section 12, below; and
- i. Training certifications listed by staff members.

The Provider shall maintain reasonable evidence and documentation of these statistics and results and have these records accessible to the City at any time following ten (10) days written notice.

In the event of a third party dispute or conflict arising out of or related to this Lease, the City will use best efforts to notify and discuss the issue with Provider before engaging in any dialogue with the third party involved.

9. COMPLIANCE WITH LAWS AND REGULATIONS. The Provider shall comply with all city, county, state, and federal laws and regulations related to pool and aquatic program operations. These regulators and laws include but are not limited to:

- a. City of Menlo Park
- b. Menlo Park Fire Department
- c. San Mateo County Health Department
- d. California Department of Health Services
- e. California Department of Labor
- f. Occupational Safety and Health Administration (OHSA)
- g. Emergency Medical Services Authority (EMSA)
- h. Consumer Product Safety Commission & Virginia Graeme Baker Act
- i. Americans with Disabilities Act
- j. California Department of Fair Employment and Housing

10. HEALTH AND SAFETY. The Provider is required to maintain health and safety standards in a reasonable and acceptable manner for the Premises, participants, and its employees in compliance with City standards and the other regulatory agencies listed above. These standards include but are not limited to:

- a. Employee Injury and Illness Prevention Plan
- b. Hazardous Materials Communications and Business Plan
- c. Blood borne Pathogens and Bio Hazardous Exposure Control Plan
- d. Lifting and Fall Prevention
- e. Electrical Safety
- f. Emergency Action Planning
- g. First Aid
- h. Heat Illness and Sun Protection
- i. Confined Spaces
- j. Chemical Storage
- k. Personal Protective Equipment
- l. Recreational Waterborne Illnesses (RWI's)
- m. Signage

The Provider is responsible for keeping up to date with all changes, additions, or amendments to the laws, regulations and codes related to pool operations and aquatics programs.

11. STANDARD OF CARE. The Provider will provide aquatic programs and manage the Premises in a manner that is comparable to or above the standard of care that is reasonable and acceptable for a public pool in the surrounding communities. This standard of care should be demonstrated in all areas of operations including: supervision and lifeguard coverage, surveillance techniques, staff training, record keeping, maintenance and janitorial, cleanliness of facilities, safety, and risk management. The Provider is expected to ensure this standard of care by conducting annual audits by qualified external experts and including this information in the annual report to city staff and the City's Parks and Recreation Commission mentioned in Section 8, above.

12. RISK MANAGEMENT. The Provider shall take all appropriate and necessary steps to provide adequate risk management planning to minimize liability or negligence by the Provider. The Provider shall manage their risk by demonstrating proficiency in the following areas:

- a. Emergency Action Plan
 - Staff Training to Plan
 - Drills Conducted
 - Emergency Equipment
 - Communication Process
- b. Facilities & Equipment
 - Inspection
 - Maintenance
 - Checklists
 - Signage
- c. Supervision
 - Quality
 - Quantity
 - Lessons Plans & Progression
- d. Training
 - Requirements
 - Appropriate Staff
- e. Documentation
 - Manuals
 - Waivers
 - Medical Screening
 - Skills Screening
 - Risk Information Provided to Public
 - Policies
 - Evaluations

13. EMERGENCY ACTION PLAN AND PROCEDURES. The Provider shall create and maintain all emergency procedures and emergency action plans for the Premises. An emergency action plan is required under Title 29 of Federal Regulations Sections 1910.38/.120/.156, and Title 8 California Code of

Regulations, Sections 3220 and 3221. The emergency action plan covers all employees and non-employees who may be exposed to hazards arising from emergency situations. It must contain information for all of the Provider's employees, including administration and line level employees using the plan in order to reduce the severity of emergency situations and minimize the risk to life and property.

14. MAINTENANCE. The Provider shall maintain the Burgess Pool and the Belle Haven Pool in an orderly, clean and professional condition at all times. The Provider will be responsible for the maintenance and repair of the equipment and facilities at both of these sites including:

a. Burgess Pool:

- Three pools
- Offices
- Lobby
- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Fences and Gates
- Lawn Area
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

b. Belle Haven Pool:

- Two pools
- Office
- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Fences and Gates
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

The Provider shall maintain standard operation procedure manuals and maintenance records and logs. These records will include:

- Daily Pool & Chemical Log
- Check lists for routine maintenance and janitorial duties (Daily, Weekly, Monthly, Quarterly, Bi-annual, and Annual)
- Equipment Logs for each piece of major equipment with the maintenance schedule, maintenance contracts, record of work or repairs conducted, manufacturer guidelines, and specifications

The Provider shall maintain and continue all preventative maintenance agreements and contracts to ensure the quality and life of the equipment. The Provider will be responsible for all maintenance and repairs to equipment. Provider shall be responsible for repairs and replacement of all equipment due to failure or damage where the cost is less than One Thousand Five Hundred Dollars (\$1,500) per item at the Belle Haven Pool and Two Thousand Five Hundred Dollars (\$2,500) per item at the Burgess Pool. Provider shall arrange and be billed directly by the vendor for such repair(s) and/or replacement(s). Provider will also be responsible for any damage that is outside the normal wear and tear of the Premises and/or for failure to adequately maintain the Premises or any equipment. If damage beyond normal wear and tear of the Premises or any equipment is determined by the City, the Provider will be required to make the appropriate repairs within thirty (30) days of written notice. The City shall be responsible for individual repair/replacement for any item of equipment having a cost greater than One Thousand Five Hundred Dollars (\$1,500) per item at the Bell Haven Pool. For individual repair/replacement for any item of equipment at the Burgess Pool having a cost of between Two Thousand Five Hundred Dollars (\$2,500) and Twelve Thousand Five Hundred Dollars (\$12,500) per item, the City shall pay for the cost of the item, but the cost shall then be amortized over the greater of the life expectancy of the item or the Term of the Lease remaining, and Provider shall pay the monthly amortized cost of the replacement equipment with a reasonable rate of interest for the remaining Term of the Lease. If the cost of the item exceeds \$12,500, the City shall be responsible for the cost of the work. City shall be responsible for payment of the cost of replacement and reserves the right to perform replacement of the item. The Provider is responsible for reimbursing the City for the cost of repairs and replacement due to misuse, poor maintenance and/or damage caused by Provider, Provider's employees, agents and service users. The Provider shall assist the City by providing the necessary bids and due diligence for replacement of an item of equipment having a cost greater than \$2,500 to ensure an expedited process when possible and reduce any loss of operations. The City shall use its best efforts to respond to the Provider for all replacements for which the City is responsible within two (2) business days with a decision based on the information provided by the Provider.

15. SIGNAGE. The Provider will be required to maintain and provide all necessary and required signage for both Premises. These signs include:

- a. Maximum Pool Capacity & Hours
- b. No Lifeguard on Duty
- c. Children under 14 not allowed without an adult
- d. Shallow Water Diving Warnings
- e. Chemical Storage
- f. No swimming allowed after dark
- g. Pool Rules
- h. 911 Emergency
- i. Shower Before Entering Pool

- j. No Running
- k. Depth Markers
- l. First Aid/CPR
- m. Other signs as needed or required

16. **INSURANCE.** Provider shall acquire and maintain Workers' Compensation, Employer Liability, and Commercial General Liability relating the Provider's use of the Premises. The insurance company(ies) must be approved by the City. Provider will furnish City with certificates and copies of information or declaration pages of the insurance required. Provider would need to provide the City with thirty (30) days notice if any changes, cancellation, or non-renewals. Provider is required to disclose any self-insured retentions or deductibles, which shall be subject to City's approval, not to be unreasonably withheld. Provider's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability (cross liability endorsement). Provider's insurance coverage shall be primary insurance with respect to City, its Council, Boards, Commissions, agents, officers, volunteers or employees, and any insurance or self-insurance maintained by City, for themselves, and their Council, Boards, Commissions, agents, officers, volunteers or employees shall be in excess of Provider's insurance and not contributory with it.

The minimum amounts of coverage corresponding to these categories of insurance per insurable event shall be as follows:

Insurance Category	Minimum Limits
Workers' Compensation	Statutory Minimum - include endorsement waiving the insurer's right of subrogation against the City, its officers, officials, employees and volunteers.
Employer's Liability	One Million Dollars (\$1,000,000) per accident for bodily injury or disease – include endorsement adding the City, its officers, officials, employees and volunteers as additional insured for both ongoing operations as well as products and completed operations; include endorsement to provide primary insurance and waive any rights of contribution from the City's coverage.
Commercial General Liability	Three Million Dollars (\$3,000,000) per occurrence for bodily injury, personal injury and premises damages. Must include all areas in Insurance Service Office (ISO) Form No. CG 00 01

(including Products and Completed Operations if food is served or for repairs done by the tenant, Contractual Liability, Broad form property damage, Participants and spectators coverage, and Personal and Advertising injury liability)

If Provider fails to maintain any of the insurance coverage required herein, then City will have the option to terminate this Lease, or may purchase replacement insurance or pay the premiums that are due on existing policies in order that the required coverage may be maintained. Provider is responsible for any payments made by City to obtain or maintain such insurance and City may collect the same from Provider as Additional Rent.

Provider shall require any longer term renters and/or longer term sublessees (longer term shall mean and refer to renters/sublessees for more than a single use in any 12 month period) to maintain and carry the same coverage as described above, which policies shall name the City as an additional insured. Provider shall require such long term renters and/or long term sublessees to obtain and provide a certificate of insurance evidencing said coverage to the City.

Each party hereby waives and does hereby agree to obtain from each insurance carrier of the insured a "subrogation waiver endorsement" waiving its right of recovery to the extent of insurance proceeds, against the other party, the other party's officers, directors, agents, representatives, employees, successors and assigns with respect to any loss or damages, including consequential loss or damage to the insured's property caused or occasioned by any peril or perils (including negligent acts) covered by any policy or policies carried by the party.

17. INSPECTIONS AND AUDITS. The City reserves the right to conduct periodic and regular site inspections and operational audits.

- a. Safety: The Provider will be required to comply with the City's safety program guidelines and protocol. Quarterly inspections by an outside vendor will be conducted and recommendations for compliance will be enforced. City staff will be responsible for following up with the Provider on specific safety issues identified in the quarterly inspection. The Provider will be required to comply with the City's requests in a timely manner. In addition, documentation demonstrating compliance with all City, County, State and Federation Regulations will be required to be kept up to date and reviewed on an annual basis or more frequently as deemed necessary by the City.
- b. Maintenance: City staff reserves the right to conduct weekly, monthly, quarterly, and annual inspections of maintenance practices for the pool maintenance operations and facility cleanliness. The inspections will ensure the Provider is following the manufacturer's specifications

- c. Operations: An annual operational audit will be conducted by an external expert and industry professional approved by the City and paid for by the Provider. An observational audit, lifeguard skills assessment, and site inspection shall be conducted annually. An overall operational audit shall be conducted every two years. This audit should include but may not be limited to:
- Staff Skills Assessment
 - Staff Selection and Training procedures
 - Policies & Procedures Review
 - Site Inspection
 - Code Compliance and Record Keeping Practices
 - Adherence to Aquatic Safety Standards
- d. Financial Review/Audit: Provider shall provide complete financials for all aquatics programs and/or programs operated out of the Premises [with administrative costs/salaries that may be related to both aquatics and non-aquatics programs fairly allocated between such programs] prepared in accordance with generally accepted accounting principles and reviewed by an independent CPA for calendar years 2011-2014 on or before May 1, 2015 (or sooner if required to determine the FMV rate if Provider elects to terminate the Belle Haven Pool operations) for City staff and outside consultant review. The purpose for such review shall be for the negotiation of rent for the extended term and/or for purposes of negotiating a new lease. The City shall have the right to require audited financial statements in lieu of or in addition to the reviewed statements at the City's cost with an independent auditor to be selected by the City.

18. CITY ACCESS. Upon prior written notice to Provider, City shall have the right to restricted access to the Premises or any part thereof solely for certain municipal purposes which may include the performance of necessary maintenance and repairs of any and all structures or public improvements, heretofore or hereafter installed and/or constructed in or upon the Premises, the inspection of the Premises, or the use, maintenance, repair of adjoining areas; provided, as to maintenance or repair of the Premises, Provider has requested such maintenance or repairs or Provider has neglected such activity to the detriment of the Premises.

19. IMPROVEMENTS. Provider shall not make, nor cause to be made, nor allow to be made, alterations or improvements to the Premises not hereinabove specified (including installation of any fixture affixed to the Premises), without the prior written consent of City, not to be unreasonably delayed or withheld. All improvements or alterations constructed or installed

shall be removed and the Premises restored to substantially the same condition existing prior to such construction or installation, upon the termination of this Lease, unless the prior written approval of City is secured, allowing such improvements or alterations to remain in place, in which case, title thereto shall vest in City. All improvements undertaken pursuant to this Lease will be at Provider's sole expense and Provider will be responsible for the use and maintenance of the improvements.

20. NOISE. Except in the event of an emergency, Provider shall not use any amplified sound, whistles, bullhorns, music, etc., between the hours of 5:30 a.m. to 8:00 a.m., and/or from 8:00 p.m. to closing during any day of operation.

In order to minimize impacts of major events on residents of the surrounding neighborhood, the Provider will notify the City on a quarterly basis of all swimming meets or other large group events beyond normal operations to allow the City to notify the neighborhood in advance of such events.

21. PARKING. Provider shall instruct its patrons to park away from the nearest residences before 8:00 a.m. and after 8:00 p.m.

22. WAIVER OF CLAIMS. City assumes no responsibility for the guarding or safekeeping of the Premises, equipment, or improvements installed or constructed by Provider upon, or used in connection with, the Premises. Provider waives all claims against City, its Council, Commissions, agents, officers, volunteers, contractors or employees for any damages to the improvements in, upon or about the Premises and for injuries to any employees of Provider or their agents, invitees or sub-contractors in or about the Premises from any cause arising at any time, where City had no involvement or where such damages or injuries did not arise out of the instruction or guidance of the City. In no event shall the City be responsible for loss of profits or any consequential damages to Provider.

23. INDEMNIFICATION. Provider will defend, indemnify and hold City, its Council, Commissions, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property, from any cause of action arising at any time from the use of the Premises by Provider, and Provider's invitees, program participants, and visitors, or from the failure of Provider to keep the Premises in good condition and repair, including all claims arising out of the negligence of Provider, but excluding any damage or injury caused by the willful misconduct or negligence of City or its employees, agents or contractors. City will defend, indemnify and hold Provider, its members, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property, from any cause of action arising at any time from the willful misconduct or negligence of City or its employees, agents or contractors.

Each party's indemnification obligation set forth above will include any and all costs, expenses, attorneys fees and liability incurred by any indemnified party or person in defending against such claims, whether the same proceed to judgment or not. Each party will, at its own expense and upon written request by a party to be indemnified as provided hereinabove, defend any such suit or action brought against the party to be indemnified, its Council, Commissions, members, agents, officers, volunteers or employees (as applicable). This Section will survive the expiration or termination of this Lease.

24. HOLDING OVER BY PROVIDER. If Provider remains in possession of the Premises after the expiration of the Term of this Lease, and without executing a new lease but with the consent of City, then such holding over shall be construed as a year-to-year tenancy subject to all of the applicable conditions, provisions, and terms of this Lease, except that Provider shall pay to City the fair FMV rental value of the Premises as defined in Section 3. Either party may terminate any year-to-year tenancy by giving the other party notice of termination to be effective upon not less than six (6) months prior written notice.

25. HAZARDOUS MATERIALS. Provider shall not use or store any Hazardous Materials in, on, or about the Premises except in compliance with all applicable federal, state, and local laws, statutes, ordinances, and governmental regulations, and the highest standards prevailing in the industry for storage and use of any such Hazardous Materials, nor allow any Hazardous Materials to be brought in the Premises, except to use in the ordinary course of Provider's business, and then only after written notice to City of the Hazardous Materials to be used by Provider. Provider shall not cause or permit the escape, release, or disposal of any Hazardous Materials in the Premises. If any governmental agency or the beneficiary of any deed of trust against the Premises requires any testing of the Premises to ascertain whether any Hazardous Materials have been released in, on, or about the Premises, Provider shall reimburse City, as Additional Rent, for the cost of any such inspection if the inspection, together with any other evidence obtained by City, shows that the presence of such Hazardous Materials in the Premises was caused by Provider, its agents, employees, contractors or invitees.

In addition, Provider shall, at City's request, execute affidavits, representations, or other documents concerning Provider's best knowledge and belief regarding the presence of any Hazardous Materials in the Premises. Provider shall indemnify, defend, and hold harmless City from any liability, cost, or expense, including reasonable attorneys' fees, arising from the use, storage, release or disposal of any Hazardous Materials in, on, or about the Premises by Provider, its agents, employees, contractors, or invitees. The provisions of this section shall survive the expiration or earlier termination of this Lease.

For the purposes of this Lease, the term "Hazardous Material" shall mean any substance or material which has been designated hazardous or toxic by any

federal, state, county, municipal, or other governmental agency or determined by such agency to be capable of endangering or posing a risk of injury to, or adverse effect on, the health or safety of persons, the environment, or property, including without limitation those substances or materials described in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq.

26. ATTORNEY'S FEES. In any legal action brought by either party to enforce the terms of this Lease, the prevailing party is entitled to all costs incurred in connection with such an action, including reasonable attorneys' fees.

27. ARBITRATION. Any dispute regarding the breach of this Lease shall be decided by binding arbitration pursuant to the rules of the American Arbitration Association, and not by court action, except as otherwise provided in this Section or as allowed by California law for judicial review of arbitration proceedings. Judgment on the arbitration award may be entered in any court having jurisdiction. The Parties may conduct discovery in accordance with California Code of Civil Procedure. This provision shall not prohibit the Parties from filing a judicial action to enable the recording of a notice of pending action for order of attachment, receivership, injunction, or other provisional remedy. Venue for the resolution of any such dispute or disputes shall be in San Mateo County, California.

BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTER INCLUDED IN THE ARBITRATION OF DISPUTES' PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR BY JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.

WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION TO NEUTRAL ARBITRATION.

Provider

City

28. VENUE. Provider agrees and hereby stipulates that the proper venue and jurisdiction for resolution of any disputes between the parties arising out of this Lease is San Mateo County, California.

29. ASSIGNMENT AND NONTRANSFERABILITY. Provider understands and acknowledges that assignment of this Lease is absolutely prohibited without the written consent of City, and any attempt to do so without City's written consent may result in termination of the Lease at the will of City. Notwithstanding the foregoing, City shall grant permission to Provider to contract with other entities or organizations to provide some of the programs at the Premises and/or to sublease the Premises to other entities or organizations for certain hours, subject to prior notice to City. Such use is contingent, in part, upon said sub-user indemnifying and insuring City in the same manner and amount that Provider has indemnified and insured City under this Lease. City, its Council, Boards, Commissions, agents, officers, volunteers and employees shall be named as additional insureds. Any insurance policy maintained by a sub-user will be in addition to, and shall not replace, any insurance required of Provider.

30. LIENS AND ENCUMBRANCES. Provider shall have no authority to do anything that may result in a lien or encumbrance against the Premises. Without limiting the foregoing, however, Provider agrees to pay promptly all costs associated with the activities associated with this Lease and not to cause, Lease, or suffer any lien or encumbrance to be asserted against the Premises. In the event that Provider causes, leases, or suffers any lien or encumbrance to be asserted against the Premises related to activities associated with this Lease, Provider, at its sole cost and expense, shall promptly cause such lien or encumbrance to be removed.

31. TERMINATION OF LEASE.

a. Default. City or Provider shall have the right to terminate this Lease by written notice to the other party for any default or breach of any term or condition of this Lease by the other party; provided, however, the non-defaulting and non-breaching party must first deliver written notice to the other party of any such default or breach, and if such breach or default exists for more than thirty (30) days after the delivery of such notice without being cured, the non-defaulting and non-breaching party may elect to terminate this Lease by giving written notice of such termination to the defaulting party. Termination shall be effective on the date specified in the notice, which date shall not be less than thirty (30) days nor more than one hundred eighty (180) days following such notice. In addition to termination, the non-defaulting and non-breaching party shall be entitled to pursue any and all other remedies provided by law.

b. City Dissatisfaction. If City and/or Menlo Park community believes Provider has not satisfied community needs with respect to public access, service and program quality, public safety, noise restrictions and/or parking, City may deliver written notice to Tenant of such dissatisfaction and the Parties shall meet and confer within fifteen (15) days of Provider's receipt of such notice. If the matter is not resolved to the City Manager's satisfaction, City may terminate this Lease by giving written notice of such termination to Provider. Termination shall be effective not less than ninety (90) days after the date of such notice. Provider shall have the right to appeal such termination to the City Council within ten (10) days of Provider's receipt of such notice. Upon receipt of Provider's timely appeal, the Council shall place the matter on the City Council agenda and make the final determination with regard to the termination of the Lease and shall give written notice to Provider of such final determination. If the City Council determines the lease should be terminated, termination of the Lease shall be effective not less than ninety (90) days after the date of such notice.

c. Provider's Option. Provider may terminate the Lease at Provider's option upon the occurrence of any of the following:

- Upon the death of Tim Sheeper; or
- Upon the disability of Tim Sheeper, if such disability prevents him from running Provider's business operations for a continuous period of 60 consecutive days; or
- Upon financial hardship, which shall require not less than six (6) month written notice to terminate lease based on financial hardship

Termination shall be effective not less than ninety (90) days after the date of any such notice. In the event Provider does not elect to terminate the Lease as permitted herein, the Lease shall remain in full force and effect for the remainder of the Term, unless subsequently terminated for another cause or event as specified herein.

32. CONDITION OF PREMISES UPON TERMINATION. Upon the effective termination of the Lease, Provider shall restore the Premises to its condition prior to the execution of this Lease, remove all personal property, including furniture, furnishings, vehicles, and equipment, belonging to Provider or Provider's employees, invitees, and agents. Should Provider fail to perform those obligations by the effective termination date, the Parties agree to the following:

- a. Such remaining property shall be deemed abandoned and Provider waives all provisions for disposition of abandoned personal property required by California law including but not limited to California Code of Civil Procedure Section 1980 et. seq. (requiring notice for reclaiming abandoned property and public sale for disposition).

- b. City has the right to take action to remove Provider's personal property. Should City exercise this right, Provider shall be liable to City for:
- the actual cost of this removal, demonstrated by valid receipts and invoices;
 - a fifteen percent (15%) overhead to City for reasonable costs in contracting and supervising the removal work; and
 - any attorneys' fees incurred by City to remove Provider from the Property after termination, if necessary. Invoices must be paid within ten (10) days of submission of invoice to Provider. If not paid within this time, then interest will be charged at ten percent (10%) or the maximum extent allowed by law, whichever is less.

33. NOTICE. All notices under this Lease shall be in writing and, unless otherwise provided herein, shall be deemed validly given if sent by certified mail, return receipt requested, or via recognized overnight courier service, addressed as follows (or to any other mailing address which the party to be notified may designate to the other party by such notice). All notices properly given as provided for in this section shall be deemed to be given on the date when sent. Should City or Provider have a change of address, the other party shall immediately be notified as provided in this section of such change.

Provider

Team Sheeper, L.L.C
Attn: Tim Sheeper
501 Laurel Street
Menlo Park, CA 94025
(650) 369-7946

City

City of Menlo Park
Attn: City Manager
701 Laurel Street
Menlo Park, CA 94025
(650) 330-6610

34. COMPLETE AGREEMENT. This Lease contains the entire agreement between the Parties with respect to the matters set forth herein, and supersedes all prior or contemporaneous agreements (whether oral or written) between the Parties with respect to the matters set forth herein.

35. AMENDMENT. This Lease may be amended only by a written instrument executed by the Parties.

36. AUTHORITY. The individuals executing this Lease on behalf of Provider represent and warrant that they have the legal power, right and actual authority to bind Provider to the terms and conditions of this Lease.

37. NO WAIVER. Waiver by either party of a breach of any covenant of this Lease will not be construed to be a continuing waiver of any subsequent breach. City's receipt of rent with knowledge of Provider's violation of a covenant does not waive City's right to enforce any covenant of this Lease. No waiver by

either party of a provision of this Lease will be considered to have been made unless expressed in writing and signed by all parties.

IN WITNESS WHEREOF, the Parties have executed this Lease by their officers therein duly authorized as of the date and year first written above.

CITY OF MENLO PARK

By: _____

ATTEST:

City Clerk

TEAM SHEEPER, L.L.C.
501 Laurel Street
Menlo Park, CA 94025

By: _____
Tim Sheeper, Chief Executive Officer

GUARANTY

TIM SHEEPER hereby unconditionally personally guarantees all of the obligations arising or accruing during the term of the Lease and/or arising out of Provider's operation of the Premises. City is not responsible to enforce the terms of the Lease upon TEAM SHEEPER, L.L.C., or to first institute suit, or to pursue or exhaust its remedies against TEAM SHEEPER, L.L.C. TIM SHEEPER shall, without demand, pay City's reasonable attorneys' fees and all costs and expenses incurred by City in enforcing the terms of the Lease and/or this Guaranty.

This Guaranty shall inure to the benefit of City, its successors and assigns, and this Guaranty shall bind TIM SHEEPER, his legal representatives, and assigns.

TIM SHEEPER

Exhibits

- A. Burgess Pool Site Map
- B. Belle Haven Pool Site Map
- C. SOLO Agreement

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Memo

To: Parks and Recreation Commission
From: Derek Schweigart, Community Services Manager
Date: February 25, 2015
Re: Aquatics Contractor Required Annual Report

Background

The City of Menlo Park has provided aquatics programs at Burgess Park since the 1960's and at the Belle Haven pool since the 1980's. In 2006, the Burgess Pool was extensively renovated using Measure T bonds, including addition of a 25 meter x 25 yard lap pool, 25 yard x 50 foot instructional pool, a wading pool with a mushroom splash feature, locker rooms, showers, a central lobby, support offices and concrete pool decks. Prior to the renovation, the annual net cost to operate the pool was roughly \$590,000.

The Belle Haven Pool was traditionally operated by the City mid-June through late August and averaged about 5,500 participants per season. Prior to being contracted out to Menlo Swim and Sport in 2011, the 2010-2011 budget for the Belle Haven pool was \$184,000 which included the cost of City staffing and utilities.

Prior to completing the construction of the Burgess project and opening the facility in 2006, the City had undertaken a community-based budget process called *Your City/Your Decision*, the results of which provided guidance for making difficult budget reductions. As a result of this process, the aquatics budget was identified for reduction. Due to the nature of public aquatic programs and facilities, achieving full cost recovery was not seen as possible, given that the new facility -- with multiple pools -- would have higher costs than previously incurred. Several options for cost savings were discussed, including reduced operational hours, pool closure during winter months, and closing the Belle Haven pool entirely. An alternative solution was reached in May 2006, when the City of Menlo Park entered into a Lease Agreement with a private contractor, Menlo Swim and Sport, to operate the Burgess facility and provide aquatic programming year-round for five years. This original lease agreement expired in May, 2011.

In April 2010, the City began seeking proposals from aquatic providers to operate the Burgess Aquatic Facility and the aquatic programming with the expiration of the original lease with Menlo Swim and Sport. In addition, as a part of the development of long term

budget cutting strategies, staff decided to include the option to bid on operations at the Belle Haven Pool.

The Parks and Recreation Commission developed the general RFP requirements and appointed an RFP review subcommittee that included residents, pool users, City staff and aquatics experts.

Overview of the Pool RFP Process

The required scope of services for the Burgess Pool site included permitting operations between the hours of 5 a.m. and 10 p.m. seven days a week and 365 days a year. The RFP required that bidders provide, at a minimum, the following aquatic services: Recreational/Open Swimming, Swim Lessons, Lap Swimming, Masters Swimming, Swim Team, and Community Rentals. Additional proposal requirements for the Belle Haven Pool included opening the site for public use a minimum of 9 am to 7 pm during the summer season for, at a minimum, swim lessons, recreation/open swim, and lap swim.

The RFP required respondents to ensure that fees charged for public lap swimming, open/recreational swim, and swim lessons be comparable to rates and fees charged by other public facilities in surrounding communities and that rental space for other community organizations and users be provided on a reasonable and comparable fee basis. The RFP also required that the Belle Haven Pool remain an accessible community resource for the Belle Haven neighborhood and that Belle Haven Pool fees not exceed an approved rate or increase without prior City approval. The RFP indicated that all fees will be subject to review by City staff and the Parks & Recreation Commission for public input as part of an annual review process.

Similarly, the RFP required the bidder to demonstrate how they would remain in compliance with all city, county, state, and federal laws and regulations related to pool and aquatic program operations. The Provider was required to maintain health and safety standards, take all appropriate and necessary steps to provide adequate risk management and acquire and maintain Workers' Compensation, Employer Liability, and Commercial General Liability insurance through company/ies approved by the City. The RFP also stated that the City reserves the right to conduct or require periodic and regular site inspections and operational audits either internally or by outside aquatic experts.

The RFP required that the Provider be responsible for the maintenance of the equipment and facility at Burgess Pool including:

- Three pools
- Offices
- Lobby
- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Lawn Area
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

The RFP required that the Provider be responsible for the maintenance of the equipment and facility at Belle Haven Pool including:

- Two pools
- Office Area
- Locker Rooms & Shower Area
- Restrooms
- Pool Decks
- Supply Storage Areas
- Equipment/Mechanical Rooms
- Chemical Storage Areas
- Lights on Premises

The RFP asked the bidder to assume sole financial responsibility for the operation, maintenance, and expenses of the pool sites including

- The full cost of the separately metered utilities including electrical, gas, and water.
- The full cost of pool chemicals and equipment, janitorial services, building and equipment maintenance, and grounds maintenance to the same standards as performed by the City or per manufacturer or industry guidelines.
- The actual cost of the City staff time to provide contract oversight including costs of the Finance, Community Services, and Public Works Departments.

The RFP required the Provider to pay a rental fee for the usage of the Burgess Pool with options for providing services at the Belle Haven Pool. Respondents were asked to provide proposals for all three of the following lease agreements:

A. A monthly lease payment for the Burgess Aquatics Center

B. A monthly lease payment for the Burgess Aquatics Center and provision of seasonal pool operations at the Belle Haven Pool

C. A monthly lease payment for the Burgess Aquatics Center and provision of annual pool operations at the Belle Haven Pool

RFP Distribution and Response

The RFP was issued on August 30, 2010. The RFP was sent to three pre-qualified providers including Menlo Swim and Sport (current provider), California Sports Center (currently operating pools in the City of San Jose) and SOLO Aquatics (current Burgess Pool renter and swim club). In addition, the City sent the RFP to twelve other private aquatics operators in the area, predominately swim schools. Two proposals were submitted to the City, including proposals from Menlo Swim and Sport and SOLO Aquatics. After extensive community input and debate by the Committee, the Parks and Recreation Commission recommended approval of a lease agreement with Menlo Swim and Sport. It is estimated that this process, which took place over roughly a year, consumed more than 1000 hours of City staff time, including the City Attorney, City Manager, Community Services Director, Assistant Public Works Director and Community Services Manager.

Balancing Public and Provider Needs in an Appropriate Business Model

As a private-public partnership, the lease agreement is constructed to allow the operator to implement a successful business model resulting in enough profit to allow a lease payment as well as a fair return to the operator. The assumption is that maintaining a fair and

reasonable profit for the operator while balancing community needs is important to maintaining the long-term quality and success of the aquatics programs. In exchange for a reasonable profit, the operator will be expected to maintain certain standards and serve a wide spectrum of aquatic users. The lease also allows the contractor to operate with a high degree of autonomy given their position as the direct service provider closest to the end users and the deepest understanding of the program needs for the entire aquatics community that this position implies.

While the City, through the work of staff and the Parks and Recreation Commission, provides oversight of overall operations and ensures community satisfaction and safety, the contractor is responsible for daily operations, schedules, fees, maintenance, customer communication, and the core functions of aquatics programs. The business model implied in the lease allows for competition in order to provide the highest quality programs, whether provided by the operator directly, by a rental group or additional contractor, or by both. Competition and choices allow participants options and meets the diverse needs of the community. In addition, the business model allows the provider to offer new programming and develop creative ideas to supplement traditional and long-standing aquatics programming. This allows the operator to meet the ever-changing and evolving needs of the community.

Rental Payment

In determining the appropriate rental payment for the lease agreement, staff considered the following:

- Impact of the rental fee on the long-term sustainability of the operator
- Impact of the rental fee on the operator's ability to maintain high quality programming
- Impact of the rental fee on the operator's ability to maintain participant safety
- The impact of existing program subsidies and community benefit
- City General Fund savings from elimination of utilities, chemicals, maintenance and other costs
- The limitations of the physical capacity of the pool and the result on the operator's ability to generate additional revenue
- The age of the pool and the increasing cost of maintenance over time

The Lease Agreement (Attachment A) requires MSS to provide an annual report to the Commission in February of each year that includes:

- a. Total program hours by program area;
- b. Participation statistics by program area including resident and non-resident percentages;
- c. Customer satisfaction survey results;
- d. User group feedback by program area or rental;
- e. Pool schedule and allocation by program for previous year and projections to the upcoming year;
- f. Fees by program area and fee comparison to other public pools in the region;
- g. Annual audits and reviews demonstrating standards of care, outlined in Section 11, below, are met;
- h. Risk management documentation, outlined in Section 12, below; and
- i. Training certifications listed by staff members.

Discussion

The 2015 report, being received this month by the Commission, is an important milestone, as the current Lease expires in May of 2016, and the Commission will be asked to recommend to the Council an extension of the lease for an additional time period to be determined, or another RFP process, which would need to begin in May of this year.

City staff is requesting that the Parks and Recreation Commission consider the following questions in order to provide feedback and direction on the topic of a lease extension or an RFP process:

1. Given the performance record of MSS as well as a lack of other qualified aquatics providers and the staff time required for a full RFP process, does the Commission support a contract extension with MSS?
2. If so, what questions does the Commission have about Aquatics operations, the current provider and the current lease that would provide a basis for input in changes to the lease to include in an extension?, an RFP process or other options? Additional information may include, but not be limited to, contracted service examples and best practices in other Parks and Recreation agencies.
3. If the Commission does not support a lease extension at this time, what additional information is needed in order to weigh the pros and cons of a lease extension versus a complete RFP process?
4. What are the next steps the Commission would like to take?

Suggested Time Line

City staff suggest the following time line for developing a recommendation to the Council on this topic:

February meeting:	Review annual report from MSS Discuss above focus questions and others Direct staff on additional information needed, if any
March meeting:	City staff provide update to the Commission on information requested and proposed process. Commission recommend lease changes / stipulations
April meeting:	Commission finalize recommend lease extension (or RFP process)
May meeting:	Recommendation to Council to extend lease or issue RFP\

Attachments:

1. MSS Annual Report to City of Menlo Park 2015
2. Team Sheeper, LLC Lease Agreement 2011



PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-068

CONSENT CALENDAR: **Adopt a Resolution to Support the City of Menlo Park's Beacon Award Application for Sustainable Cities**

RECOMMENDATION

Staff recommends that Council adopt a resolution (Attachment A) supporting the City of Menlo Park's Beacon award application.

POLICY ISSUES

Submission of a Beacon Award application is consistent with the City of Menlo Park's Climate Action Plan. Participating in the program may increase the City's competitiveness for future state or other grant funding for energy or climate programs.

BACKGROUND

The Beacon Award for Local Leadership in Solving Climate Change is offered by the Institute for Local Government (ILG) and the Statewide Energy Efficiency Collaborative. ILG is the non-profit research and education affiliate of the League of California Cities and the California State Association of Counties.

The Beacon Award is a tiered award granted to cities that submit a qualifying application. City of Menlo Park's proposed Beacon Award Application will highlight efforts the city is already undertaking.

Participating agencies are required to complete each of the following six elements to win a Beacon Award:

1. Agency Greenhouse Gas Reductions
2. Agency Electricity Savings
3. Agency Natural Gas Savings
4. Community Greenhouse Gas Reduction
5. Activity Promoting Energy Efficiency in the Community
6. Activities in each of the Institute's ten Sustainability Best Practice Areas:
 - a. Energy Efficiency & Conservation
 - b. Water & Wastewater Systems
 - c. Green Building

- d. Waste Reduction & Recycling
- e. Climate-Friendly Purchasing
- f. Renewable Energy & Low-Carbon Fuels
- g. Efficient Transportation
- h. Land Use & Community Design
- i. Open Space & Offsetting Carbon Emission
- j. Promoting Community & Individual Action

Additional information about the program can be found at <http://www.ca-ilg.org/beacon-award-program>.

ANALYSIS

In order to participate in the Beacon Award, Menlo Park must complete an application including the following actions:

- Adopt a City Council resolution committing the City to participate in the program;
- Designate the Environmental Programs Manager as a point of contact;
- Provide a baseline greenhouse gas emissions inventory for City facilities and the community as a whole (the City’s previously completed inventories will be submitted);
- Provide a climate action plan that includes actions in each of the Best Practice Areas (the City’s previously completed CAP will be submitted);
- Demonstrate compliance with AB 939, the California Integrated Waste Management Act of 1989 (the City is in compliance and data will be provided in coordination with information from the City’s solid waste Joint Powers Authority, RethinkWaste); and
- Achieve specified measurable greenhouse gas reductions and energy savings in City facilities, and achieve measurable greenhouse gas reductions and promote energy conservation activities in the community.

Participating cities and counties will be recognized with a Silver, Gold or Platinum Beacon Award for achieving specified measureable reductions. Awards are achieved through the tiered scale of criteria below:

Beacon Award		Silver	Gold	Platinum
Agency Facilities & Operations				
GHG Reduction	Percent in agency facilities & operations	5%	10%	20%
Energy Savings	Percent in agency facilities & operations from energy efficiency retrofits	5%	10%	20%
Community				
GHG Reduction	Percent in the community as a whole	5%	10%	20%
Energy Savings	Number of activities that promote energy efficiency in the community	1	2	4
Best Practice Areas	Number of activities in each of the ten Best Practice Areas	1	2	3

Next Steps

If City Council approves the resolution of support (Attachment A), staff will complete the application using the program descriptions attached (Attachment B).

IMPACT ON CITY RESOURCES

Application for the Beacon Award can be undertaken by the current City of Menlo Park Environmental Programs staff resources. There is no application fee. The proposed City of Menlo Park Beacon Award Application will highlight efforts the City of Menlo Park is already undertaking, and does not require new programs. Participating in the program may increase the City's competitiveness for future state or other grant funding.

ENVIRONMENTAL REVIEW

The adoption of a resolution does not require an action 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. Resolution to support the City of Menlo Park's Beacon Award Application
- B. Summary of City of Menlo Park's efforts to reduce greenhouse gas emissions and energy use; adopt policies and programs to address climate change; and promote sustainability

Report prepared by:
Heather Abrams
Environmental Programs Manager

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RESOLUTION NO. _____

**RESOLUTION OF SUPPORT TO PARTICIPATE IN THE INSTITUTE
FOR LOCAL GOVERNMENT'S BEACON AWARD: LOCAL
LEADERSHIP TOWARD SOLVING CLIMATE CHANGE**

WHEREAS, the City of Menlo Park is undertaking policies, programs and activities to reduce greenhouse gas emissions and save energy; and

WHEREAS, these policies, programs and activities conserve natural resources, save energy and money, and promote sustainable land use and transportation planning in the community; and

WHEREAS, cities and counties statewide are leading by example by adopting innovative sustainability programs and policies, including working with community residents, business groups and others; and

WHEREAS, the City has adopted a number of Climate Action Plan programs and a goal of reducing Green House Gas emissions by 27% by 2020 from 2005 levels; and

WHEREAS, the City of Menlo Park wishes to expand these activities, share its experiences with other communities, and be recognized for its accomplishments; and

WHEREAS, the Beacon Award: Local Leadership Toward Solving Climate Change is a voluntary program of the Institute for Local Government, the non-profit research and education affiliate of the California State Association of Counties and the League of California Cities; and

WHEREAS, the Beacon Award recognizes and celebrates achievements of cities and counties that reduce greenhouse gas emissions and save energy; and

WHEREAS, participating in the Beacon Award is an opportunity for the City of Menlo Park to be recognized for its efforts to promote sustainability, reduce greenhouse gas emissions and save energy; and

NOW THEREFORE BE IT RESOLVED by the City Council of Menlo Park that:

The City of Menlo Park agrees to participate in the Beacon Award: Local Leadership Toward Solving Climate Change; and be it further

The City of Menlo Park will work towards achieving the Silver, Gold and/or Platinum Beacon Award levels.

I, Pamela Aguilar, City Clerk of the City of Menlo Park, do hereby certify that the above foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on the fifth day of May, 2015, the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this fifth day of May, 2015.

Pamela Aguilar
City Clerk

Measures	Number of Implemented Measures in this Strategy Area	Total Measures Implemented in this Strategy Area
Energy Efficiency & Conservation		29
Menlo Park markets the statewide Energy Upgrade program which rebates residents \$1,000-\$4,000 for making energy-efficient home improvements.	1	
The City is partnering with San Mateo County and the Energy Watch program to provide targeted outreach to small businesses regarding free commercial energy audits and rebates available for energy saving retrofits.	2	
Menlo Park is hosting a Homeowner Workshop scheduled for April 16, 2015 in the Belle Haven Neighborhood Community Center in partnership with Energy Upgrade and BayRen.	3	
Energy Efficient Lighting		
The City retrofitted 476 streetlights with light-emitting diode (LED) lights in February 2012.	4	
Energy Assessment Rebate		
The City offers a \$300 Energy Assessment Rebate for residents participating in the Energy Upgrade program. An energy assessment is where an Energy Auditor conducts an in depth evaluation of a home's energy consumption, checks the operation of its heating and cooling system, and determines measures that can be taken to improve efficiency.	5	
The City has achieved the 3rd highest participation in San Mateo County in the statewide Energy Upgrade program due to staff's heavy marketing, providing education workshops, and offering energy assessment rebates.	6	
Water Conservation		
In 2012, the City of Menlo Park installed a water-efficient demonstration garden in front of its City Hall building. Water-efficient plants replaced grass and drip irrigation replaced the previous sprinkler system. Residents can also pick up the garden's informational brochure which includes water-conservation tips such as how to group certain plants together for maximum water-efficiency and how mulch and compost can help absorb moisture, enrich soil, and reduce weeds.	7	
City Water Conservation		
The City is investigating water-efficient retrofits to city facilities, and currently conducting testing of low flow urinals, significantly reducing water use per flush.	8	
The slogan "A Little Dirt Won't Hurt, Menlo Park is Saving Water" was installed on all City vehicles to help explain why the vehicles are a little dustier than normal. When vehicles and equipment do require washing, they are driven onto the turf at the Corporation Yard where the soapy/dirty water is absorbed by the landscaping.	9	
All City water fountains are filled with repurposed water collected by the Public Works department when flushing water mains. This potable water is also collected and re-used for a variety of other maintenance tasks, including watering trees.	10	
Storm drain water is collected and repurposed to power-wash sidewalks within the City.	11	
Irrigation in Fremont Park was deactivated and 25% of the turf was converted into woodchips.	12	
Landscaping around the City library is being redesigned to remove all turf and install drought tolerant landscaping and educational kiosks.	13	
All hoses used by the City and the City's contractors have been equipped with control sprayers. All park sprinklers and medians were evaluated; sprinklers along the edge of the turf or landscape have been turned off in order to eliminate any overspray or runoff onto the adjacent hardscape. These "water conservation zones" are identified with signs informing the residents that the irrigation has been turned off to save water.	14	
The City removed sections of turf to replace it with drought tolerant plants and layers of mulch. Three to four inches of wood chips were added to all city trees planted last year and this mulching is included specifications for all new city planted trees.	15	
The City-Approved Tree Species has been revised to emphasize drought tolerant species, utilizing 20% of current fiscal year tree-planting budget, with plans to increase to 40% of next fiscal year budget to purchase trees from a nursery that utilizes reclaimed water to cultivate container grown trees.	16	
Water Conservation Programs available to MPMWD Customers		
The City provides free water-conservation items to residents including kitchen aerators, bathroom aerators, low-flow shower heads, low-flow hose nozzles, toilet leak detection tablets, and a water-efficient landscaping CD.	17	
The City offers a High-Efficiency Toilet Rebate Program, in which residents and businesses are eligible for a rebate of up to \$100 for purchasing a qualifying high-efficiency toilet (HET).	18	
The City offers a Washing Machine Rebate Program in which residents and businesses are eligible for a rebate of up to \$125 for purchasing a qualifying energy-efficient/water-efficient washing machine.	19	
The City offers the Lawn Be Gone Program, in which residential and commercial customers are eligible to receive a rebate of up to \$2 per square foot for replacing their lawns with a water-efficient landscape, with no limit on the total amount. The City of Menlo Park has allocated \$145,000 in the fiscal year 2014-15 for these rebates. The City has increased its support for this program each drought year.	20	
The City's newest water conservation program, the Conserve-A-Scape Program is now available. Conserve-A-Scape Program is a landscape assistance program designed to aid residents and participants of Lawn Be Gone with minimal knowledge in landscape design. Residents can apply to receive a professional landscape consultation, design plan, and plant list for \$50; a \$4000 value in which the City pays the \$350 remainder of design fee.	21	
The City offers a free Landscape Analysis Program to commercial and multi-family customers (valued at \$1,400) in which an irrigation expert conducts a landscape irrigation audit and provides a detailed report on how to improve water-efficiency and save on water costs.	22	
The City provides free Water-Use Analysis Reports which are distributed on a monthly-basis providing each irrigation customer with their historical water consumption, recommended water-budget (based on sq. footage of irrigated landscape), and estimates on the amount of money that can be saved with proper watering. All City "irrigation" accounts have been placed in the Free Water-Budget Report program. The City also began a water-budget pilot for ten single-family residents.	23	

The City has teamed up with Bay Area Water Supply and Conservation Agency (BAWSCA) to offer free Water-Efficient Landscape Education Classes, providing the public with seasonal landscape education classes. Past topics include growing drought-tolerant edible-herbs, creating a habitat garden with California Natives, and learning about lawn replacement. 24

Energy Generation / Renewable Energy Procurement

The City plans to Install solar photovoltaic (PV) panels on five City facilities in 2015, as a result of actively participating in the Regional Renewable Energy Procurement Project. 25

The City participates in Peninsula Sunshares program to provide easy access to residential solar via competitive procurement process, as an enhanced option for residents. 26

The City participates in two PACE financing options: HERO and California 1st. 27

Grid Alternatives has installed PV solar systems for lower income housing in 8 locations within Menlo Park. 28

The City eliminated solar permitting fees in 2007. 29

Water and Wastewater Systems

4

The City Council of Menlo Park recently increased the City's turf replacement rebate program budget to motivate water customers to convert their lawns into water efficient landscapes. 1

Sharon Heights Golf Course is actively pursuing a project with West Bay Sanitary District to provide recycled water to the only golf course within the City limits of Menlo Park, which the golf course plans to complete in 2017. 2

The City established a water waste reporting hotline and sends a uniformed code enforcement officer to investigate and provide water conservation education to reported property owners. 3

Watershed Management Plans

The City provides annual funding to Acterra's San Francisquito Creek Watershed Program, a nonprofit organization that helps educate residents to become stewards of the creek through restoration days and litter removal events conducted throughout the year. Every September, the City's Environmental Programs division coordinates and organizes a creek cleanup day event in the San Francisquito Creek. 4

Green Building

10

In Menlo Park, there are currently 13,124 housing units within 1/2 mile of transit stops. 1

The City Council of Menlo Park adopted the development of a Sustainable Building Program as one of the Council's priorities in fiscal year 2008-09. The City has since implemented a phased approach to the program. Phase One was implemented in July 2008, making the submittal of the LEED checklist for all new non-residential projects over 10,000 square feet in size a voluntary measure. Phase Two expanded the scope of projects to include all mixed-use projects and new residential projects of more than five dwelling units in the voluntary program. Phase Three made the submittal of the checklists mandatory as of February 2009 for the types of projects noted above. 2

To date, six pending or approved development projects have submitted the required checklists and committed to LEED certification levels. Three of the six projects have also committed to pursuing certification. All of the projects that have triggered the checklist submittal have been new commercial buildings. 3

The City pursued early adoption of the State Green Building Code. The purpose of the State Green Building Code is to enhance "the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices." The State Green Building Code was voluntary, unless locally adopted by a jurisdiction. Mandatory compliance became effective in 2011. 4

The City has installed a Green Building Interactive Display in the Building Counter lobby. 5

The Menlo Park Building Official reports at least 20 home Electric Vehicle (EV) Chargers have been installed in FY 2014-15. 6

In 2010, the City joined the CaliforniaFIRST program and the ABAG "Retrofit Bay Area" program. Both programs successfully competed for grant funding through the California Energy Commission and initiated kickoff meetings in February 2010. CaliforniaFIRST will enable property owners in over 100 cities and counties throughout California to apply for loans to complete energy- and water-efficiency upgrades to their properties and to repay the loans via assessments on their annual property tax bills. Retrofit Bay Area will supplement the CaliforniaFIRST program by providing customer and contractor resources and program materials and by paying the Bay Area cities' and counties' startup costs. In 2014, Menlo Park added the HERO program to allow two PACE financing options. 7

Construction and Demolition

In 2015, the City adopted the Green Halo system, used to track construction and demolition projects, estimate debris, and process refunds that meet the city's 60% debris diversion rate. 8

The City's current construction and demolition diversion required rate is at 60%, 35% of which can consist of inerts; this requirement was adopted by ordinance and construction projects over a certain size must make a financial deposit to ensure they meet the requirement. 9

Green Business

The City Council approved funds to research and compete for grant funding to retain the services of a Climate Coordinator for the City and to explore participation in the County's Green Business Program. The City submitted a proposal to the USEPA's Climate Showcase Communities program in 2009. Although not selected for funding in 2009, City staff will continue to seek the funding necessary to enable Menlo Park's business community to participate in this program. 10

Waste Reduction and Recycling

5

The city has implemented a Reusable Bag Ordinance that bans plastic bags and charges a fee paper bags at checkout to encourage customers to reduce waste by bringing their own bag. This was done on Earth Day in 2013. 1

The City began implementing a Polystyrene Ordinance in November 2012 which prohibits food vendors, (including restaurants, delis, cafes, markets, fast-food establishments), vendors at fairs, and food trucks from dispensing prepared food in polystyrene and styrofoam containers labeled as No. 6.

2

Recycling

The City offers a free organics recycling program for single-family customers which allows residents to recycle yard trimmings, food scraps (such as meat, cheese, eggs, vegetables), and contaminated paper (such as napkins, pizza boxes, and paper cups) in their green cart.

3

The City Facility recycling efforts include providing a recycling bin and trash bin in every cubicle and tri-bins (recycling, trash, and compost) provided city-wide with signage and clear labelling made visible.

4

The City is a member of the South Bayside Waste Management Authority (SBWMA), also known as RethinkWaste. The Shoreway Center, located in San Carlos is currently constructing improvements to its capacity to handle and sort large volumes of recyclable materials. Beginning in spring 2011, the facility will resume full operations and will feature a new, state of the art materials recovery for sorting single stream recyclables, an expanded transfer station for more recycling and customer convenience, green building features such as solar panels and use of natural light and a new environmental education center and demonstration gardens. A new recyclable and solid waste collection contractor (Recology) will begin operations in Menlo Park and throughout the SBWMA service area in January 2011. The new service will include single-stream recycling and collection of compostables.

5

Climate-Friendly Purchasing

4

The City adopted an Environmental Purchasing Policy that will be implemented July 1, 2014.

1

Integrated Pest Management Policy (IPM) has been implemented to reduce purchase and use of toxic pesticides and has resulted in improved practices, noticing, and lower amount of pesticides used in all City facilities, particularly parks and child care facilities. IPM implementation of note includes bringing in goats to remove ivy from City Hall Campus and to remove grasses from hillside natural areas.

2

The City currently owns 4 hybrid vehicles in fleet.

3

The City is considering replacing nearly 50% of it's fleet cars with electric vehicles in the coming fiscal year.

4

Renewable Energy and Low-Carbon Fuels

3

Approximately 250 solar systems have been installed on Menlo park residents and businesses. This equates to roughly 2% of households.

The Menlo Park City Council has adopted a non-binding resolution of support for a San Mateo County community choice agregation (CCA) to bring additional renewable power to the community.

Approximately 20 electric vehicle (EV) chargers were installed on private propoerty in FY 2014-15, and four public use EV chargers will be installed in public parking lots in Menlo Park in 2015.

Efficient Transportation

10

City employees that choose to take public transit to work currently receive a \$50 subsidy if they purchase a monthly pass from a transit agency (Caltrain, SamTrans, VTA, Bart, etc)

1

City employees will receive \$1.50 per day if they choose to carpool, ride their bicycles, or walk to work. The program is limited to \$30 a month per employee.

2

Vehicle Fuel Efficiency

In FY 2014-15, the City purchased 12 new vechiles to increase fuel efficiency, by replacing vehicles dating back to model year 1989.

3

Other Transportation Measures

The City currently manages four shuttle routes: the Mid-day Shuttle, Willow Road Shuttle, Marsh Shuttle, and the Shoppers' Shuttle. More information available on the city's website: <http://menlopark.org/156/Shuttle-Services>

4

Adopted Bicycle Development Plan in 2004. Also, please refer (below) for list specific projects. <http://www.menlopark.org/161/Comprehensive-Bicycle-Development-Plan>

5

The City of Menlo Park recently added shared-lane markings on Menlo Avenue and University Drive adjacent to downtown Menlo Park. The City als added green bicycle lane marking along Willow Road providing a clear East-West cross town route.

6

The City installed a bicycle box on Middlefield Road at Willow Road.

7

The City has also adopted the El Camino/Downtown Specific Plan and is spurring transit-oriented development projects in the plan area (389 El Camino Real completed).

8

The City has received grants to install green bicycle lanes, buffered bicycle lanes, shared-lane markings, close sidewalk gaps, install audible pedestrian signals at traffic signals, and install in-roadway warning lighted crosswalks in 2014-2015 and 2015-2016.

9

The Streetline Parker mobile app is available, which provide maps of the City's public parking plazas.

10

Land Use and Community Design

3

The City of Menlo Park holds a Farmers' Market every Sunday morning in a parking plaza in downtown Menlo Park (Contact is Jim Cogan).

1

Sustainable Planning Efforts

The City's Specific Plan's efforts include improvements to walkability, for buildings to achieve LEED silver, and for the ZO amendment to allow higher densities in the R-3 zone near downtown.

2

The City's Housing Element Update added the high density residential R-4-S district and relaxed the regulations for secondary units.

3

Open Space and Offsetting Carbon Emissions

9

The City adopted a Climate Action Plan in 2009, in 2011 added GHG reduction target of 27% less than 2005 levels.

1

Sustainable Events

The City offers monthly compost giveaways held at Bedwell Bayfront Park, located at the intersection of Bayfront Expressway and Marsh Road, on the first Saturday of every month except December and January starting at 7:00 am. Menlo Park residents are also welcome to pick up free compost daily and year-round at the Shoreway Environmental Center, located at 333 Shoreway Road in San Carlos.

2

The City of Menlo Park provides a Door-to-Door Hazardous Waste Collection Service to Menlo Park residents.

3

The City of Menlo Park and the County of San Mateo host bi-annual household hazardous waste drop-off events, free of charge by appointment. The next event is being held at the City of Menlo Park Corporation Yard on Saturday, April 11.

4

The City of Menlo Park and Peninsula Volunteers, Inc. have partnered up to place a pharmaceutical drop box at Little House Activity Center located in Nealon Park. Simply place any unused or unwanted legal drug into the receptacle, and it will be properly disposed of.

5

The City of Menlo Park provides a bi-annual shredding and electronics waste recycling events to residents and businesses. The next event is being held at the City of Menlo Park Corporation Yard on Saturday, May 2nd.

6

The City has a Heritage Tree Ordinance in place, which required review of tree removal application by the City Arborist, and Environmental Quality Commission (EQC) as needed. The EQC has active Heritage Tree subcommittee.

7

Menlo Park is a Tree City USA Growth City, earned by planting more City trees than the City removes.

8

The City's closed landfill has been converted to well used open space called Bedwell Bayfront Park, supported by City maintenance efforts and an active Friends of Bedwell Park group.

9

Community Individual Action

10

The City provides free reusable bags and "Got Your Bags? Reminder window decals to residents.

1

The City provides free buckets to residents to promote household water conservation.

2

Active community volunteers have started a new non-profit called MenloSpark to make Menlo Park climate neutral. In FY 2014-15 MenloSpark received a significant grant from the Hewlett Foundation to implement its plan and raise additional funds from private donors for local climate action.

3

Menlo Park residents are key organizers in San Mateo Community Choice, an NGO supporting community-wide procurement of renewable energy via community choice aggregation (CCA) <http://sanmateocommunitychoice.org/>

4

The City of Menlo Park sponsors the annual Coats for Kids program where residents can recycle gently used coats at select City facilities or through the curbside recycling program.

5

The City promotes and participates in the annual "Bike to Work" day event.

6

The City hosts an annual community tree planting for Arbor Day.

7

The City sponsors local non-profit Acterra to coordinate volunteers to conduct: two creek clean up events annually, litter removal as needed, and installation and maintenance of a rain garden on City property

8

The City Council and the Environmental Quality Commission have awarded 49 proclamations to date recognizing individuals' community action benefiting the environment.

9

The City established a water waste hotline and a light duty code enforcement officer has responded with educational materials to 32 reports of water waste.

10

Total City Measures Implemented	87
--	-----------



PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-070

CONSENT CALENDAR: Authorize the City Manager to Execute an Agreement for Architectural Rendering Services up to \$10,000 for the Santa Cruz Sidewalk Project

RECOMMENDATION

Authorize the City Manager to Execute an Agreement for Architectural Rendering Services up to \$10,000 for the Santa Cruz Sidewalk Project.

POLICY ISSUES

Due to the high profile nature of this project, visual aids will be created to better communicate the look and feel of the completed project.

BACKGROUND

On March 10, 2015, the City Council considered options for the Santa Cruz Sidewalks project and ultimately approved the preferred alternative with the following revisions/directions:

- Design six foot wide sidewalks so long as they do not impact heritage trees, large hedges or fences or other permanent improvements, and where there is an impact the design would decrease to five feet or not less than four feet around a heritage tree if necessary;
- Explore leaving parking on the south side between Fremont Park and Fremont Street or potentially Arbor and if the existing sidewalk can be improved that it be made ADA compliant;
- Explore future undergrounding with PG&E on the south side and that this be done at the same time;
- Prioritize human safety, i.e. favor bike buffer over sidewalk width around heritage trees but that heritage trees take priority over the bike buffer so long as a four foot sidewalk is maintained.

The next step for staff includes proceeding with the design of six foot sidewalks taking into consideration the impacts that have been identified and if there are areas that need further consideration by Council, they will be brought back in a future study session.

ANALYSIS

In advance of the initial project surveys and design work, staff will contract with Callander and Associates Landscape Architects to develop architectural based renderings of the final project. Callander and Associates will provide at least one aerial image, and multiple cross section renderings of the final project for visual presentation purposes.

IMPACT ON CITY RESOURCES

There are sufficient funds remaining in the project budget to fund this task.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Class I of the current State of California Environmental Quality Act Guidelines, which allows minor alterations and replacement of existing facilities.

PUBLIC NOTICE

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

Report prepared by:
Jesse T. Quirion
Director of Public Works



PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 5, 2015
Staff Report #: 15-074

CONSENT CALENDAR: Adopt a Resolution of Intention to Abandon Public Right-of-Way and Public Utility Easements within the Property at 1221 Willow Road for the Mid-Peninsula Housing Project

RECOMMENDATION

Staff recommends that the City Council adopt a Resolution of Intention (Attachment A) to abandon the frontage road and public utility easements within the property at 1221 Willow Road.

POLICY ISSUES

The City is legally required to go through this three step process in order to abandon the right-of-way and Public Utility easements as a means of creating 90 new affordable housing units.

BACKGROUND

On September 9, 2014, the City Council adopted a resolution to authorize a loan to Mid-Peninsula Housing for up to \$3.2 million for affordable Senior Housing project at 1221-1275 Willow Road. The proposed development would include a net increase of 42 affordable units at this location, resulting in a total of 90 units. This property is located on the west side of Willow Road, between Newbridge Street and Ivy Drive.

On March 23, 2015, Mid-Peninsula Housing, property owners of 1221 Willow Road, applied for the abandonment and submitted a tentative parcel map. The abandonment request includes partial vacation of the frontage road that runs along the Willow Road frontage of the property, a deed transfer of a portion of the frontage road to the south, and abandonment of multiple Public Utility Easements (PUE) within their property (Attachment B).

Mid-Peninsula Housing will be applying for State tax credit (Round II) on July 1st. As part of the application, approval of the frontage road abandonment and deed transfer is required. The final recorded parcel map is not required for the application. To meet the application deadline of July 1st, the approvals are needed by June 16th. If Mid-Peninsula Housing misses this round of applications, they will not be able to submit until 2016.

ANALYSIS

The applicant is requesting that the City abandon a portion of the frontage road on the 1200 block of the complex. The width of the vacation will be 34', which will provide the project the necessary width to meet parking, access road, and setback requirements. The City will retain 25' of the frontage road, and the new right of way line will be consistent with that of the adjacent property to the south. This will allow the City flexibility for future improvements along Willow Road. Within the portion of the roadway to be vacated, a new 30' public utility easement is being proposed to allow the existing public utilities to remain in place. The applicant will also be requesting approval of the tentative parcel map at the June 16, 2015 City Council meeting. The parcel map will remove all existing easements and create the proposed new easements as part of the project.

Abandonment Procedure

This action first requires that Council adopt a Resolution of Intention to abandon a public easement. The Resolution of Intention forwards the abandonment request to the Planning Commission for its consideration and recommendation at its May 18, 2015 meeting and sets the time and date for the City Council public hearing for June 16, 2015 at 7:00 p.m. The Planning Commission will review the abandonment to determine if it is compatible with the City's General Plan. At this meeting the Planning Commission will also be hearing a study session for the Mid-Peninsula Housing project for R-4-S compliance. The Planning Commission will forward its recommendation to the City Council for approval of the abandonment at a public hearing. The Engineering Division will advertise notices of the public hearing in The Daily News and at the site in accordance with the requirements of the Streets & Highways Code. An affidavit of posting will then be filed with the City Clerk. Should the utility agencies, affected parties, Planning Commission and City Council consider the abandonment favorably, a Resolution ordering the vacation and abandonment of the public right of way and public utility easements at 1221 Willow Road will be recorded.

IMPACT ON CITY RESOURCES

There is no direct impact on City resources associated with the actions in this staff report. The fee for staff time to review and process the abandonment has been paid by the applicant.

ENVIRONMENTAL REVIEW

The proposed street abandonment is Categorically Exempt under Class 5, minor alterations in land use, of the current State of California Environmental Quality Act (CEQA) Guidelines.

PUBLIC NOTICE

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

ATTACHMENTS

- A. Resolution
- B. Frontage Road Vacation Exhibit

Report prepared by:
Theresa Avedian
Senior Civil Engineer

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RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK DECLARING THE INTENTION OF SAID CITY TO ABANDON PUBLIC RIGHT OF WAY AND PUBLIC ACCESS EASEMENTS WITHIN THE PROPERTY AT 1221 WILLOW ROAD

WHEREAS, the City Council of the City of Menlo Park has considered the abandonment of Public Right of Way and Access Easements within the property at 1221 Willow Road as shown in Exhibit A, which is attached and made apart thereto; and

WHEREAS, the Planning Commission will hold a Public Hearing on this subject on May 18, 2015, as required by law to notify property owners and to find out whether the proposed abandonment is consistent with the City's General Plan; and

WHEREAS, the City Council will hold a Public Hearing on June 16, 2015 at approximately 7:00 p.m. as required by law to determine whether said Public Right of Way and Public Utility easements shall be abandoned.

NOW, THEREFORE, BE IT RESOLVED that a Resolution of Intention of the City Council of the City of Menlo Park, is hereby established, to consider the abandonment of Public Right of Way and Public Utility Easements within the property at 1221 Willow Road.

I, PAMELA I. AGUILAR, City Clerk of the City 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 seventh day of April, 2015 by the following votes:

AYES:

NOES:

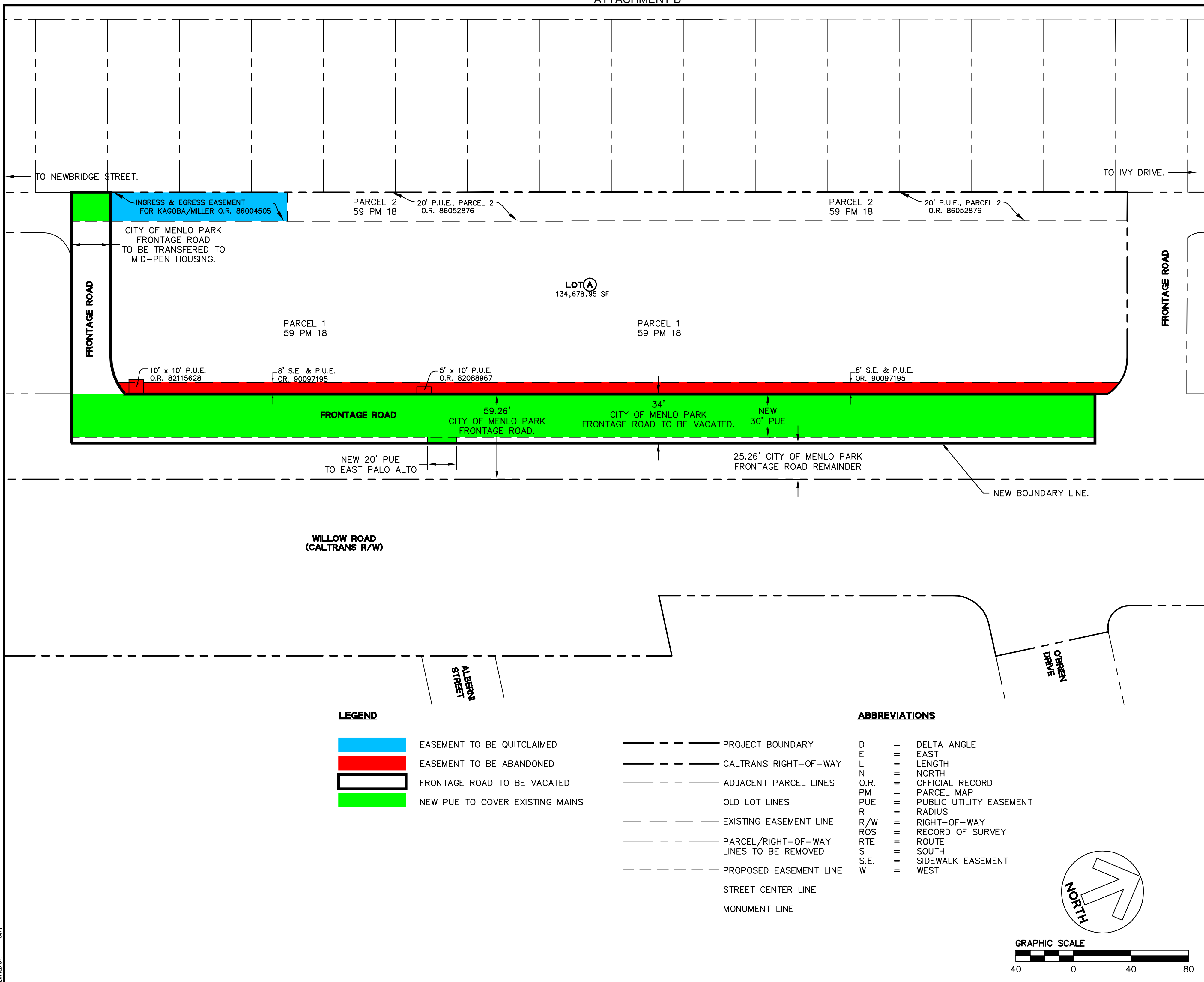
ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Menlo Park on this _____ day of _____, 2015.

Pamela I. Aguilar
City Clerk

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LEGEND

- EASEMENT TO BE QUITCLAIMED
- EASEMENT TO BE ABANDONED
- FRONTAGE ROAD TO BE VACATED
- NEW PUE TO COVER EXISTING MAINS

ABBREVIATIONS

- PROJECT BOUNDARY
 - CALTRANS RIGHT-OF-WAY
 - ADJACENT PARCEL LINES
 - OLD LOT LINES
 - EXISTING EASEMENT LINE
 - PARCEL/RIGHT-OF-WAY LINES TO BE REMOVED
 - PROPOSED EASEMENT LINE
 - STREET CENTER LINE
 - MONUMENT LINE
- D = DELTA ANGLE
 - E = EAST
 - L = LENGTH
 - N = NORTH
 - O.R. = OFFICIAL RECORD
 - PM = PARCEL MAP
 - PUE = PUBLIC UTILITY EASEMENT
 - R = RADIUS
 - R/W = RIGHT-OF-WAY
 - ROS = RECORD OF SURVEY
 - RTE = ROUTE
 - S = SOUTH
 - S.E. = SIDEWALK EASEMENT
 - W = WEST

FRONTAGE ROAD VACATION EXHIBIT
MIDPEN GATEWAY SENIOR HOUSING
 1221 WILLOW ROAD
 MENLO PARK SAN MATEO CALIFORNIA

BKF
 ENGINEERS / SURVEYORS / PLANNERS
 1650 TECHNOLOGY DRIVE
 SUITE 650
 SAN JOSE, CA 95110
 408-467-9100
 408-467-9199 (FAX)

Revisions	No.	Date	Scale	Design	Drawn	Approved	Job No.
		04/30/15	1" = 30'	FCG	FCG	JN	20136051

Drawing Number:
EX1
 1 OF 1



DRAWING NAME: 1221 Willow Road (MIDPEN) EXHIBIT A (R/W) AMMO EXHIBIT A (1) - MC-RW-EX.dwg
 PLOT TIME: 04/30/15 10:00 AM
 PLOT BY: JN

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

**Tuesday, April 14, 2015 at 6:00 PM
Menlo Park Senior Center
110 Terminal Avenue, Menlo Park, CA 94025**

6:00 P.M. STUDY SESSION

Mayor Carlton called the Study Session to order at 6:10 p.m.

All Council members were present. Councilmember Mueller arrived at 6:15 p.m. Councilmember Cline arrived at 6:27 p.m.

Staff present: Assistant City Manager Starla Jerome-Robinson, City Attorney Bill McClure and City Clerk Pamela Aguilar

SS1. Review and provide general direction on different strategies for defining public benefit ([Staff report #15-063](#))

Economic Development Manager Jim Cogan introduced the item. Michael Yarne of Up Urban made a presentation. ([Presentation](#))

Public Comment:

- Chief Harold Schapelhouman, Menlo Park Fire Protection District, spoke regarding land, traffic and road access, impact fees, having a standard methodology for determining public benefit and working together with the City and community
- Adina Levin spoke regarding prioritizing public benefit by change area of the plan update
- Ana Adriano spoke regarding access to transportation and education
- Tamarra (no last name given) spoke regarding the need for quality education in Belle Haven
- Terri Epidendio expressed concern regarding the reliance on Facebook
- Maya Perkins thanked the Council for holding its meeting in Belle Haven and determining benefits according to the needs of each area as they will be different
- Sheryl Bims spoke regarding undergrounding, street landscaping and education

Council discussion ensued and feedback was provided regarding the different tools Council would like more information about.

7:00 P.M. REGULAR SESSION

Mayor Carlton called the Regular Meeting to order at 7:46 p.m. All Council members were present.

Mayor Carlton led the pledge of allegiance.

ANNOUNCEMENTS

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation celebrating Earth Week ([Attachment](#))
Diane Bailey of Menlo Spark accepted the proclamation.

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS - None

C. PUBLIC COMMENT #1

- Jane Perry spoke regarding traffic
- Alana MacGillivray expressed the need for affordable housing for those who work in the Belle Haven community
- Ana Adriano spoke regarding the need for more library services and programs for children and the possibility of a shuttle to Menlo-Atherton High School
- Vicky Robledo spoke regarding traffic and expressed concern regarding maintaining the cultural diversity of the community

D. CONSENT CALENDAR

Councilmember Mueller pulled items D3 and D4 for further discussion.

- D1.** Authorize the City Manager to enter into a service consulting agreement with Sysserco Inc. for the Energy Monitoring System of the Administration and Library Buildings in an amount not to exceed \$375,000 ([Staff Report #15-059](#))
- D2.** Award a contract to Thermal Mechanical Inc. for new chillers and variable frequency drives at the Administration Building and Library in the amount of \$561,160 and authorize a total project budget of \$606,160 for the equipment, contingency and administration ([Staff Report #15-060](#))
- D3.** Authorize the City Manager to execute an agreement for architectural services up to \$125,000 for the City Hall improvements ([Staff Report #15-061](#))
- D4.** Approve minutes for the following City Council meetings: March 24th Special Joint Meeting with the Environmental Quality Commission, March 31st City Council Closed Session and Special Meeting, March 31st Special Joint Meeting with the Planning Commission, April 6th City Council Closed Session and April 7th City Council meeting ([Attachment](#))

ACTION: Motion and second (Cline/Keith) to approve Items D1 and D2 on the Consent Calendar passes unanimously.

ACTION: Motion and second (Keith/Ohtaki) to approve Item D3 on the Consent Calendar passes 4-1 (Mueller dissents)

In regards to Item D4, Councilmember Mueller requested the April 7th Council meeting minutes be amended to include his comments under Item B1 requesting the Parks & Recreation Commission to look into adding Flood Park into the City park system. Councilmember Keith also requested her comments regarding Flood Park be added.

ACTION: Motion and second (Keith/Mueller) to approve Item D4 with requested amendments passes 4-0-1 (Cline abstained because he was not present at the April 7th Council meeting)

E. PUBLIC HEARING – None

F. REGULAR BUSINESS

- F1.** Consideration of a revised overall project schedule for ConnectMenlo (General Plan and M-2 Area Zoning Update) ([Staff Report #15-062](#))

Assistant Community Development Director Justin Murphy introduced the item. Charlie Knox of Placeworks was present and responded to Council questions.

Public Comment:

- Maya Perkins spoke regarding the need for affordable housing, community amenities, first source agreements with local employers, access to quality education, public transit and open space
- Johnnie Walton spoke regarding revenue generation in the M-2 area compared to other areas of the City
- Fergus O'Shea stated that Facebook looks forward to working with the City and community to research and respond to input regarding community amenities, traffic mitigation, education
- Adina Levin spoke regarding housing needs, supply and affordability
- Bronwyn Alexander inquired regarding the development timeline
- Sheryl Bims thanked the Council for reconsidering the overall project schedule and spoke regarding transparency and disclosure of interests and the importance of education

ACTION: Motion and second (Cline/Ohtaki) to approve a revised overall project schedule for ConnectMenlo (General Plan and M-2 Area Zoning Update) passes unanimously.

F2. Discuss recommendations for two vacant seats on regional boards to be voted on at the City Selection Committee meeting of April 24, 2015 ([Staff report #15-064](#))
City Clerk Pam Aguilar introduced the item.

ACTION: Council made the following recommendations to Menlo Park's City Selection voting delegate: (1) Councilmember Ray Mueller for LAFCo Alternate (2) Councilmember Cameron Johnson of San Carlos for Southern Cities Representative to the San Mateo County Transportation Authority

G. CITY MANAGER'S REPORT – None

H. WRITTEN COMMUNICATION – None

I. INFORMATIONAL ITEMS

I1. Three-month review of Taser Program ([Staff Report #15-058](#))

Police Commander Tony Dixon responded to Council questions regarding the use of a firearm versus a taser and what precautions are taken.

I2. Quarterly review of data captured by Automated License Plate Readers (ALPR) for the period beginning January 1, 2015 through April 1, 2015
([Staff Report #15-057](#))

J. COUNCILMEMBER REPORTS - None

K. PUBLIC COMMENT #2

- Tamarra (no last name given) asked Council to consider benefits for a growing community, the elderly, traffic and education
- Wynn Grcich spoke regarding fluoride ([Handouts](#))

L. ADJOURNMENT at 9:22 p.m.

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PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-069

REGULAR BUSINESS: Adopt a Resolution Implementing Water Regulations for the Menlo Park Municipal Water District

RECOMMENDATION

In order to meet the State Water Resources Control Board's March 2015 mandatory regulations and the April 2015 draft regulations (as per the Governor's Executive Order), staff is recommending adopting a resolution implementing additional water regulations for the Menlo Park Municipal Water District (MPMWD).

POLICY ISSUES

Staff has included additional items for the City Council to consider in the draft resolution that are not required by the State Water Resources Control Board (State Water Board) but address concerns from the community in regards to new construction and future water use.

Single-Pass Cooling Systems

Single-pass cooling systems circulate water once through a piece of equipment (i.e. air conditioners) before it is discharged down the drain. The plumbing code currently allows these single-pass systems, however, some agencies are amending their code to prohibit their use. With the increased development expected in the City, in order to maximize future water savings, staff is recommending that single-pass cooling systems in new construction not be allowed during the drought.

Pool Covers

Without a pool cover, evaporation is the main reason for water loss in pools. A 400 square foot residential pool without a cover loses about a quarter of an inch of water each day by evaporation, which equates to about 62 gallons per day, or 435 gallons per week. Compared to turf of the same size, which requires about one inch per week of water and equates to about 250 gallons per week, pool evaporation uses more water. Pool covers can prevent evaporation by up to 95%, and the City's current building code does require them. Adding a requirement for pool covers to the proposed resolution will help ensure that pool owners use covers, which in turn, will conserve more water. Staff is recommending that pools, spas, and hot tubs be covered when not in use during the drought.

New Pool Construction

Currently there are no restrictions to construct new pools in the MPMWD and water customers are allowed to fill their pool with MPMWD water. The average swimming pool in the United States contains between 18,000 to 20,000 gallons, which equates to irrigating 400 square feet of turf for about one and a half years. Staff is recommending allowing new pool construction but filling of pools will not be allowed with MPMWD water.

City-Wide Drought Outreach

There are four water suppliers within the City of Menlo Park: MPMWD, California Water Service (CalWater) Bear Gulch District, O'Connor Tract Cooperative Water District (O'Connor), and Palo Alto Park Mutual Water Company (PAPMWC). It is not required, however, staff would like to spread a consistent message (days and times irrigation is allowed) to all City of Menlo Park residents and businesses, and CalWater and O'Connor have both expressed a similar interest. Calwater is revising their Rule 14.1, which serves as the conservation ordinance for their customers, and they plan to revise it so they can incorporate the day of week restrictions enacted by a municipality. Staff will be meeting with the other Menlo Park water agencies on April 30, 2015 and will provide an update to the City Council at the May 5, 2015 meeting.

BACKGROUND

On July 28, 2014, the State Water Board adopted emergency regulations which remained in effect through April 25, 2015. The emergency regulations required water agencies, including the MPMWD, to implement their Water Shortage Contingency Plan (WSCP) at a stage that restricts outdoor irrigation activities, and to submit monthly reports.

Table 1 describes actions the MPMWD took to implement the July 2014 State Water Board regulations.

**Table 1
Implementation of July 2014 State Water Board Regulations**

Date	Action
August 19, 2014	City Council Study Session
August 26, 2014	City Council adopts Urgency Ordinance No. 1010 to enact Chapter 7.35 of the Menlo Park Municipal Code and Resolution 6230 to implement Stage 3 of the WSCP.
Sept 9, 2014	City Council adopts Ordinance No. 1011 (see <i>Attachment A</i>) to continue implementing the State Water Board regulations upon expiration of the urgency ordinance.
Nov 18, 2014	City Council adopts Resolution 6240 amending the 2010 Urban Water Management Plan's WSCP and Resolution 6241 (see <i>Attachment B</i>) implementing Stage 2 of the amended WSCP (see <i>Attachment C</i>).

**Table 2
Current MPMWD Water Regulations**

Current MPMWD Water Regulations
<ol style="list-style-type: none"> 1. Hoses must be equipped with a shut-off valve for washing vehicles, sidewalks, walkways, or buildings. 2. Broken or defective plumbing and irrigation systems must be repaired or replaced within a reasonable period. 3. Potable water shall not be applied in any manner to any driveway or sidewalk, except when necessary to address immediate health or safety concerns. 4. Potable water shall not be used to water outdoor landscapes in a manner that causes runoff onto non-irrigated areas, walkways, roadways, parking lots, or other hard surfaces. 5. Restaurants and other food service operations shall serve water to customers only upon request. 6. Use of only re-circulated or recycled water to operate ornamental fountains.

On March 27, 2015, the State Water Board adopted emergency regulations (see *Attachment D*) to continue the previously adopted regulations and implement additional regulations that water agencies, including the MPMWD, must implement (see Table 3 below).

**Table 3
March 2015 State Water Board Adopted Regulations**

State Water Board Adopted Regulations	Date to be Implemented
<ol style="list-style-type: none"> 1. Restaurants and other food service operations shall serve water to customers only upon request. (Already implementing.) 2. Potable water cannot be applied to outdoor landscapes during and up to 48 hours after measurable rainfall. 3. Hotels and motels shall provide guests an option whether to launder towels and linens daily. Hotels and motels shall prominently display notice of this option in each bathroom using clear and easily understood language. 4. Water agencies must provide additional information in their monthly reports to the State Water Board such as population served, the percentage of water used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the residential per capita water use. 	Immediately
<ol style="list-style-type: none"> 5. Water agencies must limit the number of days per week allowed to irrigate outdoor ornamental landscapes and turf. 	By May 11, 2015 (45 days from adoption)

On April 1, 2015, the Governor signed Executive Order B-29-15 (see *Attachment E*) directing the State Water Board to impose restrictions to achieve an aggregate statewide 25% reduction in potable urban water use through February 2016. The Executive Order proposes flexibility in how to achieve this reduction in recognition of the level of conservation already achieved by many communities around the State, and directs the State Water Board to consider the relative per capita water usage of each suppliers' service area, and have those areas with high per capita use achieve proportionally greater reductions than those with low use.

On April 7, 2015, the State Water Board released a Draft Regulatory Framework (see *Attachment F*) for public comment to serve as a reasonable basis to apportion water supplier reductions using residential per capita data, which showed a 20% conservation standard for MPMWD. After receiving more than 250 comments, the State Water Board issued another draft regulation on April 17, 2015 for comments. These draft regulations assign urban water suppliers to a tier of water reduction based upon three months of summer residential gallons-per-capita-per-day data (GPCD) between July and September 2014, which are the three months of outdoor irrigation that provides the greatest opportunity for conservation savings. The State Water Board released proposed tiers (see *Attachment G*) and a Proposed Regulatory Framework (see *Attachment H*) that lists urban water suppliers (who serve more than 3,000 customers or deliver more than 3,000 acre-feet of water per year) and their assigned conservation standard. Per the State Water Board's draft regulations, the MPMWD falls into proposed Tier 4 with a residential per capita use of 88.6 GPCD that requires a 16% savings between June 1, 2015 and February 28, 2016, compared to the same period in 2013.

The State Water Board will further refine the draft regulation and will release the Notice of Proposed Emergency Rulemaking and accompanying documents on April 28, 2015 for public comment and consideration by the State Water Board at its May 5-6, 2015 meeting. The April 28, 2015 documents were not yet available at the time that this staff report was written. It is possible that the proposed tiers will be revised further, and the MPMWD may need to meet a different percent conservation savings which the draft resolution takes into account. Staff will provide the April 28, 2015 State Water Board information to the City Council at the May 5, 2015 meeting.

The April 2015 State Water Board draft regulations include additional regulations that water agencies, including the MPMWD, must implement (see Table 4 below).

Table 4
April 2015 State Water Board Draft Regulations

State Water Board Draft Regulations	Date Must Be Implemented
<ol style="list-style-type: none"> 1. Irrigation with potable water of ornamental turf on public street medians is prohibited. 2. Irrigation with potable water outside of newly constructed homes and buildings not delivered by drip or microspray is prohibited. 3. Water suppliers shall provide monthly information to the State Water Board on water usage, conservation, and enforcement on a permanent basis. 4. Water agencies must provide additional information in their State Water Board monthly reports such as commercial, industrial, and institutional uses. 	<p>Anticipated May 15, 2015</p>

The State Water Board will begin assessing compliance for each urban water supplier starting with the June 2015 monthly report to ensure maximum conservation during summer months. Beyond June, the State Water Board will track compliance on a cumulative basis, meaning that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. The State Water Board can issue warning letters, Cease and Desist Orders, fines up to \$10,000 for each day of non-compliance, and other tools.

The State Water Board's draft regulations will remain in effect for up to 270 days, and the State Water Board can determine if these emergency regulations are no longer necessary due to changed conditions or they can renew the regulations if drought conditions continue.

On March 25, 2014, staff provided information to the Environmental Quality Commission (EQC) on the State Water Board's emergency regulations. The Governor has since issued the Executive Order and the State Water Board issued additional draft regulations. *Attachment 1* is a letter from the EQC, based on information available on March 25, 2015, with conservation goals they would like to see addressed in the MPMWD's future Water Master Plan.

ANALYSIS

It is important to note that the State Water Board's 16% proposed conservation goal for the MPMWD is for overall District-wide water use, not for individual users. All users will be required to implement water conservation measures necessary to assist the MPMWD in meeting the water reduction percentage requirement. Users that have already implemented water conservation measures will not be expected to achieve the same water savings as users that have not implemented water conservation measures.

Between June 1, 2014 and February 28, 2015, the MPMWD purchased 27% less water compared to the same period in 2013. Per the State Water Board's draft regulations, the MPMWD falls into proposed Tier 4 with a residential per capita use of 88.6 GPCD that requires a 16% savings between June 1, 2015 and February 28, 2016, compared to

the same period in 2013. The Water Board plans to consider adoption of the regulations at its May 5-6, 2015 Board meeting.

The MPMWD is currently at Stage 2 of the WSCP for a 20% conservation goal. Stage 2 allows the City Council to adopt additional regulations by resolution. In order to meet the March 2015 State Water Board's adopted regulations and the April 2015 State Water Board's draft regulations, staff recommends that City Council adopt a resolution (see *Attachment J*) to add the required regulations to Stage 2 of the WSCP.

Many of the Bay Area Water Supply and Conservation Agency (BAWSCA) member agencies, who also purchase water from the San Francisco Public Utilities Commission (SFPUC), are planning to implement a two days per week restriction on outdoor irrigation. Many are also planning to implement an odd/even address watering schedule (odd addresses Monday and Thursday, even addresses Tuesday and Friday) in order to be consistent with what is being implemented throughout Santa Clara County. Staff is recommending that the MPMWD also implement a two days per week schedule that we will coordinate with the other water suppliers in the City.

Watering outdoor landscapes in the early morning or late evening allows water to penetrate plant roots and prevents evaporation during the warmer times of the day. Therefore, staff is also recommending that designated hours (i.e. no watering between 7 am and 7 pm) be established in addition to the two days per week watering schedule.

Some water customers may not be able to keep their landscaping alive by adhering to a two day per week watering schedule, particularly in the summer. Staff believes some of the City parks and sports fields may fall into this category, and staff has been in contact with the Sharon Heights Golf & Country Club, who have also expressed concern. Staff is recommending developing a water procedure to allow customers to be exempt from the two day per week water schedule, but they must submit a Drought Response Plan that is approved by staff that demonstrates an equivalent or greater reduction in water use.

The penalties section of the draft resolution has also been updated to allow the Public Works Director to consider a fine for first violations in cases where the violation results in an egregious amount of water waste (i.e. filling a newly constructed pool with MPMWD water, allowing defective pipes to remain in place for an extended period). Other items in the penalties section remains unchanged.

Implementation in Other Agencies

Per the State Water Board's draft regulations, CalWater, having more than 3,000 connections, falls into proposed Tier 9 with a residential per capita use of 252.5 GPCD that requires a 36% savings between June 1, 2015 and February 28, 2016, compared to the same period in 2013. Both O'Connor and PAMPWC, as smaller water suppliers (serving fewer than 3,000 connection), will be required to achieve a 25% conservation standard or restrict outdoor irrigation to no more than two days per week. Staff would like to spread a consistent message (days and times irrigation is allowed) to all City of Menlo Park residents and businesses, and CalWater and O'Connor have both expressed a similar interest. Staff will be meeting with these water suppliers and they may ask us to assist in enforcement and spreading a consistent message. If this is the

case, and staff can reach agreement on what regulations the City would be enforcing in other agencies and some reimbursement of the City’s expense for such enforcement efforts, staff will return with a resolution for consideration by the City Council.

IMPACT ON CITY RESOURCES

Staff is currently implementing the State Water Board emergency regulations, including outreach, monitoring, enforcement, and monthly reporting, which is above and beyond staff’s normal workload. This has resulted in delaying the Corporation Yard Emergency Well and several environmental programs as shown in Table 5 below. Staff estimates approximately 1 FTE in staff resources have been displaced in order to manage current drought activities.

**Table 5
Project on Hold Due to Drought Activities**

Staff (Position)	Projects/Programs on Hold/Delayed	% Time on Drought Activities	FTE
Senior Civil Engineer, 50% part-time	<ul style="list-style-type: none"> • Corp Yard Emergency Well • 2nd Emergency Well • Cross-Connection Control Program 	40%	0.20
Environmental Programs Manager	<ul style="list-style-type: none"> • Heritage Tree Ordinance Update 	10%	0.10
Environmental Programs Specialist	<ul style="list-style-type: none"> • Environmental Purchasing Policy Implementation 	10%	0.10
Environmental Programs Specialist	<ul style="list-style-type: none"> • Electric Vehicle Charging Stations • Integrated Pest Management Policy 	30%	0.30
Environmental Programs Intern, 50% part-time	<ul style="list-style-type: none"> • Trash Management Program • Implementation for Storm Water Pollution Prevention • Green Halo Implementation for Construction & Demolition • Environmental Programs Outreach Preparation 	50%	0.25
			0.95

The additional State Water Board regulations will require coordination with the other Menlo Park water suppliers and expanded outreach to hotels/motels, landscape maintenance companies, and homeowner associations, and additional monthly reporting to the State Water Board. Staff will discuss resources necessary to manage the drought program during the upcoming budget process. Managing a drought outreach program includes the following duties:

1. Plan and manage all outreach activities.
2. Coordinate outreach with other Menlo Park water agencies.

3. Develop outreach materials, such as mailers, flyers, letters and signage.
4. Respond to phone calls, emails, and other requests related to water conservation and water-waste violations.
5. Perform outreach to hotels/motels, landscape maintenance companies, homeowner associations, and pool owners.
6. Visit homes and businesses to educate customers on current water-use restrictions and conservation programs.
7. Serve as a City representative for educational water conservation events.
8. Maintain the drought webpage.
9. Work closely with Global Water (City's contract water billing company).
10. Evaluate water use.
11. Oversee enforcement activities with Code Enforcement.
12. Manage exceptions to the two days per week watering schedule.
13. Submit monthly reports to the State Water Board.

Staff developed an enforcement program to educate water customers about current regulations, and if necessary, can issue fines. The public can report water violations by calling the water hotline number at 650-330-6750, sending an email to the MPMWD at water@menlopark.org, or by completing the online water waste report on the City's website. As complaints are received, staff coordinates with Code Enforcement to physically visit each site and provide educational information about current water regulations. To-date, staff have received and followed up on 24 water waste reports, and no fines have been issued. (Staff also received 20 water waste reports for properties in the CalWater service area, and forwarded that information directly to CalWater.) With the two days per week irrigation schedule, staff anticipates a significant increase in water waste reports that will be received as it will be easier to identify violators.

As the drought may continue and the extent and impact is unknown, if there are additional mandatory regulations, more resources may be necessary.

ENVIRONMENTAL REVIEW

Council's adoption of the proposed resolutions 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. Ordinance No. 1011, September 9, 2014
- B. Resolution 6241, November 18, 2014
- C. Water Shortage Contingency Plan (from the Amended 2010 Urban Water Management Plan), November 18, 2014
- D. State Water Board Adopted Emergency Regulations, March 27, 2015
- E. Governor's Executive Order B-29-15, April 1, 2015
- F. State Water Board Draft Regulation, April 18, 2015
- G. State Water Board Fact Sheet with Proposed Tiers, April 18, 2015
- H. State Water Board Proposed Regulation Framework, April 18, 2015
- I. EQC Letter
- J. Draft Resolution Adopting Additional Regulations

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

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ORDINANCE NO. 1011**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 twenty-sixth 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 ninth day of September, 2014, by the following vote:

AYES: Carlton, Cline, Keith, Mueller, Ohtaki
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED:



Ray Mueller
Mayor

ATTEST:



Nicole Mariano
Deputy City Clerk

RESOLUTION NO. 6241

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADOPTING A WATER CONSERVATION PLAN**

WHEREAS, on August 26, 2014 the City Council of the City of Menlo Park adopted Resolution No. 6230 to implement Stage 3 of Water Shortage Contingency Plan (“WSCP”) contained in the 2010 Urban Water Management Plan (“UWMP”); and

WHEREAS, subsequent to the adoption of Resolution No. 6230 the City Council of the City of Menlo Park adopted an amendment to the UWMP, which amended the WSCP, on November 18, 2014 (hereinafter referred to as “2014 UWMP” and “2014 WSCP”, respectively); and

WHEREAS, to comply with the State Water Board’s Emergency Regulations (“Emergency Regulations”) which became effective on July 28, 2014 pursuant to Section 1058.5 of the California Water Code, under the 2014 UWMP, Stage 2 of the 2014 WSCP (as opposed to Stage 3 of the WSCP) must be implemented; and

WHEREAS, the City Council of the City of Menlo Park wishes to amend Resolution No. 6230 and replace Stage 3 of the WSCP with Stage 2 of the 2014 WSCP.

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 2 of the 2014 WSCP:

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 of Menlo Park.
 - 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. **Conservation Measures.** Stage 2 of the 2014 WSCP implements the following water conservation measures:
 - a. Hoses must be equipped with a shut-off valve for washing vehicles, sidewalks, walkways, or buildings.
 - b. Broken or defective plumbing and irrigation systems must be repaired or replaced within a reasonable period.
 - c. Potable water shall not be applied in any manner to any driveway or sidewalk, except when necessary to address immediate health or safety concerns.
 - d. Potable water shall not be used to water outdoor landscapes in a manner that causes runoff onto non-irrigated areas, walkways, roadways, parking

- lots, or other hard surfaces.
- e. Restaurants and other food service operations shall serve water to customers only upon request.
- f. Use only re-circulated or recycled water to operate ornamental fountains.
- g. Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction.

3. **Penalties.** Violations of the water conservation measures listed above are punishable by fines as described below. Fines must be paid within thirty (30) days. If fines are not paid when due, Customer's water service may be discontinued.

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/her designee) to determine if a flow restricting device should be installed
5 th	\$500 fine, and review by the Public Works Director (or his/her 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

4. **Appeal Process.** Customer may contest a fine by submitting a written appeal to the Public Works Director within thirty (30) days of the date of the fine. Customer may request a meeting with the Public Works Director to present evidence that a violation does not exist. If a meeting is requested, the Public Works Director shall meet with the Customer within fifteen (15) days of the appeal date. The Public Works Director shall make a final, non-appealable decision in writing within fifteen (15) days of the appeal date if no meeting requested or within fifteen (15) days of the meeting date. If the fine is upheld, the Customer shall have ten (10) days from the date of the Public Works Director's decision to pay

the fine. If the fine is not paid when due, Customer's water service may be discontinued.

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 Emergency 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 the eighteenth of November, 2014, by the following vote:

AYES: Carlton, Keith, Ohtaki, Mueller

NOES: None

ABSENT: Cline

ABSTAIN: None

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



PAMELA AGUILAR,
City Clerk

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**Table 5.11 (DWR Table 35)
Water Shortage Contingency Plan
Rationing Stages to Address Water Supply Shortages**

(From the Amended 2010 Urban Water Management Plan, Adopted 11/18/14)

Stage	Water Use Regulations	% Goal
1	<ul style="list-style-type: none"> • Hoses must be equipped with a shut-off valve for washing vehicles, sidewalks, walkways, or buildings. • Broken or defective plumbing and irrigation systems must be repaired or replaced within a reasonable period. • Other measures as may be approved by Resolution of the City Council. 	NA
2	<ul style="list-style-type: none"> • Continue with actions and measures from Stage 1, except where superseded by more stringent requirements. • Potable water shall not be used to water outdoor landscapes in a manner that causes runoff onto non-irrigated areas, walkways, roadways, parking lots, or other hard surfaces. • Potable water shall not be applied in any manner to any driveway or sidewalk, except when necessary to address immediate health or safety concerns. • Restaurants and other food service operations shall serve water to customers only upon request. • Use only re-circulated or recycled water to operate ornamental fountains. • Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction 	Up to 20%
3	<ul style="list-style-type: none"> • Continue with actions and measures from Stage 2, except where superseded by more stringent requirements. • Potable water shall not be used for street cleaning. • Limit outdoor irrigation to occur during specific hours, as determined by the Public Works Director, or his designee. • Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction. 	Up to 30%
4	<ul style="list-style-type: none"> • Continue with actions and measures from Stage 3, except where superseded by more stringent requirements. • No new landscaping shall be installed at new construction sites. • Limit outdoor irrigation to a set number of days per week, as determined by the Public Works Director, or his designee. • Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction. 	Up to 40%
5	<ul style="list-style-type: none"> • Continue with actions and measures from Stage 4, except where superseded by more stringent requirements. • Newly constructed pools, spas and hot tubs shall not be filled. • Existing irrigation systems shall not be expanded. • Turf irrigation is prohibited at all times. • Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction. 	Up to 50%

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**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 863, 864, 865

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6; Water Code Section 1058.5**

OAL File No. 2015-0320-01 EE

The State Water Resources Control Board (SWRCB) submitted this emergency readoption action to keep in effect the three emergency regulations adopted in OAL file no. 2014-0718-01E, and to further amend two of the emergency regulations, in title 23 of the California Code of Regulations pertaining to drought emergency water conservation.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code and section 1058.5 of the Water Code.

This emergency regulatory action is effective on 3/27/2015 and will expire on 12/23/2015. The Certificate of Compliance for this action is due no later than 12/22/2015.

Date: 3/27/2015



Richard L. Smith
Senior Attorney

For: DEBRA M. CORNEZ
Director

Original: Thomas Howard
Copy: David Rose

EMERGENCY

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2015-0320-01EE
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAR 27 2015

1:37 P.M.

For use by Office of Administrative Law (OAL) only

2015 MAR 20 AM 8:42

OFFICE OF ADMINISTRATIVE LAW

NOTICE REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
State Water Resources Control Board

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed <input type="checkbox"/> Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Drought Emergency Water Conservation	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) OAL File No. 2014-0718-01-E
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT 863, 864, 865
AMEND 863, 864, 865 per agency request
REPEAL
TITLE(S) 23

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <i>Emergency Readopt (Wat. Code §1058.5(c))</i>	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) per agency request <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) per agency request <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify)

7. CONTACT PERSON David Rose	TELEPHONE NUMBER 916-341-5196	FAX NUMBER (Optional) 916-341-5199	E-MAIL ADDRESS (Optional) david.rose@waterboards.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Thomas Howard</i>	DATE 3/18/15
TYPED NAME AND TITLE OF SIGNATORY Thomas Howard, Executive Director, State Water Resources Control Board	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 27 2015

Office of Administrative Law

ADOPTED TEXT OF EMERGENCY REGULATION

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: Section 1058.5, Water Code.

References: Sections 102, 104 and 105, Water Code.

Sec. 864. ~~Prohibited Activities~~ End-User Requirements 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-;
- (5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall; and
- (6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

~~(b)~~(c) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivision (b) 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: Section 1058.5, Water Code.

References: Sections 102, 104 and 105, Water Code.

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~~ includes mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed, or shall amend its water shortage contingency plan to include mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed and implement these restrictions within forty-five (45) days. Urban water suppliers with approved alternate plans as described in subdivision (b)(2) are exempted from this requirement.

~~(2) As an alternative to subdivision (b)(1), a~~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 that restricts the number of days that outdoor irrigation of ornamental landscapes and turf with potable water is allowed, 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-fourty-five (3045)~~ 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:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-users exclusive control.

(2) pPrepare 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 specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed. †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~~ forty-five (3045) 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~~ 20 percent reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Section 1058.5, Water Code.

References: Sections 102, 104, 105; 350; 10617 and 10632, Water Code.

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Executive Department
State of California

EXECUTIVE ORDER B-29-15

WHEREAS on January 17, 2014, I proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS on April 25, 2014, I proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

WHEREAS California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with record low snowpack in the Sierra Nevada mountains, decreased water levels in most of California's reservoirs, reduced flows in the state's rivers and shrinking supplies in underground water basins; and

WHEREAS the severe drought conditions continue to present urgent challenges including: drinking water shortages in communities across the state, diminished water for agricultural production, degraded habitat for many fish and wildlife species, increased wildfire risk, and the threat of saltwater contamination to fresh water supplies in the Sacramento-San Joaquin Bay Delta; and

WHEREAS a distinct possibility exists that the current drought will stretch into a fifth straight year in 2016 and beyond; and

WHEREAS new expedited actions are needed to reduce the harmful impacts from water shortages and other impacts of the drought; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; and

WHEREAS under the provisions of section 8571 of the California Government Code, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of the drought.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.



IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my January 17, 2014 Proclamation, my April 25, 2014 Proclamation, and Executive Orders B-26-14 and B-28-14 remain in full force and effect except as modified herein.

SAVE WATER

2. The State Water Resources Control Board (Water Board) shall impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016. These restrictions will require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013. These restrictions should consider the relative per capita water usage of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.
3. The Department of Water Resources (the Department) shall lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes. The Department shall provide funding to allow for lawn replacement programs in underserved communities, which will complement local programs already underway across the state.
4. The California Energy Commission, jointly with the Department and the Water Board, shall implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.
5. The Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in an amount consistent with the reduction targets mandated by Directive 2 of this Executive Order.
6. The Water Board shall prohibit irrigation with potable water of ornamental turf on public street medians.
7. The Water Board shall prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.



8. The Water Board shall direct urban water suppliers to develop rate structures and other pricing mechanisms, including but not limited to surcharges, fees, and penalties, to maximize water conservation consistent with statewide water restrictions. The Water Board is directed to adopt emergency regulations, as it deems necessary, pursuant to Water Code section 1058.5 to implement this directive. The Water Board is further directed to work with state agencies and water suppliers to identify mechanisms that would encourage and facilitate the adoption of rate structures and other pricing mechanisms that promote water conservation. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

INCREASE ENFORCEMENT AGAINST WATER WASTE

9. The Water Board shall require urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.
10. The Water Board shall require frequent reporting of water diversion and use by water right holders, conduct inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring, and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. Pursuant to Government Code sections 8570 and 8627, the Water Board is granted authority to inspect property or diversion facilities to ascertain compliance with water rights laws and regulations where there is cause to believe such laws and regulations have been violated. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
11. The Department shall update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated Ordinance shall increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. It will also require reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015. The Department shall provide information on local compliance to the Water Board, which shall consider adopting regulations or taking appropriate enforcement actions to promote compliance. The Department shall provide technical assistance and give priority in grant funding to public agencies for actions necessary to comply with local ordinances.
12. Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan that describes the actions and measures the supplier will take to manage water demand during drought. The Department shall require those plans to include quantification of water supplies and demands for 2013, 2014, and 2015 to the extent data is available. The Department will provide technical assistance to water suppliers in preparing the plans.



13. Agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands shall develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016. These plans shall include a detailed drought management plan and quantification of water supplies and demands in 2013, 2014, and 2015, to the extent that data is available. The Department shall give priority in grant funding to agricultural water suppliers that supply water to 10,000 to 25,000 acres of land for development and implementation of Agricultural Water Management Plans.
14. The Department shall report to Water Board on the status of the Agricultural Water Management Plan submittals within one month of receipt of those reports.
15. Local water agencies in high and medium priority groundwater basins shall immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code section 10933. The Department shall refer noncompliant local water agencies within high and medium priority groundwater basins to the Water Board by December 31, 2015, which shall consider adopting regulations or taking appropriate enforcement to promote compliance.
16. The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

INVEST IN NEW TECHNOLOGIES

17. The California Energy Commission, jointly with the Department and the Water Board, shall implement a Water Energy Technology (WET) program to deploy innovative water management technologies for businesses, residents, industries, and agriculture. This program will achieve water and energy savings and greenhouse gas reductions by accelerating use of cutting-edge technologies such as renewable energy-powered desalination, integrated on-site reuse systems, water-use monitoring software, irrigation system timing and precision technology, and on-farm precision technology.

STREAMLINE GOVERNMENT RESPONSE

18. The Office of Emergency Services and the Department of Housing and Community Development shall work jointly with counties to provide temporary assistance for persons moving from housing units due to a lack of potable water who are served by a private well or water utility with less than 15 connections, and where all reasonable attempts to find a potable water source have been exhausted.
19. State permitting agencies shall prioritize review and approval of water infrastructure projects and programs that increase local water supplies, including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, stormwater capture, and greywater systems. Agencies shall report to the Governor's Office on applications that have been pending for longer than 90 days.



20. The Department shall take actions required to plan and, if necessary, implement Emergency Drought Salinity Barriers in coordination and consultation with the Water Board and the Department of Fish and Wildlife at locations within the Sacramento - San Joaquin delta estuary. These barriers will be designed to conserve water for use later in the year to meet state and federal Endangered Species Act requirements, preserve to the extent possible water quality in the Delta, and retain water supply for essential human health and safety uses in 2015 and in the future.
21. The Water Board and the Department of Fish and Wildlife shall immediately consider any necessary regulatory approvals for the purpose of installation of the Emergency Drought Salinity Barriers.
22. The Department shall immediately consider voluntary crop idling water transfer and water exchange proposals of one year or less in duration that are initiated by local public agencies and approved in 2015 by the Department subject to the criteria set forth in Water Code section 1810.
23. The Water Board will prioritize new and amended safe drinking water permits that enhance water supply and reliability for community water systems facing water shortages or that expand service connections to include existing residences facing water shortages. As the Department of Public Health's drinking water program was transferred to the Water Board, any reference to the Department of Public Health in any prior Proclamation or Executive Order listed in Paragraph 1 is deemed to refer to the Water Board.
24. The California Department of Forestry and Fire Protection shall launch a public information campaign to educate the public on actions they can take to help to prevent wildfires including the proper treatment of dead and dying trees. Pursuant to Government Code section 8645, \$1.2 million from the State Responsibility Area Fire Prevention Fund (Fund 3063) shall be allocated to the California Department of Forestry and Fire Protection to carry out this directive.
25. The Energy Commission shall expedite the processing of all applications or petitions for amendments to power plant certifications issued by the Energy Commission for the purpose of securing alternate water supply necessary for continued power plant operation. Title 20, section 1769 of the California Code of Regulations is hereby waived for any such petition, and the Energy Commission is authorized to create and implement an alternative process to consider such petitions. This process may delegate amendment approval authority, as appropriate, to the Energy Commission Executive Director. The Energy Commission shall give timely notice to all relevant local, regional, and state agencies of any petition subject to this directive, and shall post on its website any such petition.



26. For purposes of carrying out directives 2–9, 11, 16–17, 20–23, and 25, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension applies to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required, as well as for any necessary permits or approvals required to complete these actions. This suspension, and those specified in paragraph 9 of the January 17, 2014 Proclamation, paragraph 19 of the April 25, 2014 proclamation, and paragraph 4 of Executive Order B-26-14, shall remain in effect until May 31, 2016. Drought relief actions taken pursuant to these paragraphs that are started prior to May 31, 2016, but not completed, shall not be subject to Division 13 (commencing with section 21000) of the Public Resources Code for the time required to complete them.
27. For purposes of carrying out directives 20 and 21, section 13247 and Chapter 3 of Part 3 (commencing with section 85225) of the Water Code are suspended.
28. For actions called for in this proclamation in directive 20, the Department shall exercise any authority vested in the Central Valley Flood Protection Board, as codified in Water Code section 8521, et seq., that is necessary to enable these urgent actions to be taken more quickly than otherwise possible. The Director of the Department of Water Resources is specifically authorized, on behalf of the State of California, to request that the Secretary of the Army, on the recommendation of the Chief of Engineers of the Army Corps of Engineers, grant any permission required pursuant to section 14 of the Rivers and Harbors Act of 1899 and codified in section 48 of title 33 of the United States Code.
29. The Department is directed to enter into agreements with landowners for the purposes of planning and installation of the Emergency Drought Barriers in 2015 to the extent necessary to accommodate access to barrier locations, land-side and water-side construction, and materials staging in proximity to barrier locations. Where the Department is unable to reach an agreement with landowners, the Department may exercise the full authority of Government Code section 8572.
30. For purposes of this Executive Order, chapter 3.5 (commencing with section 11340) of part 1 of division 3 of the Government Code and chapter 5 (commencing with section 25400) of division 15 of the Public Resources Code are suspended for the development and adoption of regulations or guidelines needed to carry out the provisions in this Order. Any entity issuing regulations or guidelines pursuant to this directive shall conduct a public meeting on the regulations and guidelines prior to adopting them.



31. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 17, 20, and 24. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 1st day of April 2015.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



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PROPOSED TEXT OF EMERGENCY REGULATION

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) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 28, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

~~(34)~~ The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

~~(45)~~ The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

~~(56)~~ 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 prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Sections 102, 104 and 105, Water Code.

Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and 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;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall; ~~and~~

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(7) The irrigation with potable water of ornamental turf on public street medians;
and

(8) The irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties not served by a water supplier meeting the requirements of Water Code section 10617 or section 350 shall either:

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

(2) Reduce potable water usage by 25 percent for the months of June 2015 through February 2016 as compared to the amount used for the same months in 2013.

(ed) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivisions (b) or (c), 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: Section 1058.5, Water Code.

References: Sections 102, 104, ~~and~~ 105, 350, and 10617, Water Code.

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 includes mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed, or shall amend its water shortage contingency plan to include mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed and implement these restrictions within forty five (45) days. Urban water suppliers with approved alternate plans as described in subdivision (b)(2) are exempted from this requirement.~~

~~(2) 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 that restricts the number of days that outdoor irrigation of ornamental landscapes and turf with potable water is allowed, 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 forty five (45) 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.~~

(db) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-users exclusive control.

(2) 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. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, ~~and~~ the number of days that outdoor irrigation is allowed, monthly commercial sector use, monthly industrial sector use, and monthly institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's April 1, 2015 Executive Order, each urban water supplier shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region and that received average annual precipitation in 2014 may, notwithstanding its average July-September 2014 R-GPCD, submit for Executive Director approval a request to reduce its total water usage by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier's service area received average annual precipitation in 2014.

(3) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total water usage by 8 percent for each month as compared to the amount used in the same month in 2013.

(4) Each urban water supplier whose average July-September 2014 R-GPCD was between 65 and 79.9 shall reduce its total water usage by 12 percent for each month as compared to the amount used in the same month in 2013.

(5) Each urban water supplier whose average July-September 2014 R-GPCD was between 80 and 94.9 shall reduce its total water usage by 16 percent for each month as compared to the amount used in the same month in 2013.

(6) Each urban water supplier whose average July-September 2014 R-GPCD was between 95 and 109.9 shall reduce its total water usage by 20 percent for each month as compared to the amount used in the same month in 2013.

(7) Each urban water supplier whose average July-September 2014 R-GPCD was between 110 and 129.9 shall reduce its total water usage by 24 percent for each month as compared to the amount used in the same month in 2013.

(8) Each urban water supplier whose average July-September 2014 R-GPCD was between 130 and 169.9 shall reduce its total water usage by 28 percent for each month as compared to the amount used in the same month in 2013.

(9) Each urban water supplier whose average July-September 2014 R-GPCD was between 170 and 214.9 shall reduce its total water usage by 32 percent for each month as compared to the amount used in the same month in 2013.

(10) Each urban water supplier whose average July-September 2014 R-GPCD was greater than 215 shall reduce its total water usage by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier shall comply with the conservation standard specified subdivision (c).

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis.

(e) Each urban water supplier that serves 20 percent or more of its total production for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (a) may subtract the amount of water supplied for commercial agricultural use from its water production total, provided that the supplier complies with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order. Each urban water supplier that serves 20 percent or more of its total production for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (a) shall certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (a), and shall report its total water production pursuant to subdivision (b)(2), identifying the total amount of water supplied for commercial agricultural use.

(ef)(1) To prevent waste and unreasonable use of water and 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 forty five (45) days,~~ take one or more of the following actions:

(4A) 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

(2B) Implement another mandatory conservation measure or measures intended to achieve a ~~20~~25 percent reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(2) Each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall submit a report by December 15, 2015, on a form provided by the Board, that includes:

(A) Total potable water production, by month, from June through November, 2015, and total potable water production, by month, for June through November 2013; or

(B) Confirmation that the distributor limited outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

Authority: Section 1058.5, Water Code.

References: Sections 102, 104, 105, 350, 1846, 10617 and 10632, Water Code.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 865 the Executive Director, or his designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) All conservation orders issued under this article shall be subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the California Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties not served by a water supplier meeting the requirements of Water Code section 10617 or section 350, to submit additional information beyond that required to be reported pursuant to the other provisions of this article. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

Authority: Section 1058.5, Water Code.

References: Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code.

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Fact Sheet

DRAFT REGULATIONS IMPLEMENTING 25% CONSERVATION STANDARD

On April 1, 2015, Governor Jerry Brown issued the fourth in a series of Executive Orders on actions necessary to address California's severe drought conditions. With snowpack water content at a record low level of 5 percent of average for April 1st, major reservoir storage shrinking each day as a percentage of their daily average measured over the last several decades, and groundwater levels continuing to decline, urgent action is needed. The April 1 Executive Order requires, for the first time in the State's history, mandatory conservation of potable urban water use. Commercial agriculture in many parts of the State has already been notified of severe cutbacks in water supply contracted through the State and Federal Water Projects and is bracing for curtailments of surface water rights in the near-term. Conserving water more seriously now will forestall even more catastrophic impacts if it does not rain next year.

Early Input

To maximize input in a short amount of time, the State Water Board released a proposed regulatory framework for implementing the 25% conservation standard mandated by the Executive Order on April 7, 2015. This will result in water savings amounting to approximately 1.3 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville. Draft regulations are now available for informal public comment that consider and incorporate the input contained in over 250 comments submitted by water suppliers, local government, businesses, individuals, and non-governmental organizations. Key areas of comment focused on the methodology behind the assignment of conservation standards, the availability of exclusions or adjustments under defined conditions, how to approach the commercial, industrial and institutional (CII) sector, the requirements for smaller water suppliers, and the approach to enforcement.

What's Next

During this second informal comment period, we are soliciting feedback on the updated approach reflected in the draft regulation as well as comment on the specific regulatory language. Please submit comments by email to Jessica Bean at Jessica.Bean@waterboards.ca.gov by April 22, 2015. The draft regulation will be further refined based on comments received and the Notice of Proposed Emergency Rulemaking and accompanying revised regulatory language will be released on April 28th for public comment and consideration by the Board at its May 5-6, 2015 regular business meeting.



Draft Regulation - Key Provisions

Conservation Standard for Urban Water Suppliers

As drought conditions continue, all water suppliers will need to do more to meet the statewide 25% conservation standard. Many communities around the State have been conserving for years. Some of these communities have achieved remarkable results with residential water use now hovering around the statewide target for indoor water use, while others are using many times more. Everyone must do more, but the greatest opportunities to meet the statewide 25% conservation standard now exist in those areas with higher water use. Often, but not always, these water suppliers are located in areas where the majority of the water use is directed at outdoor irrigation due to lot size and other factors.

In response to comments and suggestions, the draft regulation assigns urban water suppliers to a tier of water reduction based upon three months of summer residential gallons-per-capita-per-day data (July-September). These three months reflect the amount of water used for summer outdoor irrigation, which provides the greatest opportunity for conservation savings.

The number of tiers has more than doubled, from the proposed regulatory framework, to more equitably allocate the conservation savings necessary to reach the statewide 25 percent reduction mandate. This updated approach lessens the disparities in reduction requirements between agencies that have similar levels of water consumption, but fall on different sides of dividing lines between tiers. Suppliers that were in the 35% reduction tier in the prior proposal may now be in the 32% or 28% tier if their summer 2014 R-GPCD was below 210. Adding additional tiers to the conservation framework also better reflects past conservation efforts because water suppliers that have reduced use prior to the drought will have a lower R-GPCD and lower conservation standard than water suppliers with similar climate and density factors where R-GPCD remains high.

Urban water suppliers (serving more than 3,000 customers or delivering more than 3,000 acre feet of water per year and accounting for more than 90% of urban water use) will be assigned a conservation standard, as shown in the following table:

Tier	R-GPCD Range		# of Suppliers in Range	Conservation Standard
	From	To		
1	reserved		0	4%
2	0	64.99	23	8%
3	65	79.99	21	12%
4	80	94.99	42	16%
5	95	109.99	41	20%
6	110	129.99	51	24%
7	130	169.99	73	28%
8	170	214.99	66	32%
9	215	612.00	94	36%

The Smith family of three learns that their water district must reduce water use by 12 percent. A manufacturing plant uses 20 percent of the water and cannot reduce its use. So, residents are told to reduce their use by 15 percent to meet the overall 12 percent target. The Smith family uses an average of 210 gallons per day (or about 70 gallons per person), 165 gallons for indoor use and 45 gallons for watering their small yard. To meet the 15% reduction requirement they must bring their total water use down to about 180 gallons per day. This is equivalent to about 60 gallons per person per day.

The Jones family of four learn that their water district must reduce water use by 32 percent. An oil refinery uses 10 percent of the district's water and cannot reduce its use. Their city also has many small businesses, and a golf course, which can reduce use by more than 10 percent. The residents must now reduce their use by 30 percent to meet the overall 32 percent target. The Jones family uses an average of 1,200 gallons per day (or about 300 gallons per person); 300 gallons for indoor use and 900 gallons outdoors, to irrigate a large yard that includes grass and fruit trees. To cut water use by 30 percent, the Jones' must cut their water use by 360 gallons per day to 840 gallons which is equivalent to 210 gallons per person per day.

The draft regulation describes two situations where water suppliers could request to modify their total water use or be placed into a lower conservation tier:

1. Urban water suppliers delivering more than 20 percent of their total water production to commercial agriculture may be allowed to modify the amount of water subject to their conservation standard. These suppliers must provide written certification to the Board to be able to subtract the water supplied to commercial agriculture from their total water production for baseline and conservation purposes.
2. Urban water suppliers that have a reserve supply of surface water that could last multiple years may be eligible for placement into lower conservation tier. Only suppliers meeting the eligibility criteria will be considered. These criteria relate to the source(s) of supply, precipitation amounts, and the number of years that those supplies could last.

There are no specific use reduction targets for commercial, industrial, and institutional users served by urban and all other water suppliers. Water suppliers will decide how to meet their conservation standard through reductions from both residential and non-residential users. Water suppliers are encouraged to look at their commercial, institutional and industrial properties that irrigate outdoor ornamental landscapes with potable water for potential conservation savings.

An open question is whether the draft regulation should allow multiple suppliers to join together to meet a collective conservation standard. In order to achieve a statewide 25% reduction in urban water use, the group as a whole would need to achieve the same amount of water savings as they would as individual suppliers. This approach could provide additional flexibility in achieving the conservation standard and allow for uniform messaging and implementation across contiguous service areas. There are many uncertainties, however, related to the appropriate geographic scope, group leadership, compliance assessment, accountability, and enforcement. Input is requested regarding how a collective approach could be administered that addresses these uncertainties and achieves the required reduction in water use.

Conservation Standard For All Other Water Suppliers

Under the current proposal, smaller water suppliers (serving fewer than 3,000 connections) will be required to achieve a 25% conservation standard or restrict outdoor irrigation to no more than two days per week. Commercial, industrial, and institutional users with independent supplies will also be required to reduce usage by 25% or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers serve less than 10% of Californians.

End-User Requirements

The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:

- Irrigation with potable water of ornamental turf on public street medians is prohibited; and
- Irrigation with potable water outside of newly constructed homes and buildings not delivered by drip or microspray is prohibited.

Commercial, industrial and institutional properties under Provision 5 of the Executive Order with an independent source of water supply (not served by a water supplier), are required under the draft regulation to either limit outdoor irrigation to two days per week or achieve a 25% reduction in water use. Often, these properties have large landscapes that would otherwise not be addressed by this regulation.

It will be very important as these provisions are implemented to ensure that existing trees remain healthy and do not present a public safety hazard. Guidance on the implementation of both prohibitions will be developed.

New Reporting Requirements

Total monthly water production and specific reporting on residential use and enforcement as laid out in the previously adopted emergency regulations will remain in effect. Because the conservation standard applies to total water production, the draft regulation expands the reporting to include information on water use in the commercial, industrial, and institutional sectors. Small water suppliers with fewer than 3,000 service connections will be required to submit a single report on December 15, 2015 that provides their water production from June-November 2015 and June-November 2013. In addition, they must report on the number of days per week outdoor irrigation is allowed.

Commercial, industrial, and institutional facilities with an independent source of supply (they are not served by a water supplier) will not be required to submit a report; however they should be prepared to demonstrate their compliance with the two day per week watering restriction or the 25% reduction in water use if requested to do so by the Board.

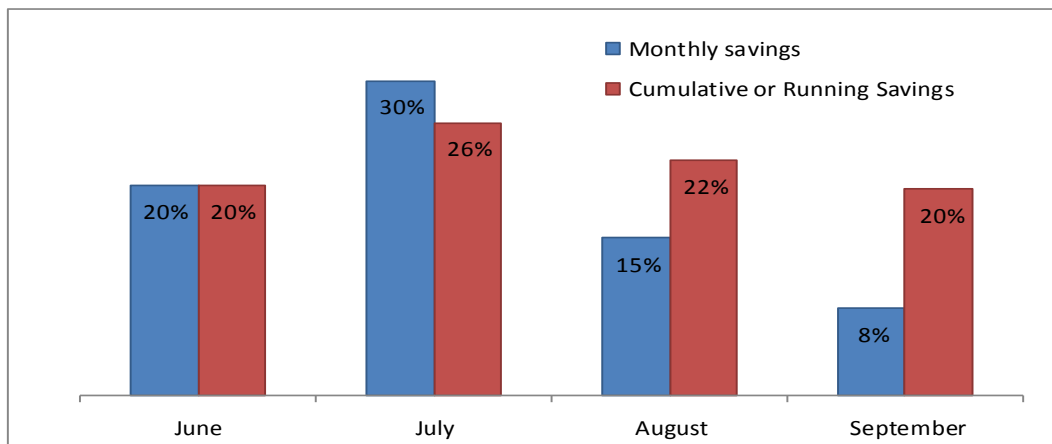
Compliance Assessment

In many communities around the state, over half (and up to 80 percent) of total residential water use is for outdoor irrigation during the summer months. With summer just around the corner, bringing with it the greatest opportunity for making substantial conservation gains, immediate action is essential. As a result, the Board will begin assessing compliance with the submittal of the June monthly report on July 15, 2015.

Commenters pointed out that a month-by-month comparison of the percentage reduction in water use is confusing to the public because of the potentially wide variation in results due to temperatures, precipitation, and other factors. Several comments suggested using a 12-month rolling average; however a cumulative approach will also eliminate the wide swings that can occur in a month-by-month comparison and give a more accurate sense of progress. Beyond June, the Board will track compliance on a cumulative basis. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. This tracking will look like the sample graph below.

Example Comparison of Monthly Savings and Cumulative or Running Savings

	2013 Water Use	2015 Water Use	Monthly savings	Cumulative or Running Savings
June	1000	800	20%	20%
July	1500	1050	30%	26%
August	1200	1020	15%	22%
September	900	825	8%	20%



Two additional tools are included in the draft regulation to both expedite the investigation of water suppliers not meeting their conservation standard and require the implementation of actions to correct this situation. A new informational order is proposed that water suppliers would be required to respond to or face immediate enforcement. The proposed conservation order can be used to direct specific actions to correct non-compliance. Both of these tools are tailored to the emergency circumstances that the State finds itself in as a result of continuing drought conditions. Violation of an information or conservation order carries a penalty of up to \$500 per day.

The Board will work with water suppliers along the way that are not meeting their targets to implement actions to get them back on track. These actions could include changes to rates and pricing, restrictions on outdoor irrigation, public outreach, rebates and audit programs, leak detection and repair, and other measures. The Board may use its enforcement tools to ensure that water suppliers are on track to meet their conservation standards at any point during the 270 days that the emergency regulation is in effect.

In Conclusion

The Board received many comments on how to incorporate factors correlated with water use, such as climate, density, past conservation achievements, growth, and others. Many of these factors are accounted for in the State's 20x2020 conservation approach adopted in 2009, and they are relevant to a longer-term conservation policy. While the draft regulation does not directly adjust the conservation standards based on climate or other factors, the increase in the number of tiers gives many communities in the hotter, inland areas a lower conservation standard than they would have otherwise been subject to.

There were also many comments that discussed how recycled water and other new sources of water supply should factor in to the conservation standard. Many suggested that potable recycled water supplies be excluded from the amount of water subject to the conservation standard and that a credit system be established to also recognize investments made in developing non-potable recycled water supplies (which are not included in Total Water Production). Both of these sources of supply add resiliency and are key to a more sustainable water future. These suggestions were not integrated into the draft regulations because while the State, our federal government partners and local governments have provided much needed capital to make these projects work; they are still sources of supply that need to be managed judiciously, especially in times of drought.

The staff appreciates the extensive input submitted from individuals, communities and organizations around the State. In particular, comments that targeted specific concerns and provided specific solutions were very well received. There has been a wealth of input on actions that are more appropriately dealt with over the longer term, not necessarily in this rulemaking. These suggestions will be considered as the Board moves forward in establishing permanent regulations for water usage, conservation, and reporting under Provision 9 of the Executive Order as well as additional temporary emergency regulations that may be needed if it does not rain significantly next winter.

Supplier Name	Total Water Production (gallons)		Total Water Saved	Percent Saved	Jul-Sep 2014 R-GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)	(Jun-14 - Feb-15, compared to 2013)	(Jun-14 - Feb-15, compared to 2013)			
Arcata City of	499,104,000	495,047,000	4,057,000	1%	43.5	2	8%
San Francisco Public Utilities Commission	20,365,410,000	18,717,900,000	1,647,510,000	8%	45.4	2	8%
Santa Cruz City of	2,527,700,000	1,933,400,000	594,300,000	24%	47.3	2	8%
California Water Service Company South San Francisco	2,075,673,590	1,907,534,254	168,139,336	8%	48.8	2	8%
California-American Water Company Monterey District	2,903,844,543	2,590,336,368	313,508,175	11%	51.3	2	8%
California Water Service Company East Los Angeles	3,998,522,861	3,819,956,279	178,566,582	4%	51.4	2	8%
Vernon City of	1,907,061,769	1,788,380,162	118,681,607	6%	51.6	2	8%
California-American Water Company San Diego District	2,795,094,888	2,578,195,144	216,899,744	8%	51.9	2	8%
Cambria Community Services District	166,216,813	95,513,570	70,703,243	43%	54.4	2	8%
East Palo Alto, City of	409,886,088	454,911,335	-45,025,247	-11%	55.6	2	8%
Park Water Company	2,833,164,110	2,598,821,539	234,342,571	8%	55.6	2	8%
San Bruno City of	929,865,974	849,620,197	80,245,777	9%	55.7	2	8%
Golden State Water Company Bell-Bell Gardens	1,279,423,043	1,208,354,847	71,068,196	6%	58.4	2	8%
Daly City City of	1,888,066,301	1,622,632,784	265,433,517	14%	58.8	2	8%
North Coast County Water District	809,332,364	713,333,361	95,999,003	12%	59.5	2	8%
Westborough Water District	257,568,499	213,776,790	43,791,709	17%	59.5	2	8%
Coastside County Water District	565,550,000	524,430,000	41,120,000	7%	61.9	2	8%
Grover Beach City of	352,828,667	208,202,769	144,625,897	41%	62.1	2	8%
Hayward City of	4,474,967,937	3,957,222,483	517,745,455	12%	62.1	2	8%
Redwood City City of	2,525,846,774	2,179,170,327	346,676,447	14%	63.4	2	8%
Compton City of	1,858,895,919	1,837,323,747	21,572,172	1%	63.6	2	8%
Soquel Creek Water District	1,046,626,000	826,889,000	219,737,000	21%	64.3	2	8%
Seal Beach City of	905,215,264	856,337,550	48,877,714	5%	64.7	2	8%
Inglewood City of	2,457,964,645	2,284,776,001	173,188,643	7%	65.1	3	12%
Goleta Water District	3,523,431,480	3,053,227,871	470,203,609	13%	65.5	3	12%
Golden State Water Company Florence Graham	1,246,577,219	1,227,482,326	19,094,894	2%	66.5	3	12%
Oxnard City of	5,742,131,037	5,086,123,686	656,007,351	11%	66.6	3	12%
Paramount City of	1,628,999,712	1,623,382,034	5,617,679	0%	67.0	3	12%
Port Hueneme City of	500,546,894	456,100,759	44,446,135	9%	67.2	3	12%
California Water Service Company King City	428,820,478	403,729,918	25,090,560	6%	67.7	3	12%
Morro Bay City of	316,836,255	281,236,756	35,599,499	11%	70.0	3	12%
South Gate City of	2,066,696,383	2,017,629,675	49,066,708	2%	70.1	3	12%
Huntington Park City of	1,171,761,731	1,128,423,492	43,338,240	4%	71.3	3	12%
Estero Municipal Improvement District	1,137,677,797	1,077,438,670	60,239,127	5%	72.8	3	12%
Golden State Water Company Norwalk	1,214,317,928	1,131,519,080	82,798,848	7%	73.5	3	12%
Golden State Water Company Bay Point	512,238,443	452,672,802	59,565,641	12%	75.5	3	12%
Sweetwater Authority	5,185,495,337	4,886,767,783	298,727,554	6%	75.6	3	12%
City of Big Bear Lake, Dept of Water & Power	610,520,000	590,469,860	20,050,140	3%	75.8	3	12%
Marina Coast Water District	1,063,425,908	946,396,368	117,029,540	11%	75.9	3	12%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisonal)

Supplier Name	Total Water Production (gallons)		Total Water Saved	Percent Saved	Jul-Sep 2014 R-GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)	(Jun-14 - Feb-15, compared to 2013)	(Jun-14 - Feb-15, compared to 2013)			
Lompoc City of	1,253,200,000	1,106,800,000	146,400,000	12%	76.6	3	12%
San Lorenzo Valley Water District	416,952,583	335,050,267	81,902,316	20%	77.9	3	12%
Golden State Water Company S San Gabriel	664,867,252	637,528,317	27,338,935	4%	77.9	3	12%
Santa Ana City of	9,729,076,397	9,323,684,636	405,391,760	4%	78.3	3	12%
McKinleyville Community Service District	344,448,000	300,869,000	43,579,000	13%	79.8	3	12%
Santa Fe Springs City of	1,526,056,730	1,408,567,739	117,488,991	8%	80.1	4	16%
Crestline Village Water District	185,010,871	167,499,027	17,511,844	9%	80.3	4	16%
Monterey Park City of	649,960,000	594,880,000	55,080,000	8%	80.4	4	16%
Montebello Land and Water Company	859,407,071	791,398,619	68,008,451	8%	80.5	4	16%
Santa Barbara City of	3,348,530,727	2,632,951,217	715,579,509	21%	80.9	4	16%
Rohnert Park City of	1,267,000,000	1,124,000,000	143,000,000	11%	81.0	4	16%
Valley County Water District	2,033,127,821	1,853,913,772	179,214,049	9%	81.6	4	16%
Golden State Water Company Southwest	7,303,405,789	6,894,299,322	409,106,467	6%	81.7	4	16%
San Diego City of	47,355,303,598	46,452,597,390	902,706,208	2%	82.0	4	16%
Mountain View City of	2,967,854,797	2,531,213,885	436,640,912	15%	82.5	4	16%
California Water Service Company Dominguez	8,444,765,582	8,077,205,172	367,560,410	4%	83.7	4	16%
Long Beach City of	14,658,100,592	13,842,168,619	815,931,973	6%	83.8	4	16%
Greenfield, City of	573,049,890	501,684,126	71,365,764	12%	83.8	4	16%
Dublin San Ramon Services District	2,779,417,000	1,959,505,000	819,912,000	29%	84.7	4	16%
San Luis Obispo City of	1,387,716,506	1,278,706,170	109,010,336	8%	85.0	4	16%
Sunnyvale City of	4,612,426,949	3,920,970,221	691,456,728	15%	85.2	4	16%
California Water Service Company Salinas District	4,612,101,098	4,065,974,106	546,126,992	12%	86.0	4	16%
Lynwood City of	1,264,349,156	1,237,371,916	26,977,240	2%	86.3	4	16%
Santa Rosa City of	5,454,466,874	4,447,473,373	1,006,993,501	18%	86.7	4	16%
Hawthorne City of	1,070,747,789	1,135,592,223	-64,844,434	-6%	86.7	4	16%
California Water Service Company Mid Peninsula	3,986,792,209	3,551,780,554	435,011,655	11%	87.4	4	16%
San Gabriel Valley Water Company	9,747,519,587	9,124,165,807	623,353,780	6%	88.3	4	16%
Alameda County Water District	10,539,100,000	8,458,900,000	2,080,200,000	20%	88.3	4	16%
Santa Clara City of	5,338,900,000	4,749,500,000	589,400,000	11%	88.3	4	16%
Menlo Park City of	1,058,240,665	769,095,397	289,145,268	27%	88.6	4	16%
Sweetwater Springs Water District	208,544,913	177,491,272	31,053,641	15%	88.7	4	16%
Millbrae City of	668,885,610	603,267,242	65,618,369	10%	89.2	4	16%
Golden State Water Company Artesia	1,402,138,690	1,348,796,812	53,341,879	4%	90.0	4	16%
Hi-Desert Water District	744,117,577	733,074,472	11,043,105	1%	90.3	4	16%
Burlingame City of	1,288,363,748	1,075,113,151	213,250,598	17%	90.4	4	16%
Los Angeles Department of Water and Power	139,452,680,105	130,343,503,463	9,109,176,642	7%	90.9	4	16%
Vallejo City of	4,410,308,000	4,020,375,000	389,933,000	9%	91.3	4	16%
San Buenaventura City of	4,446,346,994	3,813,888,925	632,458,069	14%	91.3	4	16%
Scotts Valley Water District	311,979,632	253,857,835	58,121,797	19%	91.6	4	16%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved (Jun-14 - Feb-15, compared to 2013)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Irvine Ranch Water District	15,406,744,246	15,015,266,341	391,477,904	3%	91.7	4	16%
Otay Water District	8,209,272,756	7,888,634,952	320,637,804	4%	93.0	4	16%
Windsor, Town of	963,136,985	817,896,531	145,240,453	15%	93.0	4	16%
California Water Service Company Redwood Valley	108,182,674	82,440,411	25,742,263	24%	93.3	4	16%
American Canyon, City of	915,968,361	777,155,653	138,812,708	15%	93.5	4	16%
Lakewood City of	2,086,631,973	1,856,580,866	230,051,107	11%	93.9	4	16%
East Bay Municipal Utilities District	52,390,500,000	46,127,500,000	6,263,000,000	12%	94.2	4	16%
Crescent City City of	583,110,000	710,650,000	-127,540,000	-22%	94.5	4	16%
San Jose City of	5,294,000,000	4,707,000,000	587,000,000	11%	96.0	5	20%
Pomona City of	5,817,361,333	5,468,536,077	348,825,256	6%	96.1	5	20%
Bellflower-Somerset Mutual Water Company	1,350,031,789	1,268,477,694	81,554,095	6%	96.1	5	20%
California Water Service Company Hermosa/Redondo	2,984,799,071	2,983,495,666	1,303,406	0%	96.4	5	20%
Azusa City of	5,165,530,597	4,670,763,054	494,767,543	10%	97.3	5	20%
California Water Service Company Stockton	6,808,665,567	6,318,910,872	489,754,695	7%	97.6	5	20%
El Segundo City of	1,692,179,532	1,788,496,457	-96,316,925	-6%	97.9	5	20%
Carpinteria Valley Water District	1,160,826,158	1,028,941,051	131,885,107	11%	98.2	5	20%
Lomita City of	591,013,026	547,632,425	43,380,600	7%	98.3	5	20%
Norwalk City of	559,456,000	511,830,000	47,626,000	9%	98.7	5	20%
Moulton Niguel Water District	7,135,207,799	6,864,125,480	271,082,319	4%	99.1	5	20%
Rowland Water District	2,857,000,142	2,756,214,295	100,785,846	4%	99.3	5	20%
Livermore City of Division of Water Resources	1,642,615,000	1,199,514,000	443,101,000	27%	100.0	5	20%
Fountain Valley City of	2,438,968,604	2,305,516,153	133,452,452	5%	100.2	5	20%
Pittsburg City of	2,481,549,000	2,226,323,000	255,226,000	10%	100.3	5	20%
Watsonville City of	2,045,660,752	1,803,744,576	241,916,176	12%	100.3	5	20%
Lathrop, City of	1,149,290,000	990,960,000	158,330,000	14%	100.5	5	20%
El Monte City of	328,279,000	312,936,000	15,343,000	5%	100.6	5	20%
Mid-Peninsula Water District	823,925,361	712,822,442	111,102,919	13%	101.4	5	20%
San Gabriel County Water District	1,612,133,643	1,485,957,453	126,176,190	8%	102.9	5	20%
Helix Water District	8,454,736,636	8,067,103,778	387,632,858	5%	103.6	5	20%
Whittier City of	2,041,957,743	2,084,064,264	-42,106,521	-2%	104.2	5	20%
Great Oaks Water Company Incorporated	2,641,791,567	2,210,783,322	431,008,244	16%	104.2	5	20%
Hollister City of	832,612,930	742,476,980	90,135,950	11%	104.4	5	20%
Calexico City of	1,524,360,000	1,440,570,000	83,790,000	5%	104.6	5	20%
Oceanside City of	6,988,111,948	6,765,555,423	222,556,525	3%	105.3	5	20%
San Jose Water Company	36,046,000,000	31,608,300,000	4,437,700,000	12%	105.7	5	20%
Westminster City of	3,064,371,990	2,956,971,359	107,400,630	4%	105.9	5	20%
Escondido City of	4,625,134,351	4,059,907,513	565,226,838	12%	106.7	5	20%
Fairfield City of	5,435,000,000	4,853,000,000	582,000,000	11%	106.7	5	20%
Downey City of	4,090,256,554	3,834,059,128	256,197,426	6%	106.9	5	20%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved (Jun-14 - Feb-15, compared to 2013)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Glendale City of	6,839,188,070	6,346,086,881	493,101,189	7%	107.1	5	20%
Marin Municipal Water District	7,006,662,670	5,966,662,221	1,040,000,448	15%	107.4	5	20%
Camarillo City of	2,747,943,839	2,399,416,293	348,527,546	13%	107.5	5	20%
California-American Water Company Sacramento District	8,801,191,649	7,285,565,423	1,515,626,225	17%	107.8	5	20%
Adelanto city of	1,091,834,544	993,603,394	98,231,150	9%	108.5	5	20%
Anaheim City of	16,337,538,847	15,992,788,037	344,750,810	2%	108.6	5	20%
Ukiah City of	678,601,000	551,722,000	126,879,000	19%	108.6	5	20%
Pico Rivera City of	1,267,056,981	1,099,162,034	167,894,948	13%	108.8	5	20%
Huntington Beach City of	7,506,541,568	7,116,888,432	389,653,136	5%	109.0	5	20%
Crescenta Valley Water District	1,200,433,997	1,043,760,838	156,673,159	13%	109.4	5	20%
Milpitas City of	2,719,687,979	2,424,775,231	294,912,748	11%	110.2	6	24%
Torrance City of	3,906,665,343	3,703,464,394	203,200,950	5%	111.0	6	24%
Vista Irrigation District	4,896,569,394	4,632,303,886	264,265,507	5%	111.1	6	24%
Martinez City of	1,027,679,751	871,695,210	155,984,540	15%	111.7	6	24%
Santa Monica City of	3,462,200,000	3,321,100,000	141,100,000	4%	111.7	6	24%
Perris, City of	437,809,090	430,597,020	7,212,070	2%	111.9	6	24%
Golden State Water Company Culver City	1,415,824,450	1,344,756,254	71,068,196	5%	113.1	6	24%
Lakeside Water District	1,064,566,388	977,942,044	86,624,343	8%	114.6	6	24%
Golden State Water Company S Arcadia	908,701,874	851,189,098	57,512,777	6%	116.0	6	24%
Vallecitos Water District	4,390,033,350	4,037,168,840	352,864,510	8%	116.1	6	24%
Soledad, City of	581,571,300	531,785,500	49,785,800	9%	116.7	6	24%
Manhattan Beach City of	1,219,661,891	1,153,188,200	66,473,691	5%	116.7	6	24%
Mesa Water District	4,434,609,825	4,283,056,327	151,553,499	3%	116.8	6	24%
Palo Alto City of	3,180,440,852	2,685,999,460	494,441,392	16%	116.8	6	24%
Gilroy City of	2,328,666,000	1,995,678,000	332,988,000	14%	117.6	6	24%
Humboldt Community Service District	610,120,000	573,669,000	36,451,000	6%	117.9	6	24%
Alhambra City of	2,575,148,433	2,329,573,763	245,574,669	10%	118.3	6	24%
Orchard Dale Water District	589,289,272	550,757,340	38,531,931	7%	118.7	6	24%
Buena Park City of	3,777,921,445	3,441,805,698	336,115,747	9%	118.9	6	24%
Pico Water District	1,029,001,320	960,057,631	68,943,690	7%	119.0	6	24%
Delano City of	2,386,120,000	2,229,650,000	156,470,000	7%	119.4	6	24%
El Centro City of	1,978,323,000	1,910,544,000	67,779,000	3%	119.5	6	24%
Woodland City of	2,938,159,020	2,454,292,204	483,866,816	16%	119.8	6	24%
Pleasanton City of	4,439,552,000	3,099,891,000	1,339,661,000	30%	119.8	6	24%
El Toro Water District	2,331,141,109	2,239,576,858	91,564,251	4%	119.9	6	24%
San Fernando City of	839,719,127	786,931,196	52,787,931	6%	120.3	6	24%
Suburban Water Systems San Jose Hills	7,160,122,399	6,833,016,444	327,105,955	5%	120.3	6	24%
Sunny Slope Water Company	1,052,785,122	950,022,234	102,762,888	10%	120.5	6	24%
California Water Service Company Livermore	2,781,467,781	1,909,163,511	872,304,270	31%	120.5	6	24%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved	Percent Saved	Jul-Sep 2014 R-GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)	(Jun-14 - Feb-15, compared to 2013)	(Jun-14 - Feb-15, compared to 2013)			
Laguna Beach County Water District	872,082,691	867,064,579	5,018,112	1%	121.0	6	24%
Fortuna City of	303,008,000	276,986,000	26,022,000	9%	121.2	6	24%
Golden State Water Company West Orange	4,000,477,969	3,830,090,258	170,387,711	4%	121.4	6	24%
Amador Water Agency	899,761,000	773,623,400	126,137,600	14%	121.6	6	24%
South Coast Water District	1,639,847,306	1,549,814,557	90,032,749	5%	121.7	6	24%
Napa City of	3,605,871,891	3,247,435,321	358,436,570	10%	124.1	6	24%
Alco Water Service	1,156,954,000	1,028,617,000	128,337,000	11%	124.2	6	24%
Coachella City of	1,395,900,000	1,294,010,000	101,890,000	7%	125.5	6	24%
California Water Service Company Marysville	575,127,769	496,597,575	78,530,194	14%	125.5	6	24%
Valley of the Moon Water District	800,300,880	646,691,259	153,609,621	19%	125.8	6	24%
Brea City of	2,826,761,129	2,727,376,444	99,384,685	4%	125.9	6	24%
Chino City of	3,332,449,959	3,123,999,542	208,450,416	6%	126.7	6	24%
Santa Margarita Water District	7,105,190,366	6,932,489,109	172,701,256	2%	126.8	6	24%
Reedley City of	1,302,000,000	1,109,000,000	193,000,000	15%	126.9	6	24%
Ontario City of	8,782,999,363	8,499,508,622	283,490,741	3%	126.9	6	24%
Valencia Water Company	7,817,224,611	6,780,899,767	1,036,324,844	13%	127.0	6	24%
Groveland Community Services District	127,297,632	96,625,396	30,672,236	24%	127.5	6	24%
Eureka City of	860,874,000	799,778,000	61,096,000	7%	128.0	6	24%
Petaluma City of	2,407,770,000	2,071,485,000	336,285,000	14%	129.0	6	24%
North Marin Water District	2,457,000,000	1,986,810,000	470,190,000	19%	129.1	6	24%
City of Newman Water Department	559,946,000	448,854,000	111,092,000	20%	129.2	6	24%
Tuolumne Utilities District	1,441,240,862	992,152,425	449,088,437	31%	129.3	6	24%
Monte Vista Water District	2,603,464,922	2,359,464,115	244,000,807	9%	130.3	7	28%
Twentynine Palms Water District	666,765,336	641,552,256	25,213,080	4%	130.6	7	28%
Eastern Municipal Water District	22,059,815,756	21,154,600,492	905,215,264	4%	130.7	7	28%
California Water Service Company Oroville	830,595,287	682,007,037	148,588,251	18%	131.6	7	28%
Healdsburg City of	540,150,000	446,810,000	93,340,000	17%	131.7	7	28%
Humboldt Bay Municipal Water District	146,056,000	148,820,000	-2,764,000	-2%	132.1	7	28%
Burbank City of	4,712,137,486	4,362,205,638	349,931,847	7%	132.2	7	28%
Arroyo Grande City of	776,210,684	654,635,517	121,575,167	16%	132.2	7	28%
Padre Dam Municipal Water District	2,952,148,758	2,752,858,026	199,290,733	7%	132.6	7	28%
San Juan Capistrano City of	2,040,416,466	1,962,283,810	78,132,655	4%	133.3	7	28%
Garden Grove City of	6,584,316,860	6,185,605,054	398,711,806	6%	133.6	7	28%
Del Oro Water Company	369,631,917	306,051,990	63,579,927	17%	134.3	7	28%
Tracy City of	4,529,625,694	3,497,663,768	1,031,961,925	23%	134.6	7	28%
Riverside City of	17,427,511,870	15,956,944,380	1,470,567,490	8%	135.3	7	28%
La Palma City of	545,401,972	497,342,471	48,059,501	9%	136.3	7	28%
Santa Maria City of	3,370,607,161	3,257,210,864	113,396,297	3%	136.6	7	28%
Lincoln Avenue Water Company	613,030,807	557,668,649	55,362,157	9%	137.2	7	28%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved	Percent Saved	Jul-Sep 2014 R-GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)	(Jun-14 - Feb-15, compared to 2013)	(Jun-14 - Feb-15, compared to 2013)			
La Habra City of Public Works	2,397,728,848	2,535,032,864	-137,304,016	-6%	137.5	7	28%
Golden State Water Company Placentia	1,868,334,327	1,778,757,770	89,576,557	5%	137.8	7	28%
Pasadena City of	8,349,297,631	7,614,975,148	734,322,483	9%	139.0	7	28%
Contra Costa Water District	8,855,338,380	7,547,370,752	1,307,967,628	15%	139.9	7	28%
Suburban Water Systems Whittier/La Mirada	5,584,910,982	5,234,793,399	350,117,583	6%	141.1	7	28%
Golden State Water Company Simi Valley	1,830,698,487	1,657,215,187	173,483,300	9%	141.5	7	28%
Lake Arrowhead Community Services District	440,648,885	386,238,213	54,410,671	12%	141.6	7	28%
Antioch City of	4,642,068,000	4,042,923,000	599,145,000	13%	141.9	7	28%
Big Bear City Community Services District	266,135,894	256,898,007	9,237,888	3%	142.4	7	28%
Sonoma City of	583,798,675	494,362,234	89,436,441	15%	142.5	7	28%
San Gabriel Valley Fontana Water Company	10,907,224,816	10,188,722,419	718,502,397	7%	142.9	7	28%
Tehachapi, City of	582,624,632	536,291,818	46,332,814	8%	143.8	7	28%
Davis City of	3,023,400,000	2,527,400,000	496,000,000	16%	143.9	7	28%
Benicia City of	1,543,102,018	1,217,315,761	325,786,257	21%	143.9	7	28%
California Water Service Company Dixon, City of	382,549,575	346,705,918	35,843,657	9%	144.3	7	28%
Suisun-Solano Water Authority	1,038,300,000	918,300,000	120,000,000	12%	144.5	7	28%
Sunnyslope County Water District	694,319,032	596,249,460	98,069,572	14%	144.6	7	28%
Roseville City of	8,448,024,096	6,930,859,852	1,517,164,244	18%	145.1	7	28%
Paso Robles City of	1,705,474,000	1,511,094,000	194,380,000	11%	146.0	7	28%
Sacramento City of	28,979,000,000	23,440,000,000	5,539,000,000	19%	146.4	7	28%
Walnut Valley Water District	5,119,451,770	4,877,344,159	242,107,610	5%	146.4	7	28%
Rialto City of	2,544,482,555	2,596,683,954	-52,201,399	-2%	146.9	7	28%
Diablo Water District	1,487,225,000	1,338,770,000	148,455,000	10%	147.7	7	28%
Patterson City of	1,040,156,104	948,595,320	91,560,784	9%	148.3	7	28%
San Dieguito Water District	1,583,703,106	1,621,176,020	-37,472,914	-2%	148.3	7	28%
Orange City of	7,732,617,288	7,437,395,896	295,221,393	4%	148.7	7	28%
California Water Service Company Kern River Valley	222,882,376	201,376,182	21,506,194	10%	148.9	7	28%
Fresno City of	36,603,191,424	30,513,707,650	6,089,483,774	17%	150.7	7	28%
Cerritos City of	2,219,233,953	1,991,297,621	227,936,332	10%	153.6	7	28%
Sanger City of	1,552,776,000	1,422,246,000	130,530,000	8%	153.6	7	28%
Monrovia City of	1,885,000,000	1,673,000,000	212,000,000	11%	154.6	7	28%
Covina City of	1,500,350,310	1,393,914,200	106,436,110	7%	154.7	7	28%
Lake Hemet Municipal Water District	2,880,852,466	2,579,961,258	300,891,208	10%	154.9	7	28%
Stockton City of	8,304,530,000	7,263,300,000	1,041,230,000	13%	155.0	7	28%
Ventura County Waterworks District No. 8	5,424,122,854	4,896,895,245	527,227,609	10%	156.1	7	28%
Tustin City of	2,984,049,613	2,895,189,929	88,859,684	3%	156.5	7	28%
California-American Water Company Los Angeles District	5,579,752,754	5,179,473,602	400,279,151	7%	156.8	7	28%
Fullerton City of	7,215,373,767	6,969,105,034	246,268,733	3%	157.4	7	28%
San Clemente City of	2,270,663,084	2,331,434,375	-60,771,291	-3%	157.7	7	28%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved	Percent Saved	Jul-Sep 2014 R-GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)	(Jun-14 - Feb-15, compared to 2013)	(Jun-14 - Feb-15, compared to 2013)			
Chino Hills City of	3,952,965,804	3,587,674,904	365,290,900	9%	157.8	7	28%
Rubidoux Community Service District	1,400,190,000	1,335,510,000	64,680,000	5%	158.0	7	28%
Rosamond Community Service District	719,200,000	712,000,000	7,200,000	1%	158.3	7	28%
Santa Paula City of	1,218,270,506	1,081,725,724	136,544,782	11%	160.2	7	28%
North Tahoe Public Utility District	350,120,000	332,141,000	17,979,000	5%	161.3	7	28%
Atascadero Mutual Water Company	1,291,000,000	1,056,900,000	234,100,000	18%	163.0	7	28%
Thousand Oaks City of	3,106,634,920	2,792,709,655	313,925,265	10%	163.7	7	28%
Victorville Water District	4,985,852,685	4,486,322,447	499,530,238	10%	164.4	7	28%
Nipomo Community Services District	665,258,273	527,032,098	138,226,175	21%	165.4	7	28%
Fillmore City of	482,079,202	446,216,000	35,863,202	7%	165.6	7	28%
Ramona Municipal Water District	1,087,105,531	1,049,746,665	37,358,866	3%	165.9	7	28%
Golden State Water Company Barstow	1,595,531,512	1,445,509,515	150,021,997	9%	166.2	7	28%
El Dorado Irrigation District	10,044,044,386	7,600,810,386	2,443,234,000	24%	166.2	7	28%
Ceres City of	1,985,969,000	1,848,968,000	137,001,000	7%	166.3	7	28%
California Water Service Company Willows	364,301,895	318,682,696	45,619,200	13%	168.6	7	28%
East Valley Water District	5,405,695,956	4,782,879,831	622,816,125	12%	169.4	7	28%
Joshua Basin Water District	409,078,118	382,604,644	26,473,473	6%	169.6	7	28%
Newport Beach City of	4,220,349,478	3,924,557,845	295,791,633	7%	170.3	8	32%
South Pasadena City of	1,045,005,526	935,193,595	109,811,931	11%	171.1	8	32%
Imperial, City of	687,420,000	671,127,000	16,293,000	2%	171.9	8	32%
Ventura County Waterworks District No 1	2,688,665,294	2,241,890,403	446,774,892	17%	172.0	8	32%
Dinuba City of	1,126,830,000	977,550,000	149,280,000	13%	172.3	8	32%
Madera City of	2,268,235,000	2,115,715,000	152,520,000	7%	173.5	8	32%
California Water Service Company Los Altos/Suburban	3,714,706,268	3,136,645,836	578,060,431	16%	173.8	8	32%
Hesperia Water District City of	3,676,581,651	3,538,094,794	138,486,856	4%	174.6	8	32%
Castaic Lake Water Agency Santa Clarita Water Division	7,358,051,073	6,493,567,237	864,483,836	12%	174.8	8	32%
Brentwood City of	3,038,220,000	2,663,210,000	375,010,000	12%	174.8	8	32%
Arvin Community Services District	740,072,884	667,768,501	72,304,383	10%	175.3	8	32%
Palmdale Water District	5,291,175,472	5,010,063,446	281,112,026	5%	175.9	8	32%
San Jacinto City of	756,372,530	651,046,816	105,325,714	14%	176.1	8	32%
La Verne City of	2,094,159,141	1,955,656,970	138,502,171	7%	176.5	8	32%
Newhall County Water District	2,611,216,927	2,326,139,289	285,077,638	11%	178.3	8	32%
Rincon Del Diablo Municipal Water District	1,766,766,437	1,514,883,284	251,883,153	14%	179.2	8	32%
Mission Springs Water District	2,072,832,166	1,979,439,888	93,392,277	5%	179.4	8	32%
Brawley City of	1,842,390,000	1,088,690,000	753,700,000	41%	179.6	8	32%
Calaveras County Water District	1,468,843,000	1,200,100,000	268,743,000	18%	180.4	8	32%
Banning City of	2,219,758,574	2,058,002,667	161,755,907	7%	181.2	8	32%
Phelan Pinon Hills Community Services District	635,139,826	675,206,517	-40,066,691	-6%	181.6	8	32%
Porterville City of	3,123,277,400	2,849,237,200	274,040,200	9%	182.0	8	32%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved (Jun-14 - Feb-15, compared to 2013)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Sacramento County Water Agency	9,991,675,171	8,451,666,395	1,540,008,776	15%	184.3	8	32%
California-American Water Ventura District	4,397,006,571	3,988,454,052	408,552,519	9%	184.6	8	32%
Blythe City of	806,370,000	811,680,000	-5,310,000	-1%	185.8	8	32%
Yreka, City of	593,290,000	519,800,000	73,490,000	12%	186.6	8	32%
Yuba City City of	4,215,490,000	3,629,080,000	586,410,000	14%	188.2	8	32%
Carlsbad Municipal Water District	4,342,002,850	4,259,269,173	82,733,677	2%	188.5	8	32%
California Water Service Company Selma	1,492,399,536	1,239,212,977	253,186,559	17%	189.2	8	32%
Western Municipal Water District of Riverside	5,887,379,311	5,683,989,367	203,389,944	3%	189.2	8	32%
West Kern Water District	4,045,106,581	3,679,048,346	366,058,235	9%	191.3	8	32%
Riverbank City of	860,786,846	737,503,990	123,282,856	14%	191.4	8	32%
Pismo Beach City of	434,216,578	359,495,587	74,720,991	17%	191.7	8	32%
California Water Service Company Visalia	8,033,215,230	7,144,292,537	888,922,693	11%	191.7	8	32%
Hemet City of	1,116,063,947	1,045,970,047	70,093,900	6%	192.6	8	32%
Hanford City of	3,229,776,700	2,793,029,816	436,746,884	14%	193.7	8	32%
Turlock City of	5,571,505,100	4,909,059,441	662,445,659	12%	194.0	8	32%
Corona City of	8,699,410,000	8,297,070,000	402,340,000	5%	194.3	8	32%
Trabuco Canyon Water District	764,121,596	767,705,962	-3,584,366	0%	194.9	8	32%
Triunfo Sanitation District / Oak Park Water Service	687,285,830	597,937,369	89,348,461	13%	195.7	8	32%
Lamont Public Utility District	993,121,000	914,688,000	78,433,000	8%	197.5	8	32%
California Water Service Company Bakersfield	18,863,864,960	16,841,305,153	2,022,559,807	11%	197.6	8	32%
Morgan Hill City of	2,262,311,000	1,786,089,000	476,222,000	21%	198.5	8	32%
Jurupa Community Service District	6,546,170,411	6,107,698,865	438,471,545	7%	198.6	8	32%
Lemoore City of	1,967,044,000	1,783,354,000	183,690,000	9%	198.9	8	32%
Cucamonga Valley Water District	12,916,078,335	12,778,430,872	137,647,463	1%	199.2	8	32%
Vacaville City of	4,536,829,418	3,868,833,993	667,995,425	15%	199.9	8	32%
Citrus Heights Water District	3,723,178,405	3,023,575,391	699,603,014	19%	201.4	8	32%
Poway City of	2,984,245,124	2,893,299,991	90,945,133	3%	201.7	8	32%
Livingston City of	1,870,481,000	1,810,513,000	59,968,000	3%	204.2	8	32%
Shasta Lake City of	309,004,338	258,461,000	50,543,338	16%	205.5	8	32%
Elsinore Valley Municipal Water District	6,567,437,756	6,285,445,931	281,991,825	4%	205.8	8	32%
Galt City of	1,302,667,000	1,052,546,000	250,121,000	19%	207.2	8	32%
Lee Lake Water District	760,491,304	738,717,756	21,773,548	3%	208.1	8	32%
Casitas Municipal Water District	777,155,653	678,096,820	99,058,834	13%	209.1	8	32%
Golden State Water Company Ojai	564,830,864	487,636,661	77,194,203	14%	209.2	8	32%
San Bernardino County Service Area 70	457,322,702	431,251,330	26,071,373	6%	209.8	8	32%
Golden State Water Company San Dimas	3,063,589,946	2,950,649,842	112,940,105	4%	209.9	8	32%
California Water Service Company Chico District	6,759,462,002	5,680,893,778	1,078,568,223	16%	210.4	8	32%
San Bernardino City of	11,535,034,614	10,722,937,586	812,097,028	7%	212.1	8	32%
West Valley Water District	5,029,549,361	4,747,557,536	281,991,825	6%	212.3	8	32%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved	Percent Saved	Jul-Sep 2014 R-GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)	(Jun-14 - Feb-15, compared to 2013)	(Jun-14 - Feb-15, compared to 2013)			
Colton, City of	2,519,711,330	2,487,549,794	32,161,536	1%	213.1	8	32%
Manteca City of	3,844,580,000	3,212,645,000	631,935,000	16%	213.3	8	32%
Folsom City of	5,476,678,514	4,592,545,306	884,133,208	16%	213.7	8	32%
Sierra Madre City of	616,142,059	546,575,118	69,566,941	11%	214.2	8	32%
Tulare, City of	4,805,328,900	4,324,313,800	481,015,100	10%	214.8	8	32%
Indio City of	5,340,000,000	5,006,100,000	333,900,000	6%	215.6	9	36%
Apple Valley Ranchos Water Company	4,101,713,205	3,942,264,436	159,448,769	4%	215.7	9	36%
Oakdale City of	1,417,000,000	1,139,000,000	278,000,000	20%	215.9	9	36%
Fallbrook Public Utility District	3,340,661,415	3,012,268,347	328,393,068	10%	217.3	9	36%
Kerman, City of	880,465,000	769,624,000	110,841,000	13%	217.9	9	36%
Exeter City of	600,332,681	535,287,408	65,045,273	11%	218.8	9	36%
Georgetown Divide Public Utilities District	512,901,000	410,416,000	102,485,000	20%	219.4	9	36%
Yorba Linda Water District	5,380,523,933	5,128,021,662	252,502,271	5%	220.2	9	36%
Rubio Canyon Land and Water Association	561,116,157	508,002,375	53,113,783	9%	220.8	9	36%
Elk Grove Water Service	1,982,552,982	1,615,618,816	366,934,166	19%	221.6	9	36%
Sacramento Suburban Water District	9,630,759,000	8,318,514,000	1,312,245,000	14%	222.5	9	36%
Los Angeles County Public Works Waterworks District 40	12,870,711,018	11,980,791,220	889,919,798	7%	223.1	9	36%
Corcoran City of	1,162,447,000	950,206,000	212,241,000	18%	223.7	9	36%
Norco City of	2,009,949,357	1,856,691,656	153,257,702	8%	224.3	9	36%
Winton Water & Sanitary District	432,243,000	400,904,000	31,339,000	7%	228.9	9	36%
Montecito Water District	1,577,349,003	836,688,709	740,660,294	47%	228.9	9	36%
Camrosa Water District	2,469,015,365	2,141,221,863	327,793,502	13%	229.4	9	36%
Wasco City of	1,096,680,000	952,170,000	144,510,000	13%	231.1	9	36%
South Tahoe Public Utilities District	1,641,227,000	1,550,474,000	90,753,000	6%	231.5	9	36%
Upland City of	5,523,683,657	5,024,215,355	499,468,301	9%	234.9	9	36%
Clovis City of	6,737,008,000	6,080,852,000	656,156,000	10%	235.2	9	36%
Beverly Hills City of	2,984,049,613	2,900,957,499	83,092,114	3%	235.8	9	36%
Loma Linda City of *	1,379,990,569	1,323,839,525	56,151,044	4%	236.1	9	36%
Shafter City of	1,350,000,000	1,154,000,000	196,000,000	15%	236.5	9	36%
Fruitridge Vista Water Company	1,000,084,300	823,053,400	177,030,900	18%	238.3	9	36%
Glendora City of	3,108,798,089	3,089,127,284	19,670,805	1%	242.0	9	36%
Carmichael Water District	2,598,570,000	2,107,250,000	491,320,000	19%	242.5	9	36%
Placer County Water Agency	7,686,123,771	6,395,079,193	1,291,044,578	17%	242.5	9	36%
Golden State Water Company Orcutt	1,941,781,239	1,705,636,709	236,144,529	12%	242.8	9	36%
Rainbow Municipal Water District	3,976,593,060	3,760,749,074	215,843,985	5%	243.0	9	36%
Modesto, City of	15,589,770,183	13,698,086,925	1,891,683,258	12%	245.9	9	36%
Pinedale County Water District	267,792,348	224,289,932	43,502,416	16%	247.0	9	36%
Los Angeles County Public Works Waterworks District 29	2,383,427,229	2,356,081,777	27,345,452	1%	248.9	9	36%
Lincoln City of	2,592,190,000	2,158,050,000	434,140,000	17%	251.0	9	36%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

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	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
California Water Service Company Bear Gulch	3,623,142,017	3,228,861,790	394,280,227	11%	252.5	9	36%
Los Banos, City of	2,053,870,000	1,905,101,000	148,769,000	7%	253.0	9	36%
Redding City of	7,109,010,000	5,934,100,000	1,174,910,000	17%	253.7	9	36%
Riverside Highland Water Company	971,591,200	889,248,544	82,342,656	8%	253.9	9	36%
California Water Service Company Palos Verdes	5,184,622,055	4,979,661,507	204,960,548	4%	255.4	9	36%
Olivehurst Public Utility District	1,161,641,529	959,245,393	202,396,137	17%	256.0	9	36%
San Bernardino County Service Area 64	758,722,238	679,807,540	78,914,699	10%	257.5	9	36%
Mammoth Community Water District	499,483,000	447,407,000	52,076,000	10%	259.3	9	36%
Anderson, City of	572,342,000	498,676,000	73,666,000	13%	260.8	9	36%
Rio Vista, city of	641,312,000	606,333,000	34,979,000	5%	260.9	9	36%
Indian Wells Valley Water District	1,861,884,000	1,789,365,000	72,519,000	4%	263.5	9	36%
West Sacramento City of	3,567,747,274	2,941,460,832	626,286,443	18%	264.3	9	36%
Yucaipa Valley Water District	2,981,840,000	2,837,629,000	144,211,000	5%	265.0	9	36%
Paradise Irrigation District	1,721,400,000	1,355,900,000	365,500,000	21%	266.0	9	36%
Nevada Irrigation District	2,750,729,000	2,339,997,000	410,732,000	15%	267.7	9	36%
Beaumont-Cherry Valley Water District	3,172,199,486	3,139,252,648	32,946,838	1%	269.7	9	36%
Olivenhain Municipal Water District	5,326,497,766	5,149,755,952	176,741,814	3%	271.7	9	36%
East Niles Community Service District	2,504,168,216	2,213,508,744	290,659,473	12%	271.8	9	36%
Fair Oaks Water District	3,068,959,978	2,450,034,519	618,925,459	20%	274.1	9	36%
Discovery Bay Community Services District	986,000,000	808,000,000	178,000,000	18%	276.3	9	36%
East Orange County Water District	247,060,552	225,554,358	21,506,194	9%	277.6	9	36%
Rio Linda - Elverta Community Water District	770,017,391	629,595,315	140,422,076	18%	278.1	9	36%
Bakersfield City of	11,705,594,680	10,744,390,565	961,204,114	8%	279.9	9	36%
Truckee-Donner Public Utilities District	1,264,764,466	1,144,274,188	120,490,278	10%	282.0	9	36%
Lodi City of Public Works Department	3,904,230,000	3,932,720,000	-28,490,000	-1%	287.7	9	36%
Valley Center Municipal Water District	6,829,813,325	6,798,466,417	31,346,907	0%	291.2	9	36%
Tahoe City Public Utilities District	372,523,331	326,265,848	46,257,483	12%	292.6	9	36%
Red Bluff City of	904,393,249	764,891,212	139,502,037	15%	294.5	9	36%
California Water Service Company Antelope Valley	186,061,165	216,691,199	-30,630,034	-16%	296.6	9	36%
Golden State Water Company Claremont	2,873,781,490	2,604,204,605	269,576,886	9%	297.6	9	36%
Merced City of	6,872,130,000	6,271,910,000	600,220,000	9%	298.8	9	36%
Bakman Water Company	1,032,655,497	893,235,946	139,419,551	14%	302.2	9	36%
Las Virgenes Municipal Water District	5,714,163,209	5,470,784,778	243,378,431	4%	304.8	9	36%
Oildale Mutual Water Company	2,485,920,537	2,317,129,497	168,791,039	7%	306.4	9	36%
California City City of	1,192,746,563	1,264,824,899	-72,078,336	-6%	307.0	9	36%
Atwater City of	2,358,960,000	1,821,770,000	537,190,000	23%	308.0	9	36%
Golden State Water Company Cordova	4,051,962,495	3,483,514,680	568,447,814	14%	312.4	9	36%
Redlands City of	7,033,861,488	6,969,114,810	64,746,679	1%	313.2	9	36%
Ripon City of	1,431,002,833	1,223,409,134	207,593,699	15%	316.1	9	36%

Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction (Provisional)

Supplier Name	Total Water Production (gallons)		Total Water Saved (Jun-14 - Feb-15, compared to 2013)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Arcadia City of	4,352,404,027	4,033,916,843	318,487,185	7%	318.5	9	36%
Hillsborough Town of	877,331,034	658,647,771	218,683,262	25%	324.5	9	36%
Madera County	891,468,716	660,496,910	230,971,806	26%	328.1	9	36%
Kingsburg, City of	1,009,319,000	825,793,000	183,526,000	18%	332.7	9	36%
California Water Service Company Westlake	2,085,449,133	1,928,388,745	157,060,388	8%	336.7	9	36%
Rancho California Water District	16,377,618,572	16,074,902,597	302,715,976	2%	349.1	9	36%
Linda County Water District	971,706,000	880,037,000	91,669,000	9%	349.1	9	36%
Orange Vale Water Company	1,274,470,101	1,008,190,832	266,279,269	21%	354.3	9	36%
Quartz Hill Water District	1,430,054,382	1,276,190,597	153,863,785	11%	364.9	9	36%
Susanville City of	560,250,000	602,070,000	-41,820,000	-7%	383.0	9	36%
Bella Vista Water District	3,596,422,200	1,864,847,717	1,731,574,483	48%	386.3	9	36%
Valley Water Company	999,093,060	898,861,161	100,231,899	10%	400.8	9	36%
Desert Water Agency	8,823,730,792	8,310,188,943	513,541,849	6%	416.0	9	36%
South Feather Water and Power Agency	1,435,400,000	1,292,100,000	143,300,000	10%	465.9	9	36%
Coachella Valley Water District	28,323,853,249	27,188,261,025	1,135,592,223	4%	475.1	9	36%
San Juan Water District	3,594,268,324	2,773,624,539	820,643,785	23%	484.3	9	36%
Vaughn Water Company	3,206,837,858	2,989,389,519	217,448,339	7%	507.0	9	36%
Serrano Water District	829,682,903	749,230,186	80,452,717	10%	539.0	9	36%
Golden State Water Company Cowan Heights	703,676,157	691,163,462	12,512,695	2%	572.4	9	36%
Santa Fe Irrigation District	2,820,156,121	2,869,480,251	-49,324,131	-2%	604.6	9	36%
Myoma Dunes Mutual Water Company	757,700,108	707,153,944	50,546,164	7%	612.5	9	36%

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Dear City Council Members,

During the Environmental Quality Commission meeting on March 25th, Pam Lowe presented the new water restriction measures that are being proposed for the Water Shortage Contingency Plan. The EQC discussed, and are in support of, the new proposed water restriction measures that are needed to meet new state water mandates in response to California's severe drought (attached).

The EQC engaged in a rigorous conversation about the need for a sustainable long term water conservation strategy for the Water Master Plan. The City Council Members and EQC are aligned on the need for a proactive water management strategy that will help conserve our valuable water resources over the long term, and not just during crisis situations. The EQC would like to recommend the following concepts for consideration in the Water Master Plan, and are willing to participate in continued dialogue and planning toward these conservation goals.

- **Purple Pipe Systems** - Implement a plan for installing purple pipe systems to make use of semi-treated water for various uses. These systems should be considered for new businesses and for city wide infrastructure.
- **Drought Tolerant Landscaping** - Implement mandatory drought tolerant landscaping and limit lawn installations for new commercial and residential building projects as well as the installation of new landscaping for and existing site location.
- **Residential Grey Water Systems** - Provide an easy mechanism for citizens to install grey water systems in their homes. Consider rebate programs and conduct an outreach campaign.
- **Restrict Single Pass Cooling** - Enforce a new ordinance that restricts the use of single pass cooling (i.e. Palo Alto has an ordinance in place). Single pass cooling uses a continuous flow of water that is circulated once through the system for cooling purposes and is then disposed. Instead of this wasteful practice, the use of a closed-looped recirculating chilled water loop should be required in our city.
- **Implement Water Surcharges** - Implement water surcharges during drought conditions. Water prices continue to be low despite the severe shortage. Adding a surcharge will help to curb behavior and conserve water during times of crisis.
- **Encourage Consumer Choices** - Provide incentives for making smart water conservation choices/practices such as the use of on-demand hot water systems, low flow toilets, water efficient washing machines, smart irrigation systems, etc.

Strategic management of Menlo Park's water resources is critical to our sustainable future. We urge the council to prioritize water conservation initiatives, with timely implement of the emergency measures for the Water Shortage Contingency Plan and the long term water conservation strategies for the Water Master Plan.

Sincerely,

The EQC Members and Water Resources Sub Committee

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RESOLUTION NO.**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING ADDITIONAL WATER USE REGULATIONS REQUIRED TO ACHIEVE AN OVERALL PERCENTAGE REDUCTION COMMENSURATE WITH STAGE 2 OF THE WATER SHORTAGE CONTINGENCY PLAN.**

WHEREAS, on November 18, 2014 the City Council of the City of Menlo Park approved, adopted and implemented Stage 2 of the 2014 Water Shortage Contingency Plan (“WSCP”);

WHEREAS, Stage 2 of the WSCP provides that Menlo Park Municipal Water District (“MPMWD”) achieve up to a 20% reduction in water use by mandating all MPMWD users implement the following water conservation measures:

- Hoses must be equipped with a shut-off valve for washing vehicles, sidewalks, walkways, or buildings.
- Broken or defective plumbing and irrigation systems must be repaired or replaced within a reasonable period.
- Potable water shall not be applied in any manner to any driveway or sidewalk, except when necessary to address immediate health or safety concerns.
- Potable water shall not be used to water outdoor landscapes in a manner that causes runoff onto non-irrigated areas, walkways, roadways, parking lots, or other hard surfaces.
- Restaurants and other food service operations shall serve water to customers only upon request.
- Use only re-circulated or recycled water to operate ornamental fountains.
- Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction.

WHEREAS, on March 27, 2015 the State Water Resources Control Board (“State Water Board”) approved emergency regulatory action to further amend its previous two emergency regulations pertaining to drought emergency water conservation;

WHEREAS, the State Water Board emergency regulations from March 27, 2015 require each urban water supplier to implement the following restrictions within forty-five (45) days:

- Prohibit application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall;
- Prohibit the serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food and drink are served and/or purchased;
- Require operators of hotels and motels to provide guests with the option of choosing not to have towels and linens laundered daily; and
- Implement the stage of its WSCP that includes a mandatory restriction on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed.

WHEREAS, on April 1, 2015 the Governor issued Executive Order B-29-15 (“Executive Order”) directing the State Water Board to impose restrictions to achieve an aggregate statewide 25%

reduction in potable urban water use for the period of June 1, 2015 through February 28, 2016, as compared to January 1, 2013 through February 28, 2013 and June 1, 2013 through December 31, 2013 water use, and proposing flexibility in how to achieve this reduction in recognition of the level of conservation already achieved by many communities around the State;

WHEREAS, in response to the Executive Order the State Water Board proposed conservation standards relative to the per capita water usage of each water suppliers' service area, requiring those areas with high per capita use to achieve proportionally greater reductions than those with low use;

WHEREAS, the State Water Board originally proposed a four (4) tier system placing each water supplier into a tier based on the water supplier's R-GPCD usage in September 2014. Water suppliers are required to reach the percentage reduction in water use associated with tier the water supplier is placed in, when compared to the water supplier's 2013 water use. The State Water Board's April 18, 2015 Draft Regulations propose an expansion of the four (4) tier system to a nine (9) tier system based on R-GPCD Range for the July through September of 2014. The Draft Regulations of April 18, 2015 place the MPMWD into tier four (4), requiring the MPMWD to achieve a 16% reduction in water use from its use in January through February of 2013 and June through December of 2013. On or about May 5, 2015 the State Water Board will adopt final Regulations. Based on the final regulations the MPMWD will be placed into a tier and required to meet the specified reduction in water use when compared to its January through February of 2013 and June through December of 2013 water use;

WHEREAS, on or about May 5, 2015, in order to achieve the percentage reduction requirement, the State Water Board intends to pass additional regulations prohibiting the following:

- The use of potable water outside of newly constructed homes and buildings that is not delivered by drip or micro-spray systems; and
- The use of potable water to irrigate ornamental turf on public street medians.

WHEREAS, the MPMWD's WSCP Stage 2 permits the MPMWD to implement other measures as may be approved by Resolution of the City Council to achieve up to 20% in an overall reduction of water use;

NOW, THEREFORE, 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,

BE IT HEREBY RESOLVED by the City Council of the City of Menlo that:

1. The above recitals are true and accurate.
2. The MPMWD is required to achieve an overall reduction of 16% water use, as compared to 2013. [Required percentage reduction will be adjusted, if necessary, to be consistent with the State Water Board's final Regulations.]
3. All MPMWD users are required to implement water conservation measures necessary to assist the MPMWD in achieving its mandatory water reduction percentage requirement. Individual users are not each required to meet the percentage reduction required of the MPMWD as a whole. Rather, individuals that have already implemented measures are not expected to achieve the same percentage reduction in water use as individuals that have not implemented such measures. At the same time, individuals that have not implemented water

conservation measures may need to achieve a water reduction percentage greater than the percentage reduction the MPMWD is required to meet per the State Water Board regulations.

4. Per the option for other measures to be approved by Stage 2 of the WSCP for the MPMWD to achieve up to a 20% reduction in water usage, the following measures, in addition to those already listed above and included in Table 5.11, Stage 2 of the WSCP are hereby approved and required by all MPMWD users:
 - Potable water shall not be used to water outdoor landscapes during and within 48 hours after measurable rainfall.
 - Hotels and motels shall provide guests an option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.
 - Potable water to irrigate outdoor ornamental landscapes or turf shall be limited to no more than two days per week between designated hours, as determined by the Public Works Director. Water customers may be granted an exception upon review and approval of a Drought Response Plan by the Public Works Director pursuant to such policies and procedures as may be established by the Public Works Director provided that such plan results in an equivalent or greater reduction in water use.
 - Single-pass cooling systems on new construction shall not be allowed.
 - Pools, spas, and hot tubs shall be covered when not in use.
 - Permits for construction of new pools shall include a requirement that MPMWD water shall not be used to fill new pools.
 - Newly constructed homes and buildings must deliver potable water through drip or micro-spray systems to water outside.
 - Potable water shall not be used to irrigate ornamental turf on public street medians.

5. Penalties. Except for egregious violations of the water conservation measures listed above, violations are punishable by fines as described below. Fines must be paid within thirty (30) days. If fines are not paid when due, Customer's water service may be discontinued.

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/her designee) to determine if a flow restricting device should be installed
5 th	\$500 fine, and review by the Public Works Director (or his/her designee) to determine if water service should be discontinued
6 th	\$500 fine, water service shall be discontinued

Notwithstanding the above, if the Director of Public Works determines that a violation is egregious, in his/her reasonable determination based on the severity of the violation, a fine may be levied in an amount equal to the greater of \$500.00 or triple the normal rate for the amount of water wasted.

**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

6. Appeal Process. Customer may contest a fine by submitting a written appeal to the Public Works Director within thirty (30) days of the date of the fine. Customer may request a meeting with the Public Works Director to present evidence that a violation does not exist. If a meeting is requested, the Public Works Director shall meet with the Customer within fifteen (15) days of the appeal date. The Public Works Director shall make a final, non-appealable decision in writing within fifteen (15) days of the appeal date if no meeting requested or within fifteen (15) days of the meeting date. If the fine is upheld, the Customer shall have ten (10) days from the date of the Public Works Director's decision to pay the fine. If the fine is not paid when due, Customer's water service may be discontinued.

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 Emergency Regulations are no longer in effect.

I, PAMELA I. AGUILAR, City Clerk of the City 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 ____ day of _____, 2015 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Menlo Park on this ____ day of _____, 2015.

Pamela I. Aguilar
City Clerk



PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-072

REGULAR BUSINESS: **Consider Modifications to the City's Rail Policy to Allow Elevated Rail Options and Approve a Six-Month Trial Installation of Modifications to the Alma Street and Ravenswood Avenue Intersection**

RECOMMENDATION

Staff recommends that Council:

1. Consider modifications to the City's Rail Policy to allow elevated rail options
2. Approve a six-month trial installation of modifications to the intersection of Alma Street and Ravenswood Avenue

POLICY ISSUES

The City Council's current *Rail Policy and Position Statement* (Attachment A) supports only rail alignments that are at-grade or below-grade in a closed trench or tunnel. Modifications to this *Policy* would require Council direction and approval.

Potential modifications to the Alma Street and Ravenswood Avenue are evaluated in this report per the direction of the Rail Subcommittee on March 18, 2015.

BACKGROUND

Rail Policy

On October 30, 2012, the City Council adopted the Rail Council Subcommittee Mission Statement, Statement of Principles and the Council Position Statement on Rail Issues ("Rail Policy"). These documents were prepared and adopted in response to High Speed Rail and Caltrain Blended System preliminary planning concepts with included potential four-track elevated structures between San Jose and San Francisco. The *Rail Policy* expresses the Council's adopted position on rail, as follows:

- Only at-grade or depressed rail alignments, no elevated structures will be considered
- Only two tracks within the existing Caltrain right-of-way will be supported (*Policy* allows for very minor exceptions)
- Opposes passing tracks located within Menlo Park

Since 2012, current High Speed Rail and Caltrain Blended System planning proposals include 5 options for corridor improvements, including passing tracks. One of those includes a potential third track in Menlo Park; the rest do not affect the existing rail alignment within the City of Menlo Park.

Grade Separation Studies

In 2003-2004, BKF Engineers prepared a Feasibility Study that evaluated six options for grade separation alternatives within the City, including different combinations of rail and roadway elevations. Based on this Feasibility Study, a fully elevated or depressed railway alignment was not technically feasible with the assumed grade changes allowed by rail users (Caltrain and freight operators) at the time. The prior studies are available on the City's website at www.menlopark.org/rail and are included in Attachment B.

In 2009, the San Mateo County Transportation Authority (SMCTA) completed a Footprint Study to review engineering feasibility of grade separation alternatives, also studying six options within Menlo Park and two that would span Menlo Park and Atherton. Achieving full rail elevation or depression requires that the extent of the work area be extended through Atherton, north to the existing Fifth Avenue overcrossing in Redwood City.

Following the 2009 SMCTA study and High Speed Rail and Caltrain Blended System planning efforts, the SMCTA issued a Call for Grade Separation Projects in 2012. The City applied for funding for Ravenswood Avenue, based on Council's prioritization of at-grade crossings in October 2012. In May 2014, the City was awarded a \$750,000 grant to complete a Project Study Report (PSR) for Ravenswood Avenue. The PSR process would include preparation of conceptual designs, assessment of local circulation and property impacts, community engagement, and identification of a preferred alternative.

In January 2015, staff initiated project planning for the grant-funded PSR with Caltrain and SMCTA to finalize the project scope and task leads to ensure appropriate collaboration. On March 18, 2015, the City Council Rail Subcommittee hosted a public meeting to review the prior grade separation studies, and requested that the Council consider potential modifications to the *Rail Policy* to allow evaluation of all potential grade separation alternatives, including potential elevated rail alignments.

At-Grade Ravenswood Crossing (El Camino Real to Noel Drive)

Ravenswood Avenue is a minor arterial that carries approximately 24,000 vehicles per day. It is designated as an east-west truck route, carries several Samtrans bus lines, and provides access to key destinations including Burgess Park and Civic Center, the Menlo Park Caltrain Station, Menlo-Atherton High School, and a connection to El Camino Real. The signalized intersection at El Camino Real (SR 82) is under Caltrans jurisdiction. At the rail crossing, Ravenswood Avenue is two lanes in each direction, widening to four lanes at El Camino Real to the west and narrowing to a single lane in each direction near Noel Drive to the east.

The existing characteristics of the Ravenswood Avenue crossing were reviewed including traffic volumes, collision history, and the frequency that vehicles or pedestrians are on the rail tracks (rail agencies refer to this as “fouling” the tracks). Existing turn restrictions to reduce conflicts and delay are present during certain times of day at the existing Alma Street/Ravenswood Avenue intersection as shown in Figure 1 to the right.

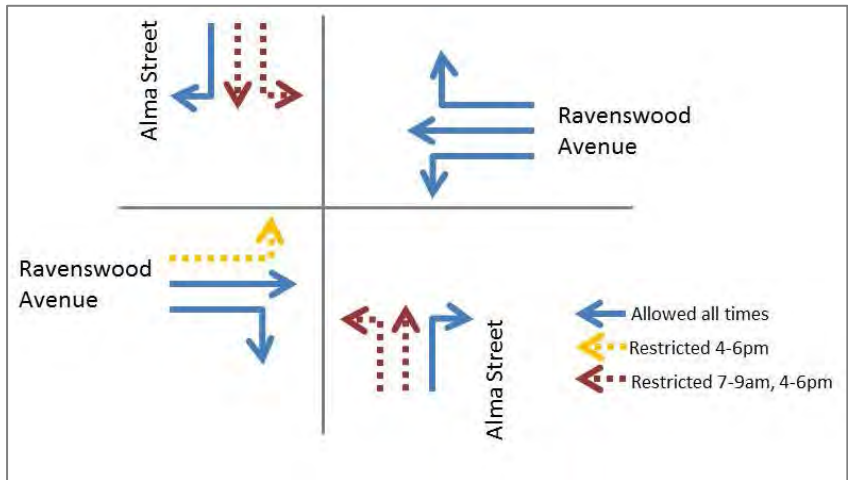


Figure 1:
Existing Turn Restrictions at the Alma/Ravenswood Intersection

Recent data was provided by Caltrain from December 2014 and collected by the City of Menlo Park in April 2015. Traffic volumes were analyzed at the Alma Street/Ravenswood Avenue intersection using both the recent data and historical information. Data collected also included video recording of the crossing, in which a count of “fouling” incidents was recorded, as summarized in the following table. As shown, during the morning peak commute period, the eastbound direction has the highest frequency of fouling incidents; however, the frequency of westbound fouling incidents in the afternoon decreased significantly since December 2013.

Time Period	Direction of Travel	December 2013	April 2015
7:00 – 9:00 am	Eastbound	7	16
	Westbound	1	0
4:00 – 6:00 pm	Eastbound	13	13
	Westbound	15	1

1. “Fouling” is defined as a vehicle or pedestrian’s presence on the rail crossing. Incident frequency was determined by reviewing video data collected at the rail crossing
December 2013 collected by Caltrain; April 2015 by City of Menlo Park

A review of the collision history at the rail crossing over the past 10 years using data collected by the Federal Railroad Administration (FRA) shows that 5 incidents have occurred at the Ravenswood Avenue crossing. Of these incidents, 3 involved vehicles headed westbound during the evening commute period since April 2012; 1 resulted in a fatality and 1 resulted in injuries. Of the remaining incidents, 1 involved a pedestrian that went around a lowered gate and was fatally struck; 1 involved an eastbound vehicle that stalled on the tracks that resulted in no injuries.

ANALYSIS

Rail Policy

The City Council's adopted *Rail Policy* would only allow consideration of grade separation at Ravenswood Avenue with an at-grade rail system and a depressed roadway. This alignment, in prior grade separation studies in Menlo Park, has been shown to impact local street circulation and access to Ravenswood Avenue, as shown in Attachment B:

- Alma Street, Merrill Street, and the 1000 El Camino Real property may no longer connect to Ravenswood Avenue
- Depending on the final design, options for Alma Street may include:
 - Regraded and lowered to connect to Ravenswood Avenue
 - Grade-separated above Ravenswood Avenue but continue across to provide local through access
 - Closed to through vehicle traffic, providing only a pedestrian and bicycle connection
 - Closed to all traffic

Additionally, grade separating Ravenswood Avenue by this alternative would also limit future options for potential grade separations at Oak Grove Avenue, Glenwood Avenue, and Encinal Street if pursued in the future, since later projects could not significantly raise or lower the tracks without reconstructing the Ravenswood Avenue crossing. The potential local street impacts with grade separation at these 3 crossings are shown in Attachment B, and include impacts to Alma Street, Merrill Street, Derry Lane, and Garwood Way.

The Council Rail Subcommittee requested that the *Rail Policy* be evaluated to determine if considering an elevated or partially elevated rail alignment could reduce these local circulation impacts. Based on prior grade separation studies, more local street connections could be achieved with a partially elevated rail and partially depressed roadway alignment alternative (i.e., a "split" alternative). Local circulation under a split alternative could be maintained as shown in Attachment B. Temporary construction easements or property acquisition would still be needed, however, permanent property acquisitions for street realignments could be reduced.

Staff requests that the Council provide direction on whether to modify the *Rail Policy* to allow evaluation and consideration of grade separation alternatives that consider full or partially elevated rail alignments. A draft modified *Policy* is attached for consideration in Attachment C.

Near-Term Modifications to the Ravenswood Avenue Crossing

The focus of this evaluation is at the Ravenswood Avenue crossing, since this location has the highest vehicular traffic volume, is multi-lane, and has the most frequent occurrence of rail incidents of the four crossings in Menlo Park within the last 10 years. Ultimately, grade separation provides the most improved safety conditions at rail crossings, since rail and other traffic is separated with no to little risk of interaction between vehicle traffic, pedestrians and rail traffic. However, the implementation of grade separation at Ravenswood Avenue is a multi-year process once a preferred alignment is identified to conduct the following: complete engineering design, secure funding, and complete construction. As such, the Council Rail Subcommittee provided direction on March 18, 2015 to evaluate several near-term improvements at Ravenswood Avenue that may be more quickly implemented to improve the existing rail crossing, including traffic signal modifications, turn restrictions, and signing and striping modifications. These improvements were identified to address the following key concerns voiced by community members during the meeting:

- a) Motorist reaction time: Motorists approaching from the west (from El Camino Real) do not have sufficient time to react to pedestrians in the existing crosswalks on the south leg of Alma Street or the east leg of Ravenswood Avenue, and vehicles can quickly stack onto the rail crossing when yielding to a pedestrian
- b) Yielding to pedestrians: Pedestrians using the crosswalk across Ravenswood Avenue observe motorists not yielding, even when the warning lights are actuated
- c) Following turn restrictions: Existing time-of-day specific turn restrictions are not consistently followed; violations lead to confusion over right-of-way, collisions or near-miss incidents and additional delay to motorists
- d) Spillback from El Camino Real: Community members described occurrence where traffic stacks on westbound Ravenswood Avenue from the El Camino Real intersection, especially during the evening commute period

Table 2 below summarizes each modification, identifies the lead agency and other stakeholders, issues addressed as listed above, and feasibility or needs further study.

**Table 2:
Summary of Potential Near-Term Modifications at
Ravenswood Avenue Rail Crossing as requested by the community**

Modification	Lead Agency	Other Agency Stakeholders	Issues Addressed¹	Feasible?	Recommended?
1. Traffic signal pre-emption at El Camino Real/Ravenswood Avenue	Caltrans	Caltrain, Menlo Park, Menlo Fire	d. Spillback from El Camino Real	Possibly, under evaluation	Continue evaluation
2. Install full-time left- and right-turn restrictions at Alma St/Ravenswood Ave and relocate the crosswalk at Alma St	Menlo Park	Caltrain, Menlo Fire	a. Motorist reaction time b. Yielding to pedestrians c. Following turn restrictions	Yes, but will affect local circulation patterns	Yes, for 6-month trial
3. Install a traffic signal at Alma Street/Ravenswood Avenue	Menlo Park	Caltrans, Caltrain	a. Motorist reaction time b. Yielding to pedestrians c. Following turn restrictions	Yes	Evaluate need following trial of #2
4. Install enhanced buffer zone at the rail crossing	Menlo Park	Caltrain	a. Motorist reaction time b. Yielding to pedestrians	Yes	Yes, install modified pavement markings with trial of #2
5. Install a “train approaching” sign and warning light	Caltrain	Menlo Park	d. Spillback from El Camino Real	Possibly	Continue evaluation
6. Evaluate potential parking relocation in Burgess Park to reduce demand on Alma Street	Menlo Park	n/a	c. Following turn restrictions	Possibly, could require significant construction at Burgess Park	Continue exploration

1. Issues addressed represent summary of key concerns raised from community members during Rail Subcommittee meeting on March 18, 2015 and in correspondence as described on prior page.

A description and assessment of each potential modification is provided below. Correspondence from the community in advance and following the March 18, 2015 Rail Subcommittee meeting are included in Attachment D.

1. Traffic Signal Pre-emption at El Camino Real/Ravenswood Avenue

Traffic signal pre-emption is a signal timing technique where an approaching train would cause the traffic signal at El Camino Real/Ravenswood Avenue to give eastbound vehicle traffic a green light to clear a queue of vehicles that may extend on or across the rail crossing. A call for signal pre-emption would be processed each time the rail crossing gates are activated by an approaching train – currently 96 commuter trains plus several freight trains per typical weekday.

The installation of traffic signal pre-emption is specified by the California Manual on Uniform Traffic Control Devices based on an intersection's distance from the rail crossing. El Camino Real/Ravenswood Avenue is outside of the range where pre-emption is required for an adjacent rail crossing, but it can be considered for installation. The key limiting factor for effective pre-emption is that the clearance time required to clear a queue of vehicles is proportional to the distance from the crossing (i.e., a longer distance requires more clearance time – which may adversely impact traffic operations on El Camino Real). Additionally, the longer clearance time requires advance coordination with Caltrain equipment and trains so that the traffic signal has enough time to process a call for an approaching train.

City staff has worked closely with Caltrans and Caltrain staff over the past two months to assess feasibility of signal pre-emption at El Camino Real. The preliminary evaluation has shown that approximately 30-40 seconds of advance warning would be necessary to clear the westbound approach. Additionally, pre-emption supersedes the typical signal operations at the intersection, and thus, results in a pedestrian call being truncated mid-cycle, which is a pedestrian safety concern especially for those with sight impairments or disabilities. Equipment upgrades would be necessary to install pre-emption, and Caltrain and Caltrans are currently evaluating the feasibility and cost of these improvements.

Staff will report back to the Council when a final determination has been made on pre-emption feasibility.

2. Install Turn Restrictions at Alma Street/Ravenswood Avenue

The proposed modification would make existing commute period restrictions for left-turn and through travel from Alma Street to Ravenswood Avenue full-time by installation of a median barrier to physically prevent traffic from making these maneuvers. Attachment E presents an aerial view of the proposed median. This would result in only right-turns allowed from either direction at Alma Street to Ravenswood Avenue; and only through traffic or right-turns from Ravenswood Avenue to Alma Street. Recent traffic counts conducted in April 2015 show that up to 40 vehicles per hour make a left-turn from Alma Street to Ravenswood Avenue, even though the movement is restricted during commute

hours. Implementing a physical median would eliminate these maneuvers, reducing vehicle conflict points and improving driver perception and reaction to potential conflicts.

Additionally, vehicle queues have been observed to spill back to the tracks when a motorist turning right yields to a pedestrian crossing the south leg of Alma Street. Thus, the proposed modification also includes installation of a curb extension to eliminate the right-turn from Ravenswood Avenue to southbound Alma Street, eliminating this conflict and potential queuing issue. Attachment E also presents an aerial view of the proposed curb extension. Approximately 200-300 vehicles per hour make this eastbound right-turn. Much of this traffic is expected to be rerouted to Laurel Street to either continue to Willow Road or to access Burgess Park.

Community concerns were also expressed about the presence of the crosswalk across Ravenswood Avenue at Alma Street, connecting Burgess Park to the Caltrain Station. When pedestrians cross, motorists described having to react quickly and, at times, would be queued back on or across the rail crossing. A potential modification to reduce or eliminate this issue is to eliminate or relocate the existing crosswalk. The pedestrian demand to cross near this location is high, with nearly 100 pedestrians per hour; therefore, staff recommends that relocating the crossing to Noel Drive as preferable over eliminating the crossing. While relocation is feasible and represents a minimal detour to most pedestrians traveling between Burgess Park and Civic Center and the Caltrain Station, rerouting bicycle traffic along Alma Street presents more challenges. In the southbound direction, bicyclists would be likely to travel against traffic towards Noel Drive to cross, and then travel against traffic back towards Alma Street.

To isolate and assess the crosswalk's impact on queuing and traffic, staff recommends that the median and curb extension installation be implemented on a 6-month trial basis before permanent changes are installed or the crosswalk relocated. This would allow an evaluation of the intersection and adjacent roadways and intersections with the turn restrictions in place after changes were installed, and a data-driven assessment of remaining issues and traffic impacts to determine the success of the trial. A scope of work for the evaluation after 6 months is included in Attachment F. Following evaluation of the trial, the following options exist:

- Make median and curb extension installation permanent
- Relocate Ravenswood Avenue crosswalk and establish bicycle route detour and wayfinding sign placement
- Remove median and curb extension, and restore full or modified access at Alma Street/Ravenswood Avenue
- Install traffic signal at Alma Street/Ravenswood Avenue including railroad crossing pre-emption and coordination with El Camino Real intersection, either with restoration of full access or permanent turn restrictions in place

3. Install Traffic Signal at Alma Street/Ravenswood Avenue

Installation of a traffic signal would improve control of vehicle-rail-pedestrian interactions at the Alma Street/Ravenswood Avenue intersection. Based on the pedestrian crossing volumes, a traffic signal may be warranted at this location; however, staff does not recommend installation of a traffic signal at this time. A signal, even with coordination to the El Camino Real intersection, may result in queue spillback to El Camino Real. The turn restrictions outlined above would provide a potential solution more quickly at a lesser cost, and without the potential for queue spillback to El Camino Real. Staff recommends considering installation of a traffic signal if the turn restriction trial is not successful.

4. Install Enhanced Buffer Zone at the Rail Crossing

An enhanced buffer zone would include modified street markings and signage alerting motorists of the rail crossing. Staff recommends that modified striping and signs be added to the intersection as depicted in Attachment E.

5. Install a "Train Approaching" Sign and Warning Light

Several community members described installation of a potential sign to display "train approaching" and the time to the next train based on the existing Caltrain infrastructure that displays the information on train arrivals to passengers on the platforms. However, based on discussions with Caltrain and staff observations of the existing system, it is not accurate enough to present fail-safe information to motorists traveling through the rail crossing at this time. Staff recommends that we continue to work with Caltrain to explore this technology and potential advancements be monitored, until such a time that the system is more reliable for this type of application.

6. Evaluate Potential Parking Relocation in Burgess Park

Relocating parking in Burgess Park is a strategy that could reduce travel demand on Alma Street and reduce the potential impacts of the trial median installation and turn restrictions at the Alma Street/Ravenswood Avenue intersection. To create more parking areas near Laurel Street, significant construction and facility relocation would need to occur. Staff recommends that exploration of this concept be continued during the evaluation of the trial median installation.

IMPACT ON CITY RESOURCES

Consideration of modifications to the City's Rail Policy does not require additional resources at this time. The continuation of grade separation studies within Menlo Park will be incorporated into the City's Fiscal Year 2015-16 annual budget and Five-Year Capital Improvement Program (CIP).

The City's adopted Fiscal Year 2014-15 adopted budget includes funding from the Transportation Impact Fee program for the analysis and installation of near-term modifications to the Alma Street/Ravenswood Avenue intersection. The estimated cost is anticipated not-to-exceed \$20,000 depending on the materials used, plus \$20,000 for the evaluation of the trial and staff time costs. The cost of permanent installation or additional modifications will be assessed at the conclusion of the trial installation.

ENVIRONMENTAL REVIEW

Modification of the *Rail Policy* is not a project as defined by the California Environmental Quality Act (CEQA), but any future grade separation projects would be subjected to environmental review under CEQA. The installation of a temporary modification does not require environmental review at this time, but should any changes be made permanent following the trial, environmental review under CEQA would be 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. Rail Policy & Position Statement <http://www.menlopark.org/DocumentCenter/Home/View/6388>
- B. 2003 Grade Separation Feasibility Study and 2004 Supplement
- C. Modified Rail Policy & Position Statement for Consideration
- D. Correspondence
- E. Alma Street/Ravenswood Avenue – Trial Median Installation Concept
- F. Trial Median Evaluation Scope of Work

Report prepared by:
Nicole H. Nagaya, P.E.
Transportation Manager

**City of Menlo Park
City Council Rail Subcommittee
Mission Statement**

The City Council Rail Subcommittee will advocate for ways to reduce the negative impacts and enhance the benefits of Rail in Menlo Park. The Subcommittee will ensure all voices are heard and that thoughtful ideas are generated and alternatives vetted. It will collaborate with other local and regional jurisdictions in support of regional consensus of matters of common interest related to Rail. Additionally, the subcommittee will support City Council planning efforts and decision making on Rail-related issues with information, research and other expertise.

City of Menlo Park Statement of Principles for Rail

The City of Menlo Park City Council Rail Subcommittee works to protect and enhance the character of Menlo Park and the community's economic vitality while supporting the conditions needed to maximize the local benefits and the long-term potential of rail.

- The character of Menlo Park includes:
 - Our connected, walkable, bikeable, safe and accessible neighborhoods, parks, commercial areas and civic center
 - Our vision and specific plan for the downtown and El Camino Real including improved east-west mobility for all modes of travel

- The community's economic vitality includes:
 - The continued success of our small and large businesses
 - The maintenance of our property values
 - Rail agencies responsibly mitigating impacts of rail, including but not limited to, HSR, Caltrain, and freight

- The conditions needed to maximize the long-term potential of the City's rail corridor include:
 - Improvements to east/west connectivity; rail unifies rather than divides
 - Improvements to local transit
 - The negative physical and social impacts of rail are minimized and the positive impacts are enhanced by using context sensitive design solutions
 - Consider all reasonable alternatives including those discussed previously by Menlo Park

Implied "decision criteria" from these principles might include:

- Does the alternative protect or enhance connectivity to additional modes of travel/ accessibility to city locations?
- Does the alternative protect or enhance walk-ability?
- Does the alternative protect or enhance bike-ability?
- Does the alternative protect or enhance the economic vitality of businesses?
- Does the alternative protect or enhance property values?
- Does the alternative align with/support the El Camino Real/ Downtown Specific Plan?
- Does the alternative protect or enhance local transit opportunities?
- Does the alternative enhance the level of transit service?

City of Menlo Park City Council Position Summary for Discussion

The following bullet points are for discussion to clarify the City Council's position on high speed rail on the Caltrain corridor through Menlo Park.

- The City opposes any elimination of any part of CEQA for the High Speed Rail Project environmental process.
- No aerial or elevated structures will be utilized on the Caltrain alignment between San Jose and San Francisco unless such an elevated structure is specifically requested by a local agency, for an area within their jurisdiction.
- The high speed rail within Menlo Park should be either in a two-track envelope "at-grade" system, or in an open or closed trench or tunnel, and stay within the existing Caltrain right-of-way (with very minor exceptions, and in very limited locations).
- No Environmental Impact Report should go forward which increases it beyond two tracks in Menlo Park, unless underground in a closed trench or tunnel.
- City is interested in positive train control and alternative propulsion systems as an early investment project to increase regional mobility and local train service. We are in favor of positive train control and electrification, provided they increase train service at or beyond 2005 levels at the Menlo Park Caltrain Station.
- The City approves of a blended system but opposes passing tracks located in Menlo Park.
- The City is interested in quiet zones for the rail corridor in Menlo Park.
- Our strategy is to work cooperatively with the blended system planning efforts while preventing an at-grade or elevated 4 track system through Menlo Park.

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City of Menlo Park

Report to City Council on Menlo Park Grade Separation & New Station Feasibility Study

June 5, 2003

Prepared By:



BKF Engineers
540 Price Ave
Redwood City, CA 94063

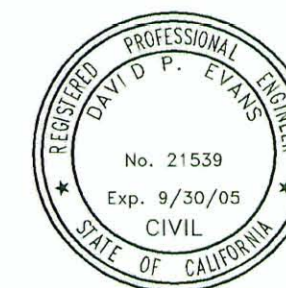


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INTRODUCTION AND EXECUTIVE SUMMARY

Rail service has been operated through Menlo Park in the “Caltrain” corridor for approximately 130 years. In 1990, when the City last studied grade separations, there were 52 passenger trains and four freight operations per day through Menlo Park on the Caltrain line. Soon after the JPB (Peninsula Corridor Joint Powers Board) purchased the rail corridor between San Francisco and San Jose-Gilroy from the Southern Pacific Transportation Company (SPTCO), passenger rail service was increased to 66 passenger trains per day. The JPB has continued to make significant improvements to the corridor and improvements to the commuter service. Caltrain’s ridership has grown significantly since the JPB assumed operation of the railroad. During the week, there are presently 76 commuter trains per day (8 trains per peak hour) in the rail corridor. In addition there are 4 late night freight operations plus occasional night operations for construction and maintenance purposes. Special train services are also available for special events, such as Giants games.

Beginning in 2004, Caltrain will begin operation of express trains on the Peninsula. These trains, commonly referred to as the ‘Baby Bullet’ Train. Northbound trains will start in San Jose, and will have three or four intermittent stops on its way to San Francisco. The intermediate stops have not been determined.

The City of Menlo Park has four at grade roadway crossings of the Caltrain line; Ravenswood Avenue, Oak Grove Avenue, Glenwood Avenue and Encinal Avenue. In 1990 the City authorized a study to investigate possible grade separated crossings at all four crossings. The study, titled, “RAILROAD GRADE CROSSING AND SEPARATION ANALYSIS”, dated August, 1990 was prepared by De Leuw, Cather & Company. After reviewing the final report, the City Council determined that, principally due to the significant effects on the surrounding residences, businesses, public facilities and road circulation system, the grade separation scheme studied was impractical. The study, however, only looked at one way of separating roads from rails - keeping the railroad tracks at grade and lowering the roadway.

Due to, 1) the increased rail operations of the last decade and the prospect of more increases including Bullet Expresses trains, 2) community concerns for the safety of the crossings, 3) the disruption due to horn noise and crossing bells, 4) the disruption to emergency service response across the rail line, and 5) the inconveniences of blocked crossings as a result of increases in train traffic increased, on July 16, 2002 the City Council authorized the preparation of a study to evaluate alternative ways of creating safe grade separations in the City of Menlo Park. This report presents the results of those investigations.

Principal Study Findings

- The JPB’s long range plan is to operate the Caltrain service with a number of local & express trains that will require a 4-track grade-separated system between San Jose and San Francisco. (Even if the JPB’s interest was solely in expansion to a 4-track system, it is highly unlikely that the California Public Utilities Commission (PUC) would permit a four track crossing at grade..) These circumstances hold two important implications for Menlo Park. One is that grade separations are

likely to be built in Menlo Park without any requirement of substantial City funding contribution toward their construction and without City government taking the lead to initiate the project development. The second is that the City has the choice of proactively planning the form of the future rail system through the center of the City, or it can simply wait and attempt to influence the design at such time as the Menlo Park segment becomes a priority for the JPB. (The City also has the choice of opposing development of grade separations and/or any additional rail trackage through Menlo Park.)

- Theoretically, there are six ways to grade separate the roadway crossings of the tracks: 1) leave the roads at grade and depress the tracks below the roadways, 2) leave the tracks at grade and elevate the roadways over the tracks, 3) leave the tracks at grade and depress the roadways beneath the tracks, 4) partially elevate the tracks and partially depress the roadways, 5) partially depress the tracks and partially elevate the roadways, or 6) leave the roadways at grade and elevate the tracks above the roadways. Of these, option “4”, partially elevating the tracks and partially depressing the roadways appears the most feasible from considerations of community benefits and effects, constructability, right-of-way requirements and costs.
- A key consideration is that vertical clearance requirements are different, depending on whether the rails pass beneath the roadways or the roadways pass beneath the rails. When the roadways pass beneath, the vertical separation necessary between the running surface of the road and the top of the rails needs to be about 20 feet. Where the rails pass beneath the roadways, the necessary vertical separation between the surface of the road and the top of rails needs to be about 30 feet. This 10 foot differential makes it much more difficult to maintain linkages to nearby roadways and driveways and to avoid right-of-way takes in alternatives where the rails would pass beneath the roadways.
- Any scheme that involves changing the grade of the rails would involve construction of all four grade separations as a single project.
- A construction period of about two years would be required.
- Construction sequencing would be as follows:
 - 1) Temporary detour tracks or “shoofly” tracks will need to be built to maintain rail operations during the construction period, on the west of the existing rail line.
 - 2) Temporary roadway crossings will need to be built alongside the existing crossings.
 - 3) New structures will need to be built on the existing crossing alignments and fill placed to support the new tracks. (While rail operations continue on the shoofly tracks).
 - 4) When the new structures and the alterations to the mainline rail grade are complete, vehicle traffic will be shifted to the new structures on the original roadway alignments (with impaired vertical clearance).

- 5) The gaps in the mainline that provided the temporary roadway crossings will be filled in, rail operations will be shifted back to the new grade-separated mainline.
- 6) The temporary shoofly trackage will be removed.
- 7) One at a time, the grade separation structures will be finished out to full vertical clearance.
- The grade separation project would not involve any significant permanent right-of-way takes from private property owners.
- Developing the four track mainline and the temporary shoofly to maintain rail operations during its construction will necessitate some temporary construction easements on private property. These temporary easements will be of limited consequence.
- The construction of the new tracks will impact the existing Menlo Park Station. The former depot and rail freight buildings (now occupied by the Chamber of Commerce and the model railroaders respectively) are historic structures. If the structures can be relocated within the station complex, right-of-way needs in the station area would be minimal. However, if the buildings must be maintained on their exact locations, there will be significant right-of-way requirements during construction period and permanent consequences. In this case, the temporary shoofly to maintain rail operations would have to be in the block of Merrill Street between Santa Cruz and Oak Grove Avenues. This would result in the need to close Merrill Street to motor vehicle traffic for most of the construction period, with obvious consequences for local circulation and for businesses that depend on this Merrill Street frontage for access. Also, because the mainline trackage would need to be offset to the east to leave the depot building undisturbed at its present location, Alma Street would be need to be narrowed permanently between Ravenswood and Oak Grove, resulting in one way traffic in each direction without parking in that block.
- Construction of the widened rail line and the temporary shoofly trackage would potentially involve significant loss of mature trees in the corridor. Modern technology makes it possible to transplant or to uproot, store and replant large trees with a high rate of survival. This technology could allow a large number of existing trees to be preserved and thereby, to develop a project landscaped with a mature tree canopy immediately upon completion.
- Elevating the grade of the rails poses issues of privacy intrusion and view interruptions for persons living close to the trackway. To some extent, privacy issues can be offset by the mature tree plantings described above. The issue is largely a trade-off since those most directly impacted by the privacy/views issue are the same people who benefit most through the elimination of train horn and crossing warning bell noise.

A. PURPOSE AND BACKGROUND OF STUDY

1. Menlo Park's Interests

Key considerations for Menlo Park in undertaking this study are public safety while crossing the rail line, elimination of disturbance due to noise of train horns and crossing warning bells, avoidance of disruption and delay to emergency service crossings of the tracks, and elimination of the inconvenience of delays to pedestrians, bicyclists and motorists when the crossings are blocked for train passage.

The safety issue of the crossings is that accident frequency tends to be proportional to numbers of crossing conflicts between trains and people. Of particular concern is that, with increased train frequency, and especially with the introduction of high speed express services, the number of instances when a train in one direction passes almost immediately after passage of a train in the opposite direction increases. The problem with this is that people frequently enter the crossing as soon as the first train clears, unaware that a second train is closely approaching. Accident reports maintained by Department of Transportation indicate that there have been 6 train-involved incidents and 5 deaths that have occurred in the City of Menlo Park over the last 25 years. Although grade separations cannot eliminate the train-involved incidents of suicide or accidents resultant from deliberate trespassing on the rails, they can eliminate instances where accidents occur at grade crossings. (The alternates that raise or lower the tracks such as Alternates 1 and 4 would have the greatest likelihood of reducing trespassing.)

The train noise issue has several components: the noise of steel wheels on steel rails, the noise of heavy diesel engines, and the noise of train horns and crossing bell warnings. Of these, the train horn and crossing bell warnings are most disturbing to those living or working close to the trackway.

State and Federal codes require that the train horn be sounded in a continuous series of intermittent blasts for a quarter-mile on approach to each grade crossing. Given the spacing of Menlo Park's grade crossings and the nearest ones in adjacent communities to the north and south, this means that the trains are supposed to be sounding their horns almost continuously as they pass through Menlo Park. Train horns are required to emit sound at or above the 97 decibel level; prior to recent modifications, some of the trains operating on the Caltrain line had horns emitting sound at up to the 122 decibel level. On the current Caltrain schedule, there are late night passenger trains passing through Menlo Park, at 11:02 pm, 11:04 pm and 1:04 am. Early morning commuter trains pass through Menlo Park at 5:14, 5:47, 6:03, 6:20 and 6:42 am. In between, there are at least 4 late-night freight trains and may be one or more construction or maintenance "work trains". Residents living close to the line justifiably complain of train noise-related sleep disturbance issues.

It has become evident that it is unlikely for train horn and warning bell requirements at grade crossings to be relaxed, or for "quiet zones" to be established in the near future. The only way local officials can eliminate the train horn and crossing warning bell noise problem is by eliminating the grade crossings by grade separations.

When the trains cross existing roads, vehicular and pedestrian traffic is interrupted. This has two consequences. Emergency service response is delayed when it must cross the tracks and normal



traffic is delayed by congestion on the City streets.

The amount of time that the intersections are closed due to the trains, 'gate downtime' is amplified due to the location of the Menlo Park Train Station. As trains approach the station they are slowing to a stop, and as they leave, they need time to accelerate. This increases the length of time that the gates must remain down at Ravenswood Avenue, the highest traffic volume crossing and at Oak Grove Avenue. Also, at these two crossings, the gate "downstream" from the train's approach must close twice; once as the train approaches the station and again when the train leaves the station and actually proceeds through the crossing. **Table 1** indicates the total length of time per day that the intersections are blocked.

TABLE 1 – GATE DOWNTIME WITHOUT GRADE SEPARATION

Crossing Location	Year 2002 ¹		Year 2010 ²		Percent Increase
	Per Day	Peak Hour	Per Day	Peak Hour	
Ravenswood Ave	98 min	10.3 min	148 min	15 min	47%
Oak Grove Ave	125 min	13.1 min	185 min	19 min	47%
Glenwood Ave	70 min	7.4 min	104 min	11 min	47%
Euclid Ave	65 min	6.8 min	95 min	10 min	47%

Note:

- Existing 76 trains/day (8 trains per peak hour) includes Northbound (NB) and Southbound (SB) trains. For Ravenswood gate down times were measured at 50 seconds NB and 105 seconds SB. For Oak Grove gate down times were measured at 133 seconds NB and 64 seconds SB. For Glenwood gate down times were measured at 53 seconds NB and 58 seconds SB. For Encinal gate down times were measured at 40 seconds NB and 62 seconds SB. Measurements were taken on May 8, 2003 between 7:00 and 8:00 am.
- Future 112 trains/day (12 trains during the peak hour) including NB and SB
- The gate downtime delay does not include delay due to UPRR (Union Pacific Railroad) freight traffic.
- It is worth noting that the peak times of gate downtime coincide with peak road traffic.

The 1990 DeLeuw study found that gate down time exceeded 60 minutes per weekday. Delays have increased by 50 -100% at some intersections in the past 13 years, with an approximate 50% increase expected in the next 7 years.

It should be clearly understood that grade separations will not increase traffic capacity of the street system in central Menlo Park to allow higher sustained rates of traffic flow through the center of the City. This is because the lane configurations at the key intersections that constitute the ultimate controlling limitation on capacity will not change. However, the grade separations will eliminate the worst momentary periods of congestion when gate-down conditions bottleneck intersections and the traffic surges after the gates reopen creating bottlenecks. The situation is compounded by the approach of a second train before the effects on traffic of the previous train have been dissipated.

2. Railroad Strategic Planning and Operating System requirements

Caltrain strategic planning envisions express trains, increased and expanded service frequency and the possibility of accommodating other interregional high speed service. To accommodate these operations, 4-track alignment in certain segments, and possibly along the whole corridor, will be required. It is a reasonable assumption, the California Public Utilities Commission (CPUC) would require that, in order to have four tracks, all crossings must be grade-separated. The JPB is currently engaged in preliminary engineering studies with several cities with the objective of developing an entirely grade separated right-of-way along the entire Peninsula Corridor. This means the JPB may need to implement grade separations in Menlo Park independent of any City initiative in the matter. A potentially beneficial consequence of this situation for Menlo Park is that the grade separations would likely be fully funded by a combination of local, state, and federal funding.

Express Service by 2004

The JPB will be implementing express trains between San Francisco and San Jose. Unlike the current peak period expresses that just skip occasional stops, the new expresses will have a very limited number of stops, and will be scheduled to bypass local trains on new tracks that are presently under construction in Brisbane, Redwood City and Sunnyvale allowing them to travel at higher speeds. These 'Baby Bullet' trains will reduce the travel time between San Jose and San Francisco by as much as half an hour, when the initial system is completed in 2004.

Continued Expansion of Caltrain Service

Continuing increase in service of both the express and local trains, will require more 4-track segments. Ultimate 4-track service will be needed for the entire Caltrain corridor.

Accommodating Other Regional Rail Service

The Dumbarton Connection (conversion of the old Southern Pacific rail trestle between Redwood City and Newark) is being proposed for use by a Caltrain-type commuter rail service. Proponents hope the system would be operational before 2010. The San Jose leg of the Dumbarton Connection would add three southbound trains in the am peak and three northbound trains in the pm peak on the Caltrain line through central Menlo Park.

Statewide High Speed Rail

It is possible a high speed rail line, which would connect San Francisco and Los Angeles could be built in the future. The California High Speed Rail Authority has already determined that, if service is established, it will share the center two tracks of a four track system with the Caltrain Baby Bullet in the JPB corridor. The decision to proceed with the statewide high speed rail (a bond election had been tentatively planned for November 2004, but may be deferred out of considerations relating to the economy) would advance the time when a grade separated, four track system throughout the Peninsula Corridor would be required and would increase the pool of funds available to add trackage and grade separations.



Electrification

Electrification of the Caltrain rail system is also being planned for as part of the JPB's Long Range Plan to improve service. Maintaining vertical clearance that allows for future electrification at locations where the tracks pass beneath roadways is a key geometric requirement for grade separations.

3. Menlo Park Station

Any grade separation plan that would involve a significant change in the elevation of the tracks, or any plan by the JPB to add more tracks through Menlo Park, would necessitate complete reconstruction of the Caltrain Station.

The Menlo Park Depot building at the train station (currently occupied by the Chamber of Commerce) and the former Railway Express shed (currently occupied by the model railroad club) are historic structures listed in the National Register of Historic Places. As such, the buildings are subject to state and federal codes, guidelines and regulations and are also the subject of a Preservation Covenant between the JPB and the South Bay Historical Railroad Society. Any alteration to the buildings must preserve or enhance historical values according to both State Public Resources code and the Preservation Covenant. Keeping the buildings in their present location would have significant negative effects on the surrounding road system, businesses and residences. As a result there will be a need to relocate the structures within the station site, which will help preserve the unique historic flavor of the existing station.

The JPB has recently completed a study of the Caltrain train station facilities needs for all stations in San Mateo County¹. The JPB report is still in draft form, but will provide guidance on facilities needs when completed, should reconstruction of the station become necessary.

¹ San Mateo County Station Access Study Draft Report dated March 2003, prepared by Korve Engineering

B. GRADE SEPARATION ALTERNATIVES

This section reviews the feasibility of all six types of theoretically possible grade separation in the context of the conditions and constraints that exist in the Caltrain corridor through central Menlo Park.

1. Alternate 1. – Trench - Roadway at Existing Grade/ Lower Railroad Tracks

This alternative would attempt to place the tracks in a concrete lined trench through as much of the City as feasible, with the roadways crossing the trackway on structures as close to existing grade as practical. The vertical clearance required between the top of track and any overhead structure is 24 feet 6 inches, a height required to accommodate the height of the rail cars and to electrify the trains in the future. With approximately 5.5 feet of thickness needed for the structures that would support the road, there would be an approximate 30 foot differential between the elevation of the running surface of the road and the top of the rails. The railroad tracks and station platforms would be constructed at the elevation of the bottom of the trench. See **Appendix B**.

There are no instances of this type of grade separated crossing in the Bay Area that we are aware of. The Alameda Corridor Project in Southern California, see **Figure 1**, is an example of this type of railroad construction.

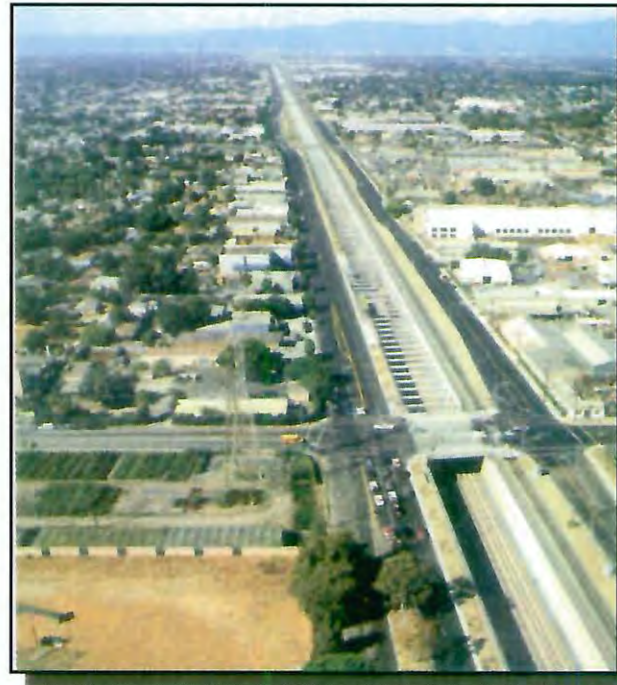


Figure 1- Underground Track Alternate

2. Alternate 2 – Overpass - Raise Roadway/ Railroad Track at Existing Grade

The overpass alternative would keep the railroad tracks at their current elevation and create raised structures that would ramp up over the tracks. The same vertical clearance and structural thickness requirements as in the proceeding alternative would prevail. This would result in a total structure height of about 30 feet – roughly the equivalent of a 3-story building. See **Appendix C**.

Examples of this type of crossing are the Millbrae Avenue crossing in the City of Millbrae and the San Antonio crossing in Mountain View. See **Figure 2**.

3. Alternate 3 – Underpass - Lower Roadway/ Railroad Track at Existing Grade

In this alternative, the railroad track would remain at grade and the roadways would be lowered to pass under the railroad tracks. Normal engineering practice is to provide a 15-foot clearance between the bottom of the railroad bridge structure and the pavement. With a typical 5-foot thickness for the bridge structure and trackway, the running surface of the road would be depressed a total of 20 feet beneath the existing elevation of the rails. See **Appendix D**.



Figure 2 – Millbrae Avenue Grade Separation in Millbrae

Nearby underpass crossing along the JPB right-of-way include Jefferson Ave in Redwood City, and at 5th Avenue, south of Redwood City, Page Mill Road and at University Avenue in Palo Alto. See **Figure 3**.



Figure 3 – Jefferson Underpass in Redwood City

4. Alternate 4 – Split - Partially Lower Roadway/ Partially Raise Railroad Track (Preferred Alternative)

This Alternative achieves separation between the roadway and the rail elevation with a combination of lowering the road and raising the tracks. This is similar to Alternate 3 in that the same 20-foot vertical clearance is maintained but the track is raised to accommodate part of the grade differential while the roadway is lowered to provide the remainder. The degree to which the tracks are raised and the road lowered can be varied as long as the 20-foot differential is maintained. At the preliminary evaluation level of this study, it appears that an optimum condition would be achieved if the roadways were lowered and the tracks raised in approximately 10 foot increments each. See Appendix E.

Examples of this type of grade separation are the Holly, Howard and Brittan grade separations in the City of San Carlos and the Harbor and Ralston grade separations in Belmont. See Figure 4.



Figure 4 – Split Alternative, Holly Grade Separation in San Carlos

5. Alternative 5 - Partially Lower the Rails and Raise the Roadway

In this option, because it is the rails that pass beneath the road, a 30-foot separation between the top of rail and the running surface of the road must be maintained. Although variations of how much of

the elevation differential can be made up by raising the road versus by depressing the tracks are possible, this alternative tends to combine many of the worst effects, construction difficulties and cost consequences of Alternatives 1 and 2.

6. Alternative 6 - Raise the Rails and Keep the Roads At Grade.

In this option, the grade of the rails would be continuously elevated about 20 feet above the surface of the crossing street systems. Continuous elevated rail at this height would tend to raise the most broadly impact visual and privacy intrusion consequences of all the alternatives.

C. ALTERNATIVE EVALUATIONS

1. Alternate 1. – Trench/ Lowering the tracks to the extent possible

This alternative would install the railroad tracks in a concrete lined trench that would extend from the Town of Atherton on the north, to San Francisquito Creek on the south. To accommodate the total height differential required, the trench would need to be 30 feet deep where the rails pass beneath the roadways. See Appendix C. Rail systems can only change grade very gradually however. Caltrain design criteria (and typical rail design standards in general) limit the slope on the main line rail system to 1% and require large radius vertical curves to provide a smooth transition between grade changes. When these requirements are applied with the constraints that exist or may exist in Menlo Park, it becomes impossible to fully depress the railroad beneath the existing grade of the roadways. At the south City limit, the rails must cross San Francisquito Creek at the existing creek bank height - about 9 feet above the elevation of the roadway at the Ravenswood crossing. In order to keep San Francisquito Creek from spilling into Menlo Park, the bank elevation must be maintained.

In addition, at this point in the design, it would be prudent to design the Menlo Park Grade Separation without impacting, or spilling into the rail corridor in the Town of Atherton.. In order to develop a Menlo Park project and not directly involve Atherton, the tracks would need to be at the elevation of the existing tracks at the Atherton City Limit line. Because of the gentle (1%) maximum slopes and long transition curves required on the railroad, the tracks cannot be fully depressed to 30 foot vertical clearance through Menlo Park. Hence, the alternative would be in reality a split-level alignment (such as described in Alternative 6 above, with the roadways raised to provide the needed 30 foot clearance required for the trains. As a result Euclid would need to be raised 21 feet, Glenwood 12 feet, Oak Grove 11 feet, and Ravenswood would need to be raised 14 feet. As a result of the grade restrictions on the two ends of the project, Alternative 1, depressing the tracks and keeping the existing road crossings at grade, is not possible. This alternative would more closely resemble Alternative 6, partially lowering the tracks and partially raising the roads.

The concept of a depressed railroad suggests an absence of visual and physical barriers along the rail line. But this would not be the case. To prevent surface stormwater run-off from draining into the trackway, the walls of the trench will extended above grade be as much as 2 to 4-feet. In addition, a security fence would need to be constructed on both sides of the trench to a height of 10-12 feet to control access. As a consequence, except at street crossings, the depressed trackway would form a

significant continuous physical and visual barrier.

A significant problem with this alternative is stormwater that falls into the trackway. In contrast to the existing situation where stormwater that falls onto the trackway can be allowed to percolate into the soil or run off, stormwater that falls into a depressed trackway must be drained immediately (a pumping facility would be needed). Unfortunately, at present, there is no suitable facility in Menlo Park to drain or pump the stormwater to. In fact hydrologic studies indicate that, due to insufficient capacity in the existing city storm drain system, this area can be expected to see flooding in major storm events. During major storm events there would likely be flooding of the trench that would shut down train service for an extended period of time on the Peninsula. This would be an unacceptable situation for Caltrain.

a. Existing roadways

All four road crossings would need to be raised to provide adequate clearance for the trains. This will require the existing roads and driveways that parallel the tracks to be ramped up to meet the new crossing elevations, but access would be maintained.

b. Railroad operations

Relocating the railroad tracks to a new underground alignment will require the construction of a shoofly and the relocation of the tracks to the underground alignment when work is complete.

c. Surrounding property owners

Due to the need to ramp up to cross over the tracks, access to some properties next to the road crossings will be disrupted.

d. Traffic circulation

Traffic circulation patterns would need to be modified to accommodate the ramping of the crossing roads.

e. Pedestrian traffic

In order to accommodate the raised crossing of the roads, there would need to be some realignment of existing sidewalks.

f. Train Station operation

The existing station operation will change significantly with a depressed railroad track. The station and parking will remain at street level but the platforms will need to be depressed at the track level; 14-feet below grade. Stairs, ramps, and elevators will provide access to the platforms.

g. Construction Issues

Because of the nature of the excavation, all of the utilities that cross, or closely parallel the trackway will need to be relocated – a significant cost and disruption.

2. Alternate 2 – Overpass/ Tracks remain at present elevation

This alternative will have the least impact on the railroad, but cause the greatest disruption to the community. Overpasses would need to start ramping up 550 to 650 feet away from the existing railroad tracks, and would meet existing ground an equivalent distance from the tracks on the opposite side. Because the rails would remain at their current grade, overpasses for the four crossings could be constructed one at a time and temporary shoofly trackage would not be needed during the construction period.

a. Existing roadways

The construction of an overpass will result in major disruptions to the traffic patterns along the railroad right-of-way. Using a design speed of 25 mph, and slopes of 8% on the ramp the impact on each of the roads would be:

Ravenswood Avenue will touch down 60 feet east of El Camino Real, which will require El Camino Real to be raised through the Ravenswood intersection, resulting in the businesses on the four corners of the intersection to be below the street grade. On the east side Ravenswood will touch down 200 feet west of Laurel Street.

Oak Grove Avenue will touch down at the centerline of El Camino Real on the west and at Laurel on the east side. Some minor regrading of Laurel Street will be required.

Glenwood Avenue will touch down just short of El Camino Real on the west and 60 feet past Laurel on the east side. Laurel Street will need to be raised slightly at the intersection.

Encinal Avenue will touch down 70 feet short of El Camino Real on the west and 200 feet east of Laurel on the east side. Laurel will either need to ramp up 7 feet to meet Euclid or it will need to be converted to a cul-de-sac.

Because the overpass alternatives involve a 30 foot elevation transition up and down, pedestrians and bicyclists may prove reluctant to use the overcrossings and attempt to cross the tracks at grade. Even those bicyclists and pedestrians that do use the overcrossings are not particularly likely to regard them as improvements.

Since the overpass approaches will be high above the present road alignments, accessing to the roads and properties that feed off of Ravenswood, Oak Grove, Glenwood and Encinal, will no longer be accessible from these streets. See **Appendix C**. As a result properties where access is lost may need to be acquitted as part of the project. The land can be used to provide access to the new overpasses for the community impacted by the new crossings. Merrill and Alma will still be usable streets, but will not be as easily accessible as they are now.

b. Railroad operations

The railroad operations would be least impact by this alternative. The existing railroad lines could be shifted to the east and a second set of tracks constructed on the west alongside the existing tracks. This would provide the needed tracks without the need to construct a shoofly. (This is the only alternative that does not require the construction of a shoofly.)



c. Surrounding property owners

This alternative has the largest impact on the single and multi-family residence in the area. Approximately 20 single family homes, 5 apartment buildings and several businesses and office buildings would be affected by property takings or access alterations. Because of their height and length, the overpasses will also be highly obtrusive visual features, as high as a three-story commercial building and would have appearances that would be difficult to soften with landscape.

d. Traffic circulation

Traffic flow within the areas on either side of the railroad tracks would be significantly changed. Access to Merrill and Alma Streets would be via new roadways that would need to be constructed. The first at grade connections to the overcrossings would be at intersections with Laurel Street on the east and El Camino Real on the west.

e. Train Station operation

The Menlo Park Train Station will continue to occupy its current location. The overcrossings will require the station to be accessed via new roadways that would provide access to Merrill and Alma Streets. The station would remain pretty much unchanged on the west side but the easterly platform would need to be moved about 30 feet to the east, which will encroach into Alma Street.

3. Alternate 3 – Underpass/ Tracks remain at present elevation

This alternative would depress the road under the railroad tracks. The roads would ramp down at 5%, but due to the fact that the separation required between the top of rail and road surface is only 20-feet (rather than the 30-feet required for the overpass), the length of the depressed section of road will be less than the length required for the overpass. See **Appendix D**.

a. Existing roadways

The primary effects to the road system will be interruption to the existing road patterns and driveways near the tracks due to the depressed roads. The roads and driveways that presently connect to the roads being depressed will need to be significantly rerouted. For Alma and Merrill Streets, there is the possibility of connecting across Ravenswood at trackway elevation in Merrill's case, connecting to the parking lot of the Menlo Station commercial complex, not to a public street. During major storm events, some flooding of the underpasses is possible due to deficiencies in the City's existing storm drain collection system.

b. Railroad operations

Shoofly tracks would need to be constructed to detour the trains around the new bridge construction. Construction staging of this alternative will be difficult.

c. Surrounding property owners

Although there would be less property acquisition require than for the Overpass Alternate, significant property acquisition would still be needed. Businesses along Alma and Merrill would be less accessible.

d. Traffic circulation

If bridges were constructed to support Alma and Merrill across Ravenswood, a second Merrell bridge would be needed across Oak Grove. Merrill could then be connected to El Camino Real by extending Derry Lane and by acquiring right-of-way between the Corner Stone office building and retail shops south of Ravenswood. Alma would be cul-de-saced at Oak Grove or connected on a more easterly alignment that would require right-of-way acquisition. Access to Alma would be by way of Sherwood Way and Laurel Street, south of Burgess Park, or by a new roadway constructed across the Burgess Park property that would connect to Ravenswood in the vicinity of the Gate House.

e. Train Station operation

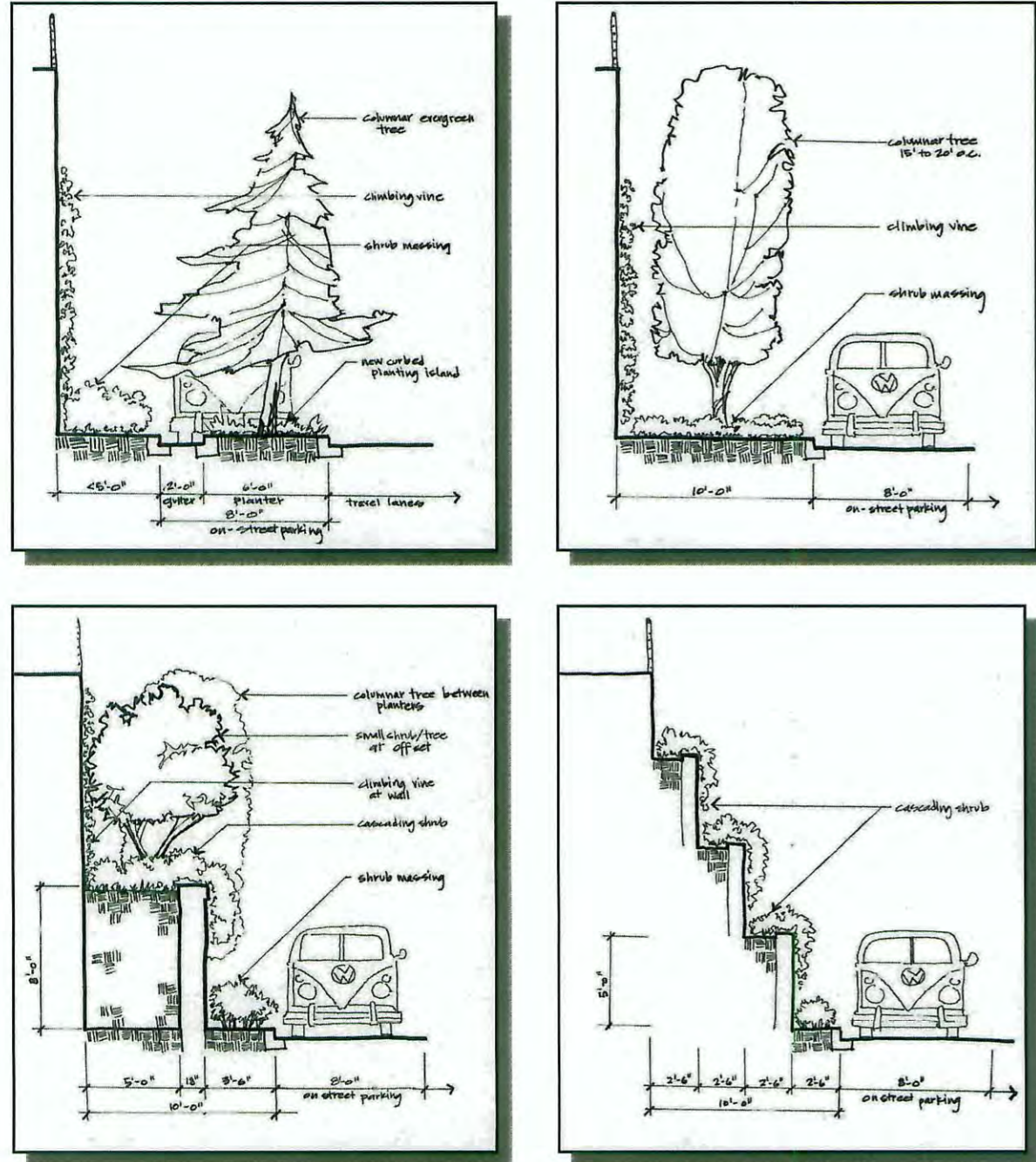
A shoofly track will need to be constructed to reroute the trains while the new railroad bridges are being constructed. The shoofly alignment will disrupt the current station site and, as with all other alternatives requiring temporary operating tracks during the construction period, would raise the issue of relocating the historic depot building within the station site. Once construction is complete, the station would appear similar to the present station. However the east platform will need to be moved east into Alma Street to allow for the additional two tracks.

4. Alternate 4 – Split/ Tracks partially raised (Preferred Alternative)

The Split Alternative would raise the railroad tracks while lowering the road. The separation required between the top of railroad tracks and the road pavement surface is 20-feet. Any combination of raising the racks and lowering the road that maintains this 20-foot differential is theoretically possible, i.e. the tracks could be raised 13-feet and the road lowered 7-feet, or the tracks could be raised 9-feet and the road lowered 11-feet. Based on preliminary studies, a nearly even raising of the track grade and lowering of the road grades appears to offer the best results. The higher the tracks are raised, the greater the visual effects and potential visual intrusions on privacy (potential for passengers in the trains to look into backyards of property along the right-of-way). During construction there will be a period of time when traffic will need to drive under the bridge structures with limited vertical clearance until the roadway can be lowered to its final elevation. The higher the tracks are raised, the greater the vertical clearance will be available during construction for the trucks and emergency vehicles.

In order to support the raised railroad tracks, it will be necessary to construct the new tracks on filled embankments and on structures at the road crossings and station area. Due to the limited right-of-way, the embankments will need to be contained with retaining walls. The height of the wall depends on the amount that the tracks are raised. Treatment of the retaining walls and structures, both in the finish

applied and the landscaping installed on and around them, will be critical to making the facility a visual asset rather than a visual barrier and intrusion. **Figure 5** indicated several landscape alternatives for the wall landscaping. Two or more of these landscape options may be appropriate to create a variety in the landscape patterns to breakup the linear appearance of the wall.



a. Existing roadways

By partially raising the tracks and lowering the road, the impact on the existing road patterns will be able to be maintained. Assuming that the tracks are raised 10-feet and the road lowered 10-feet, Alma, and Merrill Streets will be able to be ramped down to meet the grade of the new road alignments. Retaining walls, ranging in height from 3 to 4 foot will likely be needed to support the properties on the east and west side of the tracks, but access to the parcels will be able to be maintained. **Figure 6** shows the intersection of Holly Street and Old County Road in San Carlos. The Holly Street overpass was constructed by lowering the road 10-feet and raising the railroad tracks 10-feet. The relationship of Holly to Old County Road is the same as the relationship of Ravenswood to Alma Street. The intersection was able to be lowered without having any significant impact on the adjacent properties. As with Alternate 3, some flooding of the underpasses is possible due to deficiencies in the City's existing storm drain collection system, during major storm events.



Figure 6 – Holly and Old County Road Intersection in San Carlos

b. Railroad operations

This alternative will require the construction of a shoofly so that the new embankment and new railroad tracks can be constructed.

c. Surrounding property owners

Properties directly adjacent to the railroad right-of-way will be affected by the raised tracks. The embankment will restrict the views people currently have across the tracks and, depending on the extent of landscaping provided, passengers in the trains may be able to see into back yards more than at present. Some residents have expressed concerns that the higher grade of the rails will cause the noise from the trains to be more noticeable or noticeable over a greater area. Recent studies performed by the JPB for the City of San Bruno Grade Separation project indicate that elimination of train horn noise and noise from crossing warning bells is a significant offsetting benefit.

d. Traffic circulation

If the tracks are raised and the road lowered roughly equal heights, the impact on traffic circulation would be minor as all present roadway connections and private property accesses would be maintained. The more the roadway underpasses are depressed and the less the grade of the tracks are raised, the greater the potential impact on traffic circulation.

e. Train Station operation

This alternative has the greatest impact on the train station. The station platforms need to be reconstructed at the elevation of the tracks. As a result, the platforms will need to be constructed on the raised fill or as part of the bridge structure. If the Depot building can not be relocated, it will be necessary to move the new railroad tracks further east, reducing the width of Alma Street to about 20-feet. If the Depot is moved, there would still be some encroachment on Alma, but it would have a width of about 45 feet. **Figure 7** shows the impact on Alma of the track alignment. The effects to Alma would also occur with all Alternatives.



Figure 7 –Effect of Depot Relocation on Alma Street

D. CONSTRUCTION ISSUES

Construction issues will vary depending on the alternative chosen. All alternatives, except the Overpass - Alternate 2, will require the construction of a shoofly track or detour to temporarily relocate the train during construction. Alternate 1 requires the tracks to be relocated in order to excavate for the trench, Alternate 3 requires track relocation to construct the new bridges to support the tracks, and Alternate 4 requires the tracks to be moved in order to construct the embankment fill for the raised railroad tracks.

The shoofly track will construct two new sets of tracks on the west side of the existing tracks. In several locations this will require the acquisition of temporary construction easements. **Appendix D** contains preliminary right-of-way maps that indicate where both temporary and permanent easements are anticipated. These maps are based on preliminary concept design and will change based upon the design alternative chosen and final design details. They do however; provide an indication of possible right-of-way and construction easement requirements.

A critical issue related to the “shoofly” trackage affecting both construction period and permanent right-of-way requirements is the question of whether the historic Depot Building can be relocated within the station complex. This issue effects businesses that depend on Merrill Street. If the Depot is not moved, Merrill Street will need to be closed between Oak Grove and Santa Cruz Avenues during most of the 2-year construction period. It also critically effects the permanent form of Alma Street in the block between Ravenswood and Oak Grove Avenues. If the Depot building cannot be relocated within the station complex, in order to provide sufficient room for the tracts, Alma would be narrowed to the width of a two way street without parking which would impact the businesses on the east side of Alma. If the Depot

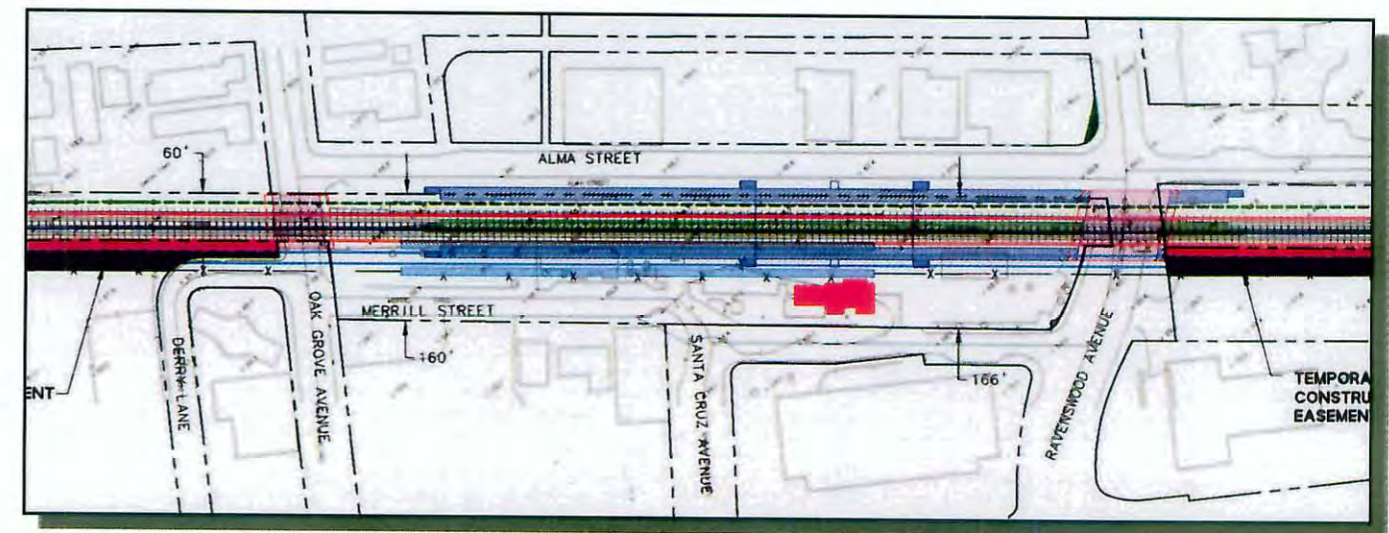


Figure 8 - Shoofly location through Station if Depot is Relocated

building can be relocated, the block of Merrill can remain open during the construction period and the block of Alma can have a width of 45 foot. At 45 feet, Alma would support two-way traffic and parking on both sides. **Figures 8 and 9** show how the tracks would be aligned, **Figure 8** with the Depot relocated, Merrill kept open during construction and Alma maintained at a width suitable for two-way operations; **Figure 9** with the Depot building maintained in its present location, Merrill closed during construction and Alma narrowed to a two-way width without parking. **Figure 7** illustrates the ultimate width of Alma Street with and without Depot building relocation. This issue affects all alternatives that require temporary operating trackage during the construction period. Only the roadway overpass alternative would not have such a requirement.

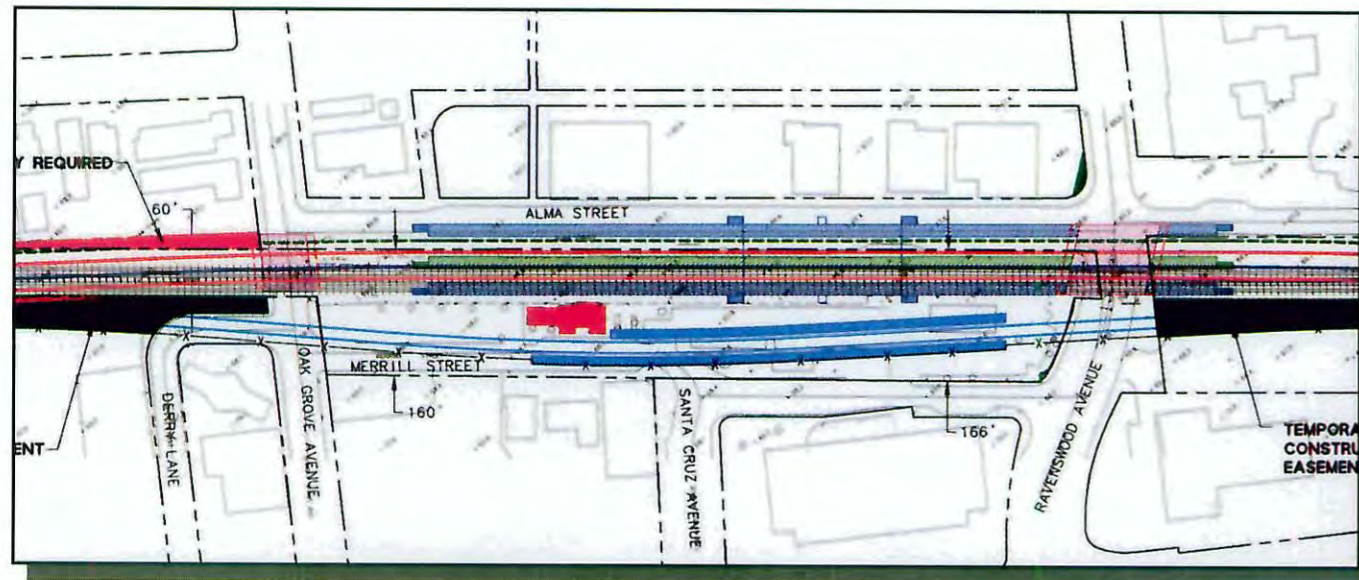


Figure 9 - Shoofly location through Station if Depot is not Relocated.

Utility relocation will be required for all alternates, however Alternate 2 will have the least impact on existing utilities. Construction for alternates will last about 2-3 years. During this time there will be some disruption of traffic flow with the need to provide detours to route traffic around construction. The Split - Alternate 4, may require some limits on the height of traffic able to drive under the bridge structures while they are under construction.

E. TRAIN STATION DESIGN

No detailed design study has been done for a new Menlo Park Station. However, if Alternative 4 is used, the trackway would be carried on an open viaduct involving a series of portals similar to the one pictured from San Carlos Station. See **Figure 10**. Such a design would completely open up the station area for flows of pedestrian traffic beneath the trackway between the foot of Santa Cruz Avenue and the Alma Street commercial frontage. It may even be possible to develop small shops and community amenities beneath the

viaduct as part of the project. It is also anticipated that a suitably dignified site for preserving and enhancing the historic depot and freight buildings within the station complex can be developed.

The JPB has recently completed needs studies for all of its rail stations including Menlo Park. The study, which is still in draft form, indicated that by 2010, Menlo Park station will need some additional parking stalls. The extension of the train station platform across Ravenswood Avenue that is incorporated in the grade separation plans in all alternatives will allow for underutilized parking along Alma Street south of Ravenswood Avenue to be readily accessed by train station patrons.



Figure 10 – San Carlos Station with Arched Openings under the Tracks

F. NOISE EFFECTS

The JPB is presently working with the City of San Bruno in evaluating grade separations at three crossings. As a part of that process the JPB retained the engineering firm of Parsons to perform a study of the noise

and vibration that could be anticipated from the project. The following are excerpts from that report².

“Results of the analysis revealed an overall operation noise reduction at first row residences along the proposed project corridor. The noise reduction is due to the elimination of the horn and gate bell noise with the grade separation. However, noise from train passby with grade separation at second and third row residences would be 1 to 2 dB higher than the existing levels (not including train horn or gate bell noise). Noise increases of less than 3 dBA are not noticeable in comparison to the substantial noise reduction due to the elimination of the train horn noise. The increase would only happen at the areas where the first row buildings are one-story structures. In areas where the first row buildings are two-stories, no increase in train passby noise levels are expected for the future elevated case. Even though there would be a slight increase in single passby noise levels, the average day-night noise level would not be higher than the existing noise levels due to other noise levels, such as airplane flyovers and I-380 traffic, in the project vicinity. The future noise levels with the grade-separation would not exceed FTA noise criteria in the project vicinity and because of the overall reduction in noise would be considered a positive improvement.”

As can be seen from the Parsons report, the noise increase would be insignificant in comparison to the reduction in noise due to the elimination of the train horn and gate bell noise. It needs to be emphasized that the Parsons study was based on field measurements made in San Bruno and reflect the conditions that exist in that community. Due to site conditions that exist along the JPB right-of-way in San Bruno, the track was being raised as much as 20 feet at one location. Noise studies will need to be made in Menlo Park to determine the noise effects within the community. The Parson study does, however, give an indication of the effect of raising the tracks for a similar project to what is proposed in Alternate 4 for Menlo Park project.

G. EFFECTS ON VEGETATION

The construction of the shoofly track will require the removal of a large number of trees. Many of them are specimen trees that add character to the community. There are contractors that are capable of removing some of these trees, storing them and then replanting them, once construction is complete. The cost for removing, storing, and reinstalling trees is not insignificant but can be explored and incorporated into a future project.

Upon completion of the project trees, vines, and shrub would be planted along the walls to soften their harsh appearance.

H. FUNDING SOURCES

Funding for the grade separations, station and road improvements, could come from a variety of sources³. These include:

² From Parsons Report titled, “Noise and Vibration Study Caltrain San Bruno Grade Separation Project, dated April 25, 2003.
³ Peninsula Corridor Joint Powers Authority, (JPB)

- Sales Tax Revenues Measure A funding
- State Public Utilities Commission – California State Aid for Railroads Grade Separations
- Traffic Congestion Relief Program
- State Transportation Improvement Program
- Federal Funding

I. IMPORTANT QUESTIONS

Initial findings of the grade separation feasibility study were presented to the citizens of Menlo Park at a public meeting in December of 2002 and at a special joint meeting of the Planning and Transportation Commissions in April, 2003. A number of salient questions and comments that were raised at those meetings and the responses to them are summarized here.

Why not close the rail crossing at Encinal Avenue and reduce the project cost and extent of construction?

The City could theoretically close the Encinal crossing and that would reduce project cost, reduce construction difficulty and ease traffic conditions during the construction period (presuming that Encinal would remain open and serve as a detour route during the construction period).

However, Encinal carries approximately 4,800 trips per day across the tracks. As much as those residing along Encinal would like to eliminate most of that traffic from their street, those residing along Glenwood and Oak Grove would oppose having that extra traffic shifted to those streets (as most of it would be). Particularly since the project would be constructed with “outside” funds, there is no justification for Menlo Park to design the project in a way that shifts traffic burdens from one residential street to others of similar character.

Another consideration is that Menlo Park has only 4 street crossings of the Caltrain line over an 8,000 foot distance. From the perspectives of emergency service access across the tracks, operations during maintenance activities and maintenance of traffic and emergency services when there are incident-related closures or obstructions (such as traffic accidents) on one or more of the crossings, it is desirable for Menlo Park to retain all four of the track crossings it now has. Moreover, current peak period traffic congestion and level-of-service at the El Camino Real intersections with Glenwood and with Ravenswood are at or approaching tolerable limits. Shifting the traffic that now uses Encinal to these locations would create intolerable traffic conditions.

Why doesn’t the project put the rail line in a completely covered subsurface “tunnel”?

Completely burying the trains has appeal because it would seemingly eliminate noise, visual obstruction, barrier and privacy intrusion issues. However, a completely enclosed trackway would not be practical, nor could it be completely buried. Hence the trackway would remain a physical and visual barrier. As



previously described in the discussion of Alternative 1, the analysis shows that, because of the constraining need to cross San Francisquito Creek at bank grade, the tracks cannot be depressed quickly enough to have the vertical envelope of the trackway completely below grade at the crossings. Hence, even if the trackway were completely enclosed, there would still be a concrete box projecting about 6 feet above prevailing ground elevation across the entire City. Moreover, putting a "lid" on a depressed trackway would be problematic because of the added cost of the structure and the extensive ventilation system required inside the "tunnel" (because electrification of the Caltrain system may not take place before the grade separation project and because, even if the commuter operations are electrified, the freight operations are likely to continue to rely on diesel motive power).

Why add roadway capacity that will attract more traffic through central Menlo Park?

The project will not add traffic capacity that would attract significant traffic capacity through central Menlo Park. The number of traffic lanes on the crossings and at the key capacity constraining intersections such as El Camino - Ravenswood and El Camino - Valparaiso will remain the same. What the project will do for traffic is to eliminate the momentary congestion and delay that occurs when the crossing gates are closed and the congestion that results from traffic surges when the gates reopen after trains pass. The project will also prevent the current prevailing congestion conditions from becoming worse as numbers of train operations increase.

Conditions during the construction period will be intolerable!

Unquestionably, construction of a grade separation project would have disruptive effects. However, all of the crossings would remain open during the construction period and the construction staging and traffic maintenance plan should facilitate reasonably tolerable conditions throughout the construction period. Recent experiences during other grade separation projects in nearby communities along the Caltrain line demonstrate that the construction period need not be a paralyzing event.

Why Not Just Grade Separate the Roads From The Existing Two-Track System?

Why not just grade separate over the existing two tracks and ignore the idea of expansion to four tracks? The railroad owns the crossings and must grant encroachment permits and approve the design of any grade separation the City may wish to construct. Since the railroad's plan is now to ultimately have four tracks, it would neither approve nor financially participate in any grade separation proposal that would constrain or significantly complicate its ability to develop four tracks.

J. CONCLUSIONS AND RECOMMENDATIONS

There is no question that the demands for commuter rail service will grow in the future. The 'Baby Bullet' train will begin service next year creating more rail traffic through Menlo Park. Menlo Park will not be one of the stops for the Baby Bullet trains. As a result the trains will be going through the City at speeds of 70 to 80 mph. As a result, at-grade crossing will be more dangerous in the future. The California Public Utilities Commission is requiring that grade separations be installed wherever there are more than two sets

of tracks at a crossing. To handle future demands, Caltrain plans call for an electrified, the installation of 4-tracks from San Jose and San Francisco.

In the future there is also the possibility of a high speed train between San Francisco and Los Angeles. The Peninsula Corridor has been designated as the preferred route for the proposed trains. If funding became available for the SF to LA high speed train, a major engineering contract would likely be awarded, and the amount of input that the City of Menlo Park would have in the design of a four track system through the City would likely be much more limited. If the Menlo Park precedes, at least through the preliminary design process, and makes a selection as to a preferred alternative, the City would be in a better position to direct future grade separation decisions.

K. NEXT STEP

1. Take no further action –shelve the project.

The Council can decide to take no further action on the grade separation project. In this case this report can be filed away for possible future reference.

2. Request that the JPB move forward with the grade separation project.

The council could decide on one of the four outlined alternative, and ask that the JPB proceed with developing a Project Study Report (PSR) that would describe in more detail the project and begin resolving the outstanding issues. Once the PSR is complete it would be presented to the Council for final approval, and assuming funding is available, the project could begin design.

3. Work with the JPB Planning Urban Design Report.

Work with the JPB to study how a new station/ grade separation project could enhance and fit into the fabric of the community.

APPENDIX A

Existing Conditions

This Appendix contains aerial photos and selected ground photos of the area that would be affected by the proposed grade separation project.

ALL VIEWS LOOKING SOUTH



PHOTO 1 - VIEW FROM ATHERTON TOWN LIMIT



PHOTO 3 - VIEW OF OAK GROVE AVENUE



PHOTO 5 - VIEW OF BURGESS PARK



PHOTO 2 - VIEW OF GLENWOOD AVENUE



PHOTO 4 - VIEW OF RAVENWOOD AVENUE



PHOTO 6 - VIEW OF SOUTHERN MENLO PARK

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CONTROL POINT:

CITY: MENLO PARK

COUNTY: SAN MATEO

REV	DATE	BY	SUB	APP	DESCRIPTION	REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED
DRAWN
CHECKED
IN CHARGE
DATE

BKF
ENGINEERS / SURVEYORS / PLANNERS

APPROVED

Caltrain
1250 San Carlos Avenue
San Carlos, CA 94070

CHIEF ENGINEER	PENINSULA CORRIDOR JOINT POWERS BOARD	CADD FILE NO	CADD DATE	
PROJECT MANAGEMENT		SCALE	MILEPOST	
STRUCTURES		CONTRACT NO	REV	PAGE NO
TRACK/CIVIL		DATE		

EXISTING SITE PHOTOS

APPENDIX B

Trench Alternate

This Appendix contains Plan and Profiles of showing the Trench Alternative where the train would run in a depressed alignment.

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MATCHLINE - SEE DRAWING DT-02

LEGEND
 ELEVATED STREET
 BRIDGE STRUCTURE

TRAFFIC CIRCULATION (GENERAL)

PROPERTY/BUILDING DIRECTLY AFFECTED
 NOTE: OTHER IMPACTS NOT EVALUATED AT THIS TIME.

DEPRESSED TRACK

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED	BKF ENGINEERS / SURVEYORS / PLANNERS
DRAWN	
CHECKED	
IN CHARGE	
DATE	

	CHIEF ENGINEER PROJECT MANAGEMENT STRUCTURES TRACK/CIVIL
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PENINSULA CORRIDOR JOINT POWERS BOARD
 MENLO PARK GRADE SEPARATION AND NEW STATION
 DEPRESSED TRACK PLAN

CADD FILE NO	CADD DATE
SCALE 1"=200'	MILEPOST
DWG NO DT-01	REV PAGE NO

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MATCHLINE - SEE DRAWING DT-01

CONTROL POINT:

CITY: MENLO PARK

COUNTY: SAN MATEO

LEGEND
 ELEVATED STREET
 BRIDGE STRUCTURE

TRAFFIC CIRCULATION (GENERAL)

PROPERTY/BUILDING DIRECTLY AFFECTED
 NOTE: OTHER IMPACTS NOT EVALUATED AT THIS TIME.

DEPRESSED TRACK

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED	
DRAWN	
CHECKED	
IN CHARGE	
DATE	

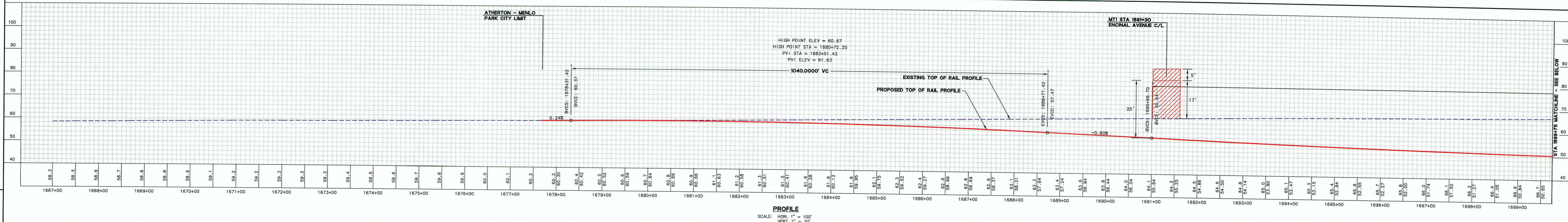
APPROVED

1250 San Carlos Avenue
San Carlos, CA 94070

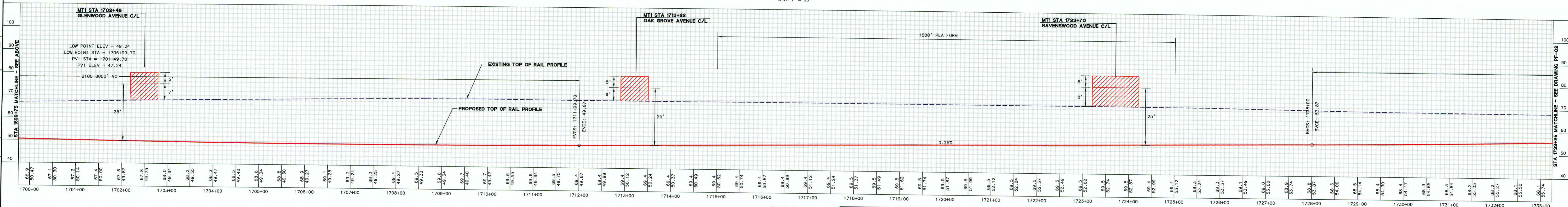
CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD
 MENLO PARK GRADE SEPARATION AND NEW STATION
 DEPRESSED TRACK PLAN

CADD FILE NO	CADD DATE
SCALE 1"=200'	MILEPOST
CONTRACT NO	REV
PAGE NO DT-02	PAGE NO



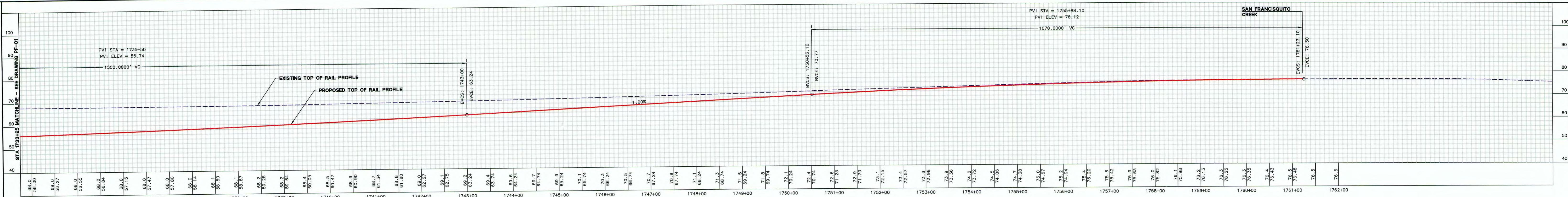
PROFILE
 SCALE: HORI. 1" = 100'
 VERT. 1" = 20'



PROFILE
 SCALE: HORI. 1" = 100'
 VERT. 1" = 20'

REV	DATE	BY	SUB	APP	DESCRIPTION	REV	DATE	BY	SUB	APP	DESCRIPTION

 1250 San Carlos Avenue San Carlos, CA 94070	DESIGNED _____ DRAWN _____ CHECKED _____ IN CHARGE _____ DATE _____	CHIEF ENGINEER _____ PROJECT MANAGEMENT _____ STRUCTURES _____ TRACK/CIVIL _____	PENNSULA CORRIDOR JOINT POWERS BOARD MENLO PARK GRADE SEPARATION AND NEW STATION DEPRESSED TRACK ALTERNATIVE PROPOSED MAINLINE PROFILE	CADD FILE NO. _____ CADD DATE: 06-04-03 SCALE: AS SHOWN CONTRACT NO. _____ MILEPOST _____ DWG NO. PF-01 REV. PAGE NO. _____
	APPROVED _____			



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IN CHARGE	
DATE	



CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD
MENLO PARK GRADE SEPARATION AND NEW STATION
DEPRESSED TRACK ALTERNATIVE PROPOSED MAINLINE PROFILE

CADD FILE NO	
CADD DATE	06-04-03
SCALE	AS SHOWN
CONTRACT NO	
DWG NO	PF-02
REV	
PAGE NO	

APPENDIX C

Overpass Alternate

This Appendix contains Plan showing the Overpass Alternative. Train would remain at grade while the roadways would be ramped over the tracks.

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MATCHLINE - SEE DRAWING OP-02

LEGEND
 ELEVATED STREET
 BRIDGE STRUCTURE

TRAFFIC CIRCULATION (UNDER BRIDGE)
 TRAFFIC CIRCULATION (GENERAL)

PROPERTY/BUILDING DIRECTLY AFFECTED
 NOTE: OTHER IMPACTS NOT EVALUATED AT THIS TIME.

OVERPASS

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED	
DRAWN	
CHECKED	
IN CHARGE	
DATE	



CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD
 MENLO PARK GRADE SEPARATION AND NEW STATION
 OVERPASS ALTERNATIVE PLAN
 ENCINAL AVE AND GLENWOOD AVE

CADD FILE NO	CADD DATE
SCALE	MILEPOST
DWG NO	REV
OP-01	PAGE NO

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MATCHLINE - SEE DRAWING OP-01

CONTROL POINT:

MEMO PARK

CITY:

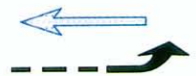
COUNTY:



LEGEND



ELEVATED STREET
BRIDGE STRUCTURE



TRAFFIC CIRCULATION (UNDER BRIDGE)
TRAFFIC CIRCULATION (GENERAL)



PROPERTY/BUILDING DIRECTLY AFFECTED

NOTE: OTHER IMPACTS NOT EVALUATED AT THIS TIME.

OVERPASS

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED	
DRAWN	
CHECKED	
IN CHARGE	
DATE	

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1250 San Carlos Avenue
San Carlos, CA 94070

CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD

MENLO PARK GRADE SEPARATION AND NEW STATION

OVERPASS ALTERNATIVE PLAN
OAKGROVE AVE AND RAVENSWOOD

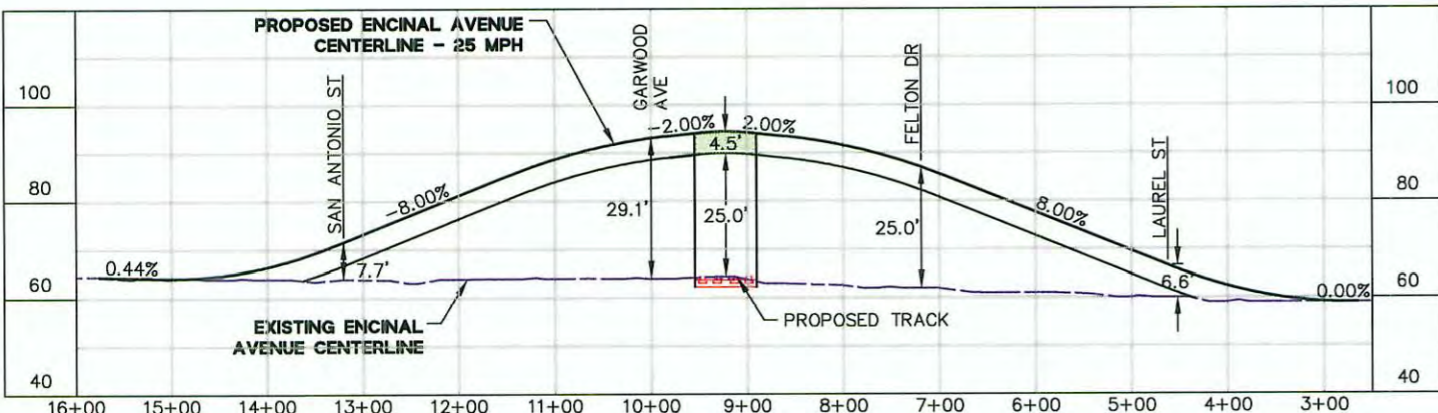
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SCALE	1"=200'		
CONTRACT NO		MILEPOST	
DWG NO		REV	PAGE NO



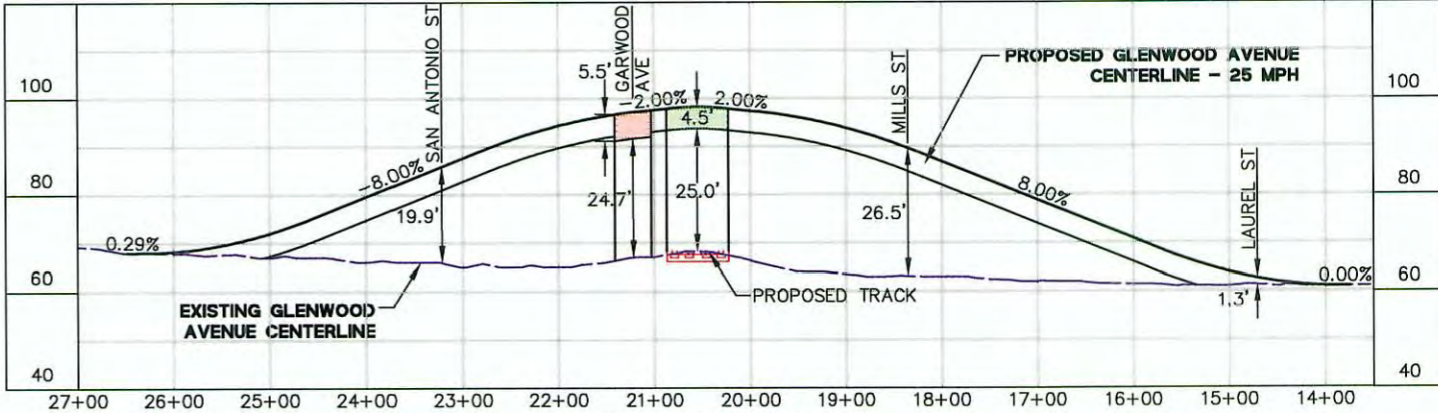
ENCINAL AVE PLAN
SCALE: 1" = 200'



GLENWOOD AVE PLAN
SCALE: 1" = 200'



ENCINAL AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'



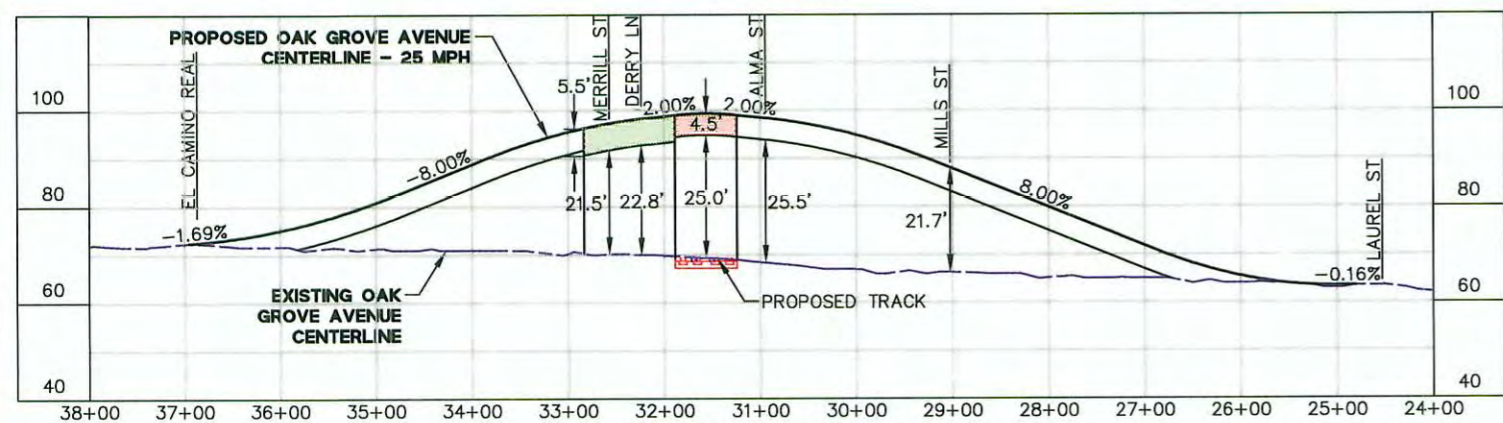
GLENWOOD AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'



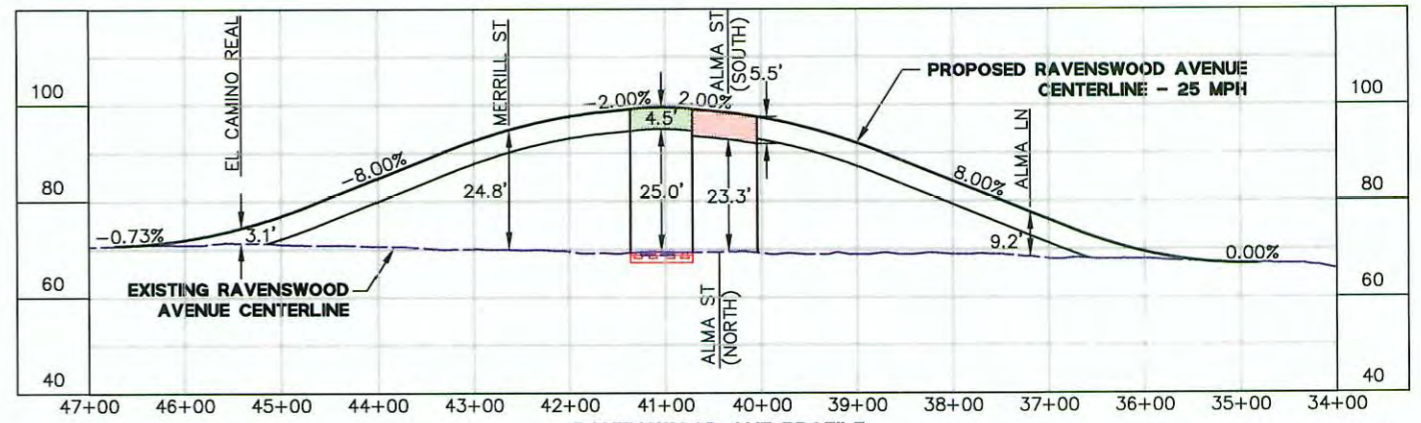
OAK GROVE AVE PLAN
SCALE: 1" = 200'



RAVENSWOOD AVE PLAN
SCALE: 1" = 200'



OAK GROVE AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'



RAVENSWOOD AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'

OVERPASS

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COUNTY: SAN MATEO CITY: MENLO PARK CONTROL POINT:

DESIGNED
DRAWN
CHECKED
IN CHARGE
DATE



CHIEF ENGINEER
PROJECT MANAGEMENT
STRUCTURES
TRACK/CIVIL

PENINSULA CORRIDOR JOINT POWERS BOARD
MENLO PARK GRADE SEPARATION AND NEW STATION
OVERPASS ALTERNATIVE PLAN AND PROFILE

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SCALE AS SHOWN	MILEPOST
CONTRACT NO	REV
DWG NO OP-03	PAGE NO

REV	DATE	BY	SUB	APP	DESCRIPTION

APPENDIX D

Underpass Alternate

This Appendix contains Plan showing the Underpass Alternative. The train would remain at grade while the roadways would be ramped under the tracks.

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CITY: MENLO PARK

COUNTY: SAN MATEO

CONTROL POINT:



MATCHLINE - SEE DRAWING UP-02

LEGEND

- DEPRESSED STREET
- RETAINING WALL
- BRIDGE STRUCTURE
- TRAFFIC CIRCULATION (GENERAL)
- TRAFFIC CIRCULATION (UNDER BRIDGE)



PROPERTY/BUILDING DIRECTLY AFFECTED

UNDERPASS

NOTE: OTHER IMPACTS NOT EVALUATED AT THIS TIME.

REV	DATE	BY	SUB	APP	DESCRIPTION

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CHECKED	
IN CHARGE	
DATE	

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San Carlos, CA 94070

CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD
MENLO PARK GRADE SEPARATION
AND NEW STATION

UNDERPASS ALTERNATIVE PLAN
ENCINAL AVE AND GLENWOOD AVE

CADD FILE NO	CADD DATE
SCALE	MILEPOST
DWG NO	REV
UP-01	PAGE NO

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MATCHLINE - SEE DRAWING UP-01

CONTROL POINT:

CITY: MENLO PARK

COUNTY: SAN MATEO

LEGEND

- ELEVATED STREET
- BRIDGE STRUCTURE
- RETAINING WALL
- TRAFFIC CIRCULATION (GENERAL)
- TRAFFIC CIRCULATION (UNDER BRIDGE)
- PROPERTY/BUILDING DIRECTLY AFFECTED

UNDERPASS
NOTE: OTHER IMPACTS NOT EVALUATED AT THIS TIME.

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED	
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CHECKED	
IN CHARGE	
DATE	

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San Carlos, CA 94070

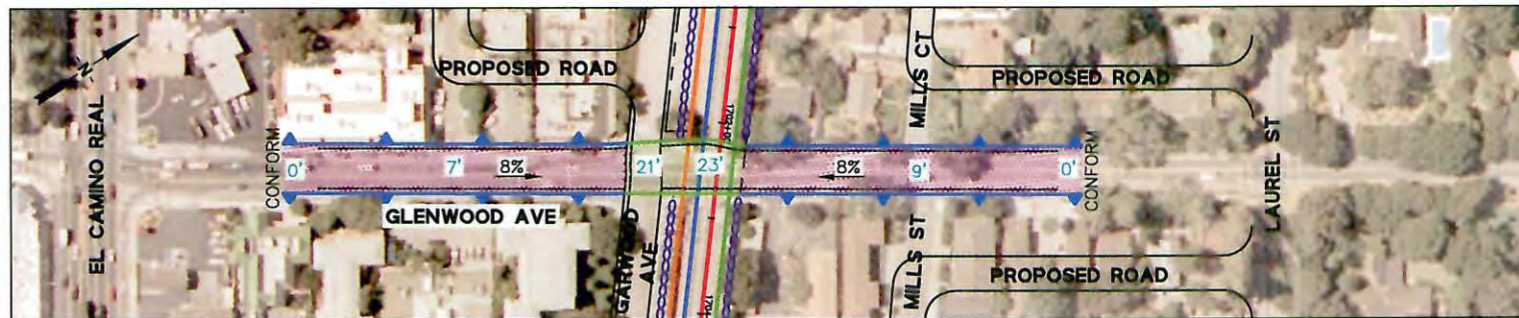
APPROVED

CHIEF ENGINEER	PENINSULA CORRIDOR JOINT POWERS BOARD MENLO PARK GRADE SEPARATION AND NEW STATION UNDERPASS ALTERNATIVE PLAN OAKGROVE AVE AND RAVENSWOOD AVE	CADD FILE NO	06-04-03	
PROJECT MANAGEMENT		SCALE	1"=200'	
STRUCTURES		CONTRACT NO	MILEPOST	
TRACK/CIVIL		REV	PAGE NO	

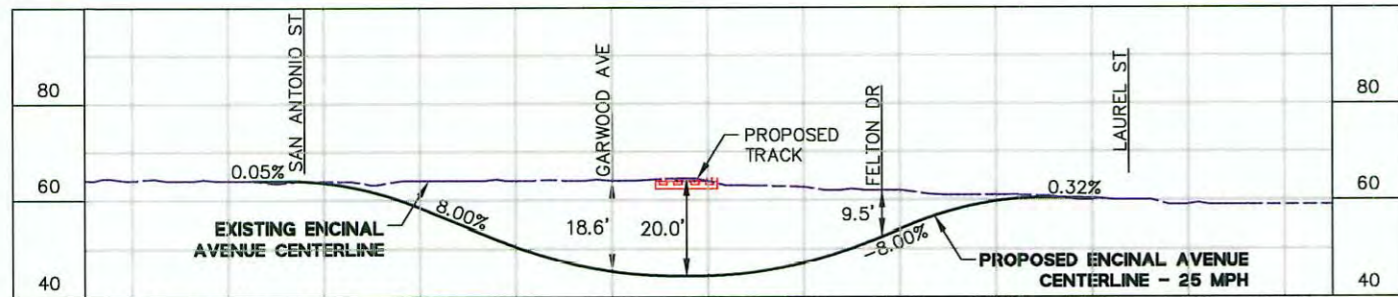
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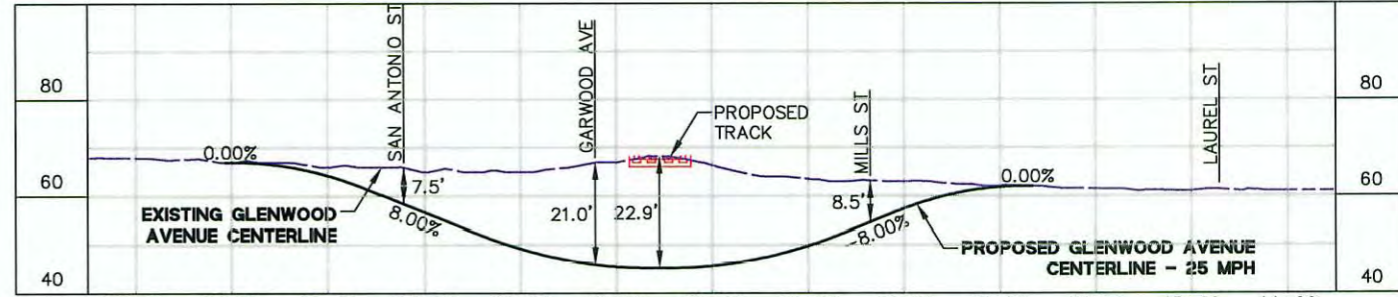
ENCINAL AVE PLAN
SCALE: 1" = 200'



GLENWOOD AVE PLAN
SCALE: 1" = 200'



ENCINAL AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'



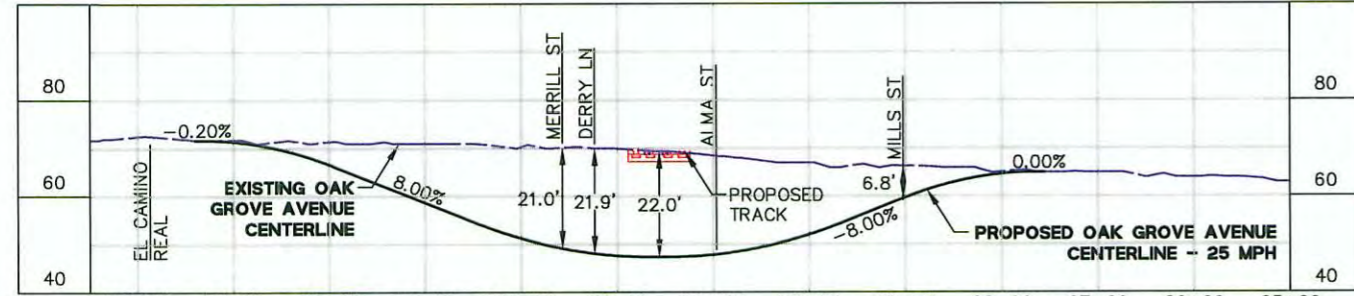
GLENWOOD AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'



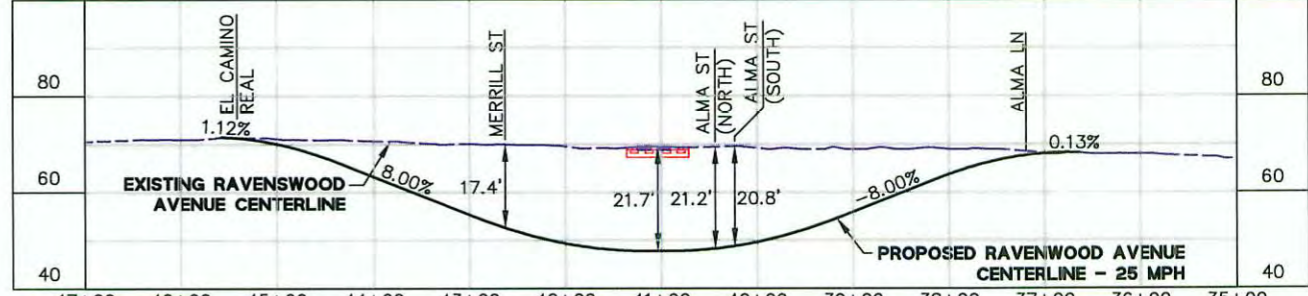
OAK GROVE AVE PLAN
SCALE: 1" = 200'



RAVENSWOOD AVE PLAN
SCALE: 1" = 200'



OAK GROVE AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'



RAVENSWOOD AVE PROFILE
SCALE: HORI: 1" = 200'
VERT: 1" = 40'

UNDERPASS

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED	
DRAWN	
CHECKED	
IN CHARGE	
DATE	

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San Carlos, CA 94070

CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD
MENLO PARK GRADE SEPARATION
AND NEW STATION

UNDERPASS ALTERNATIVE
PLAN AND PROFILE

CADD FILE NO	CADD DATE
SCALE	MILEPOST
CONTRACT NO	REV
DWG NO	PAGE NO

APPENDIX E

Elevation Split Alternate

This Appendix contains Plan showing the Split Alternative. The train would partially raised on an embankment and the roadway lowered.

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MATCHLINE - SEE DRAWING GS-02

COUNTY: SAN MATEO
CITY: MENLO PARK
CONTROL POINT:

	DEPRESSED STREET		RETAINING WALL
	BRIDGE STRUCTURE		

**DEPRESSED STREET,
ELEVATED TRACK**

REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED	
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IN CHARGE	
DATE	

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San Carlos, CA 94070

CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD

MENLO PARK GRADE SEPARATION
AND NEW STATION
DEPRESSED STREET AND ELEVATED
TRACK ALTERNATIVE PLAN
ENCINAL AVE AND GLENWOOD AVE

CADD FILE NO	CADD DATE
SCALE 1"=200'	MILEPOST
DWG NO GS-01	REV PAGE NO

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MATCHLINE - SEE DRAWING GS-01

CONTROL POINT

CITY: MENLO PARK

COUNTY: SAN MATEO

LEGEND	
	ELEVATED STREET
	RETAINING WALL
	BRIDGE STRUCTURE

**DEPRESSED STREET,
ELEVATED TRACK**

REV	DATE	BY	SUB	APP	DESCRIPTION	REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED
DRAWN
CHECKED
IN CHARGE
DATE

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1250 San Carlos Avenue
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PROJECT MANAGEMENT
STRUCTURES
TRACK/CIVIL

PENINSULA CORRIDOR JOINT POWERS BOARD
MENLO PARK GRADE SEPARATION
AND NEW STATION
DEPRESSED STREET AND ELEVATED
TRACK ALTERNATIVE PLAN
OAKGROVE AVE AND RAVENSWOOD AVE

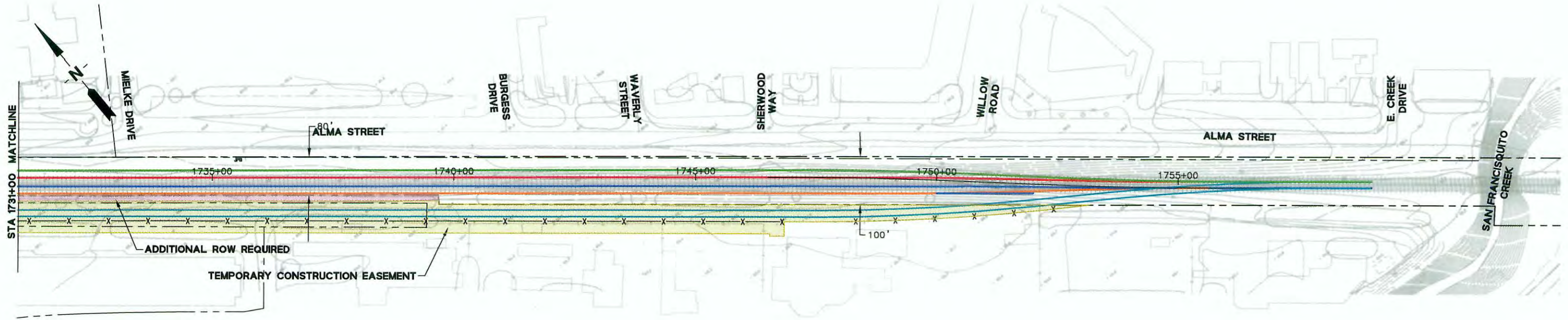
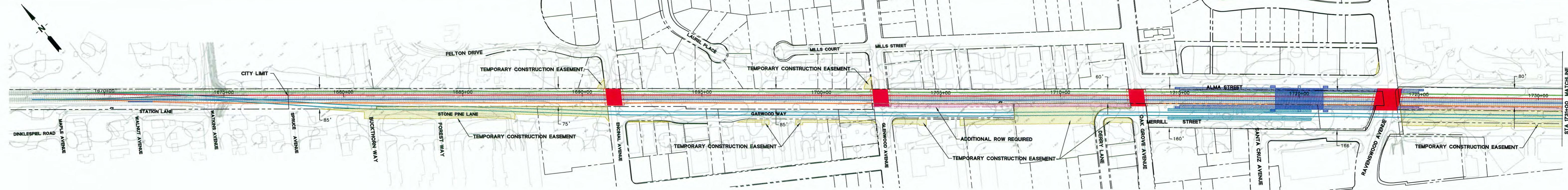
CADD FILE NO	CADD DATE
SCALE 1"=200'	MILEPOST
CONTRACT NO	REV
PAGE NO	PAGE NO

APPENDIX F

Preliminary Right-of-Way Maps

This Appendix contains Preliminary Right-of Way maps for the project. These maps are intended to give an indication of where right-of-way may be needed and are subject to change based on the alternative selected and the final design requirements.

Areas shaded in Green are temporary easements needed for construction
Areas shaded in Red are needed for permanent easements.



LEGEND

- MT1
- MT2
- MT3
- MT4
- ST1 & ST2
- MSE WALL
- TEMPORARY MSE WALL
- CONSTRUCTION FENCE
- JPB RIGHT OF WAY
- CITY LIMIT
- LIMIT OF STREET GRADING
- BRIDGE AND FOUNDATION
- DEPOT CONCOURSE
- PROPOSED PLATFORM
- TEMPORARY PLATFORM
- TEMPORARY MODIFICATION TO EX. STREET
- TEMPORARY ACCESS
- ADDITIONAL RIGHT OF WAY REQUIRED
- TEMPORARY CONSTRUCTION EASEMENT

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COUNTY: SAN MATEO
CITY: MENLO PARK

REV	DATE	BY	SUB	APP	DESCRIPTION	REV	DATE	BY	SUB	APP	DESCRIPTION



CHIEF ENGINEER
PROJECT MANAGEMENT
STRUCTURES
TRACK/GIPL

PENINSULA CORRIDOR JOINT POWERS BOARD
MENLO PARK GRADE SEPARATION AND NEW STATION
RIGHT OF WAY MAP

CADD FILE NO: 06-04-03
SCALE: 1"=200'
CONTRACT NO:
MILEPOST:
DWG NO.:
REV: PAGE NO:

**Menlo Park Grade Separation
Feasibility Study Supplement**

for

**Ravenswood Avenue, Oak Grove,
Glenwood, and Encinal Avenues**

September 2, 2004

Prepared by

**BKF Engineers
540 Price Avenue
Redwood City CA 94063**





September 2, 2004
BKF Job No. 20020032

Kent Steffens
Director of Public Works
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Subject: Menlo Park Grade Separations

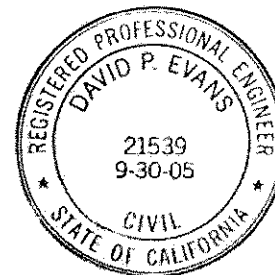
Dear Mr. Steffens:

The attached report supplements that information that was presented in our June 5, 2004 report titled, "*Report to City Council on Menlo Park Grade Separations & New Station Feasibility Study*". Per the Council's request, in their meeting of September 9, 2004, we have further developed the Underpass and Split alternatives and developed preliminary plans for the station for both alternatives.

The information contained in this supplement is intended to provide additional information for the council and the residence of the City to determine if grade separations are appropriate for the City and if so the most appropriate way to create them.

Very truly yours,
BKF Engineers

David P. Evans
Principal/ Vice President



Introduction

BKF Engineers was retained by the City of Menlo Park to prepare alternatives for grade separating the four existing grade crossings in Menlo Park at Ravenswood, Oak Grove, Glenwood and Encinal Avenues. The results of the study were contained in a report titled, “**Report to City Council on Menlo Park Grade Separations & New Station Feasibility Study**” dated June 5, 2003. The report investigated four alternatives for grade separating the crossings. They were:

- **Trench Option**– Keeping the tracks at their present grade and depressing the tracks 30-feet in the ground.
- **Overpass Option**– Keeping the tracks at their present grade and reconstructing the roadway on 30-foot high structures.
- **Underpass Option**– Keeping the tracks at grade and depressing the roadways 20-feet below the grade of the tracks. (This alternative is also referred to as the Depressed Street & Elevated Tracks Alternative.)
- **Split Option**– Partially lowering the road crossings and partially raising the tracks to create a 20-foot differential between the track elevation and the roadways.

On June 10, 2003, a study session was held to review the alternatives presented in the report. On September 9, 2003, the City Council reviewed and considered the findings of the study in which staff-recommended a split-level preferred design alternative. Upon conclusion of its deliberations, the Council directed staff to do the following:

1. Continue to consider the deep underpass alternative as well as the staff recommended split-level alternative.
2. Consider the practicality of closing Encinal Avenue and Glenwood Avenue at the railroad tracks to possibly reduce the scale of the project.
3. Evaluate aesthetic considerations to make the project visually unobtrusive.
4. Conduct further public outreach.
5. Prepare more tangible examples and graphic materials for presentation to the public.

This supplemental report addresses items 1 and 5 of the Councils request.

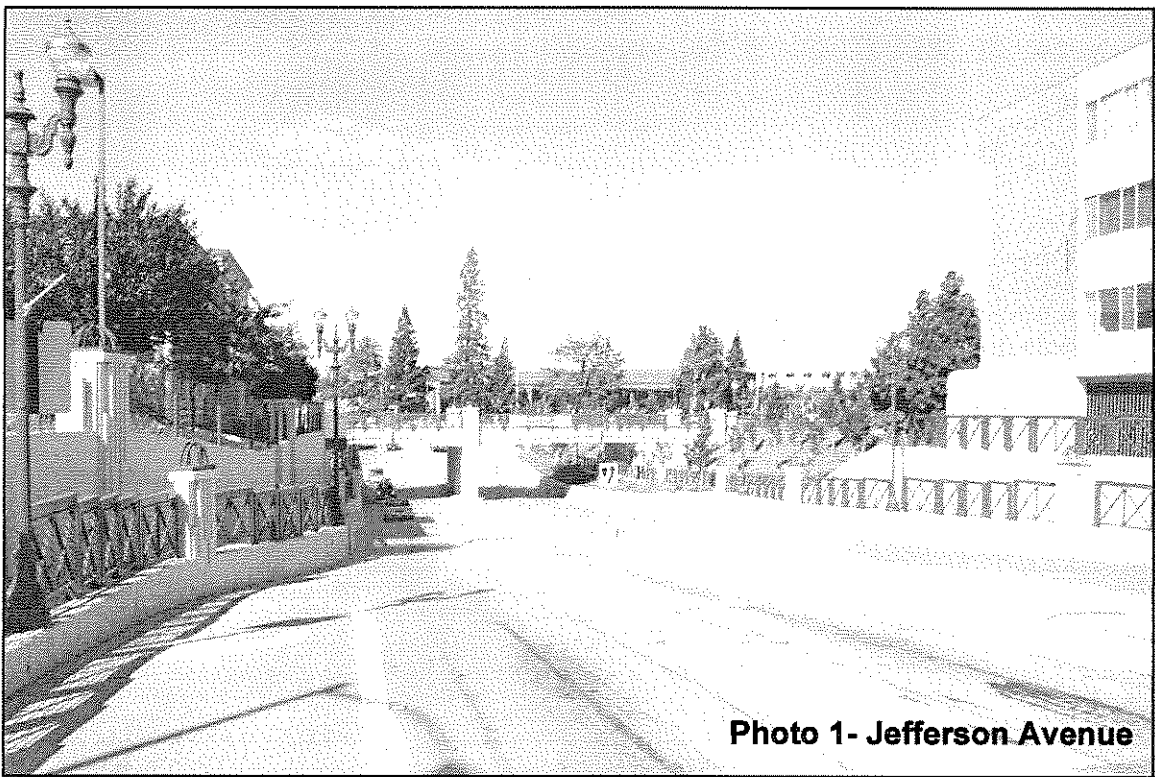
Grade Separation Alternatives

The major differences between the Underpass and Split alternatives are:

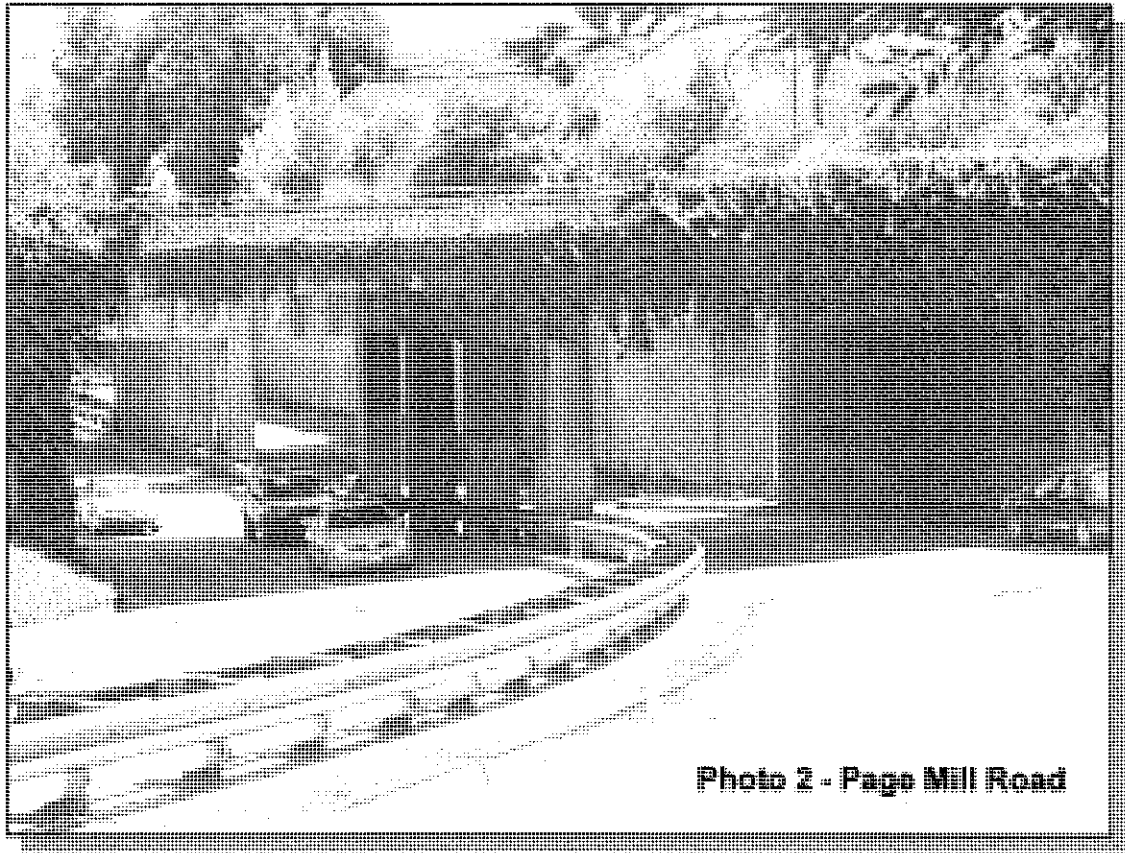
- The impact on the existing road circulation patterns.
- Impacts on the properties near the existing grade crossings.
- The visual impact of a raise track through the community.

We have attempted to demonstrate the differences in the circulation patterns and impacts on properties by preparing side by side comparisons of each of the four crossings. These graphics are contained in Appendix A.

There is a separation of 20-feet required in order to provide the needed vertical clearance between the rail lines and the railroad tracks. The track and road can be raised or lowered in any combination as long as the needed 20-foot separation is maintained. On one extreme the track can be kept at its present elevation and the roadway lowered 20 feet. This is the Underpass alternative. With this option, and the need to maintain a maximum 6% grade on the roadway as it approaches the crossing, the existing road needs to start being lowered 350-feet from the crossing. Where additional right of way exists, the banks can be sloped. There appears to be an option to have sloped banks at the Ravenswood crossing. The crossing could be similar in appearance to the Jefferson Avenue crossing in Redwood City. See Photo 1. The one major difference is that there are no roads constructed parallel to the tracks at Jefferson.

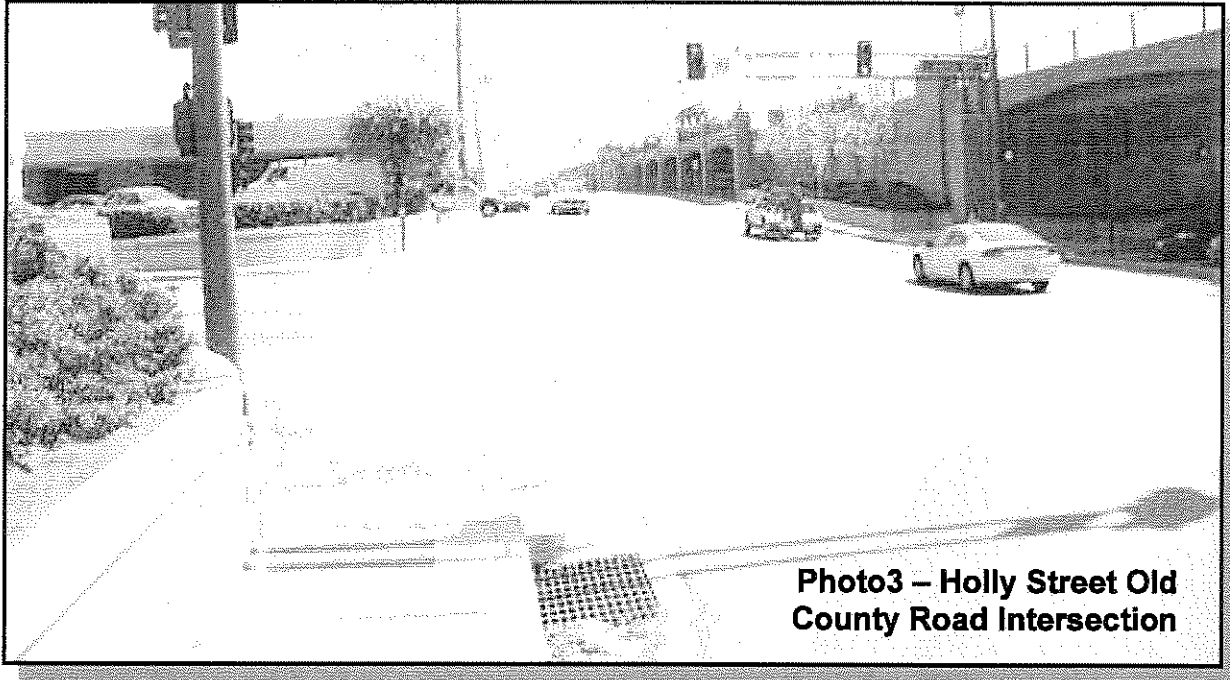


For the Glenwood, Oak Grove, and Encinal crossing, however, there is no additional right of way available. Therefore retaining walls, ranging in height from 2-feet to 25-feet would be required along the sides of the roads. This will create a very narrow tunnel effect with the width of the road about the same as the height of the walls. The Condition would be similar to the underpass at Page Mill Road in Palo Alto, except the road will be two lane wide rather than four lanes. See Photo 2.



These deep underpasses make it difficult to maintain access to the properties on either side of the roadways, resulting in the need to construct steep driveways in some locations and the total loss of access to some parcels in other locations.

For the Split Alternative we have assumed the track would be raised 10-feet and the road lowered 10-feet for our studies. This is the split combination at Holly Street in San Carlos. As stated earlier, there are any number of slit combinations. The 10/10 split was chosen because it is a good balance, requiring only 3 to 4-foot retaining walls for the properties along Alma and Garwood. Photo 3 shows the walls at the Old County Road Holly intersection in San Carlos. If something other than a 10/10 slip were used the wall height will vary. For each foot that the roadway is raised, the height of the wall will decrease by the same amount. For each foot that the roadway is lowered, the height of the wall will increase by the same amount.



Effect on surrounding Properties

The diagrams in Appendix A show the impact that the “Underpass” alternative and the “Split” alternative will have on the surrounding properties.

The property crosshatched in **BLUE** will experience **minor impacts**, but the existing use of the property will be able to be maintained. There may be a need to regrade one or more driveways, and the property may not have frontage on depressing street, but the use will be able to be maintained.

Property crosshatched in **ORANGE** will experience **significant impacts**. The property will no longer be able to be used for its current use, but could be used for something else. An example would be the 7-11 at the corner of Alma and Oak Grove. With the Slit Alternative it would still have frontage on Alma and Oak Grove, but the driveway would need to be regraded. For the Underpass alternative however, the 7-11 would not have the visibility or vehicle access it currently has and, as a result, most likely could no longer function as a 7-11. However, the property could be used for a small apartment or office building.

Property crosshatched in **RED** will experience **major impacts** due to disruption of access.

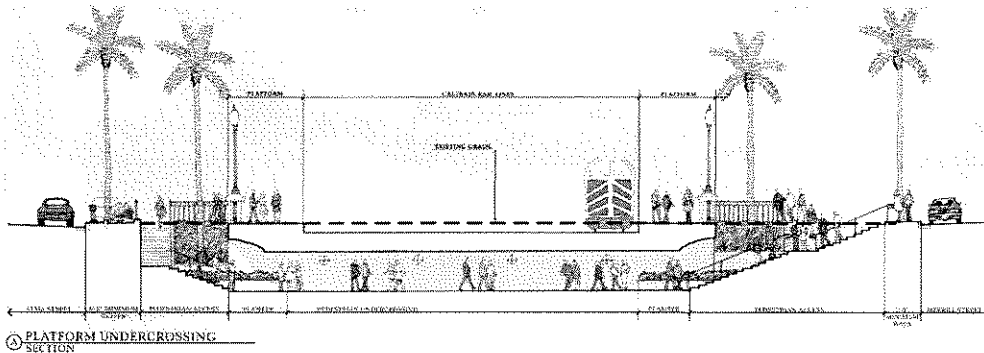
You will note that the impact on properties around the existing at grade crossings will be affected to a much greater extent with the Underpass Alternative. ***It needs to be pointed out, however, that the property impacts shown are based on the current feasibility plan and assumptions, and may vary based on final design.***

New Station Design

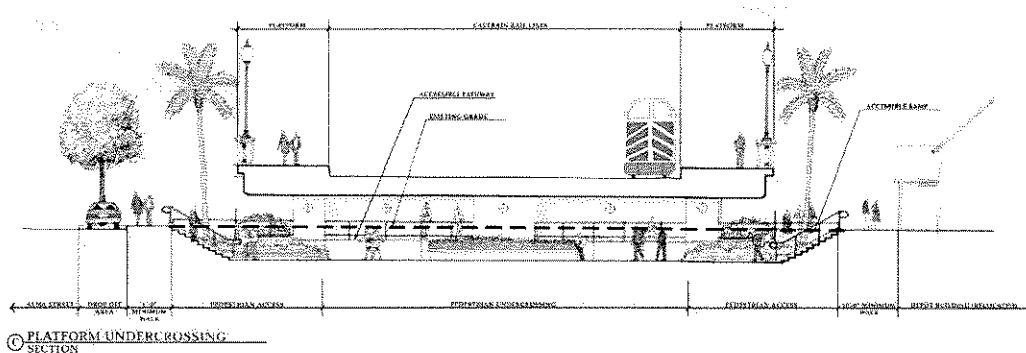
In the previous report the fact that the existing station would need to be changed to accommodate the new track configuration was discussed but there were no studies done to evaluate how the station would change. In response to the Council's request for developing more tangible graphics, Callander Associates was retained to develop a station layout for both the Underpass and the Split Alternatives. The results of their work are presented in Appendix B, for the Underpass - Alternative 1 and for the Split - Alternative 2.

In both instances the plans call for the relocation of the three existing structures on the site. The main Depot building would be moved closer to Santa Cruz Avenue to establish a focal point for the station that could be seen from the Downtown area. The Model Railroad building would be moved to the north next to Oak Grove Avenue, away from the more heavily traveled areas, while the Bike Shelter would be moved slightly south but basically kept at its present location.

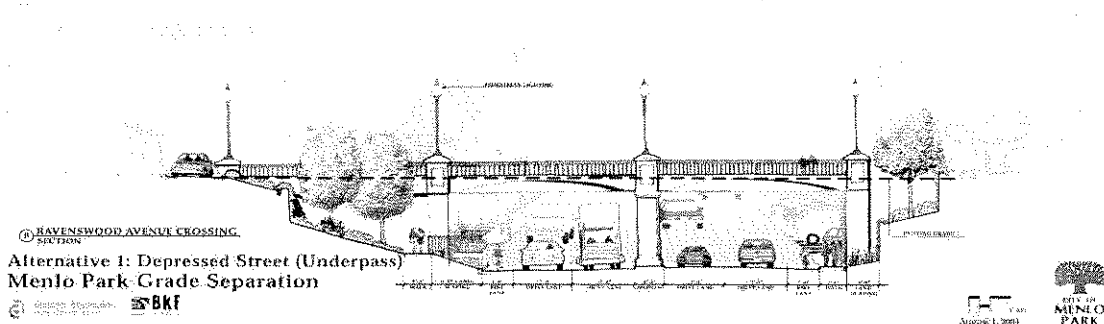
If the tracks are kept at their present elevation, the passageway from one side of the tracks to the other would need to be depressed about 15-feet in order to provide a 10-foot high opening. The passageway would have little natural light, and require artificial lighting 24 hours a day.



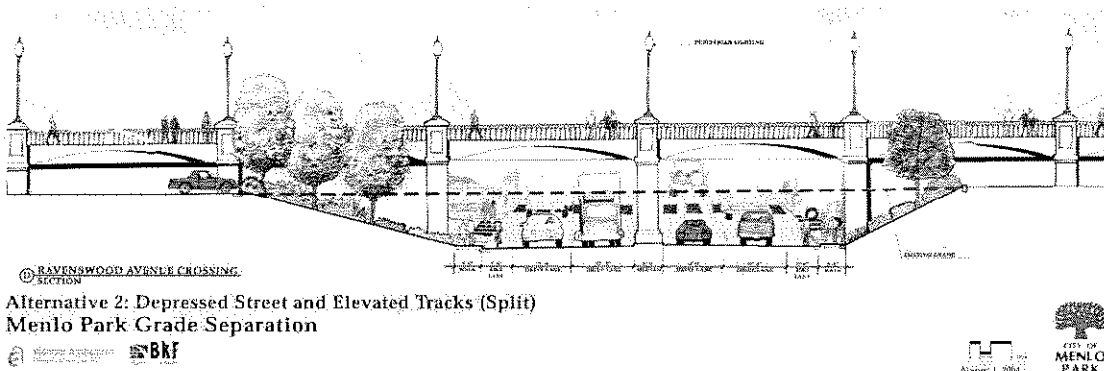
With the Split Alternative, the tracks and bridge structure would be higher resulting in a more open concourse under the tracks. This will allow more natural light allowing for plant growth in the concourse area.



The Ravenswood Grade Separation could have a very similar appearance whether the Split or Underpass option is chosen. Note that with Alternate 1, the Underpass, the excavation is deeper (note heavy dashed line representing the original ground level). This option requires more retaining walls as well as longer approach ramps.



The Split Alternative raises the crossing, reducing the depth of excavation and reducing the number and height of retaining walls.




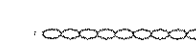


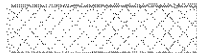


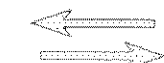




Traffic Circulation

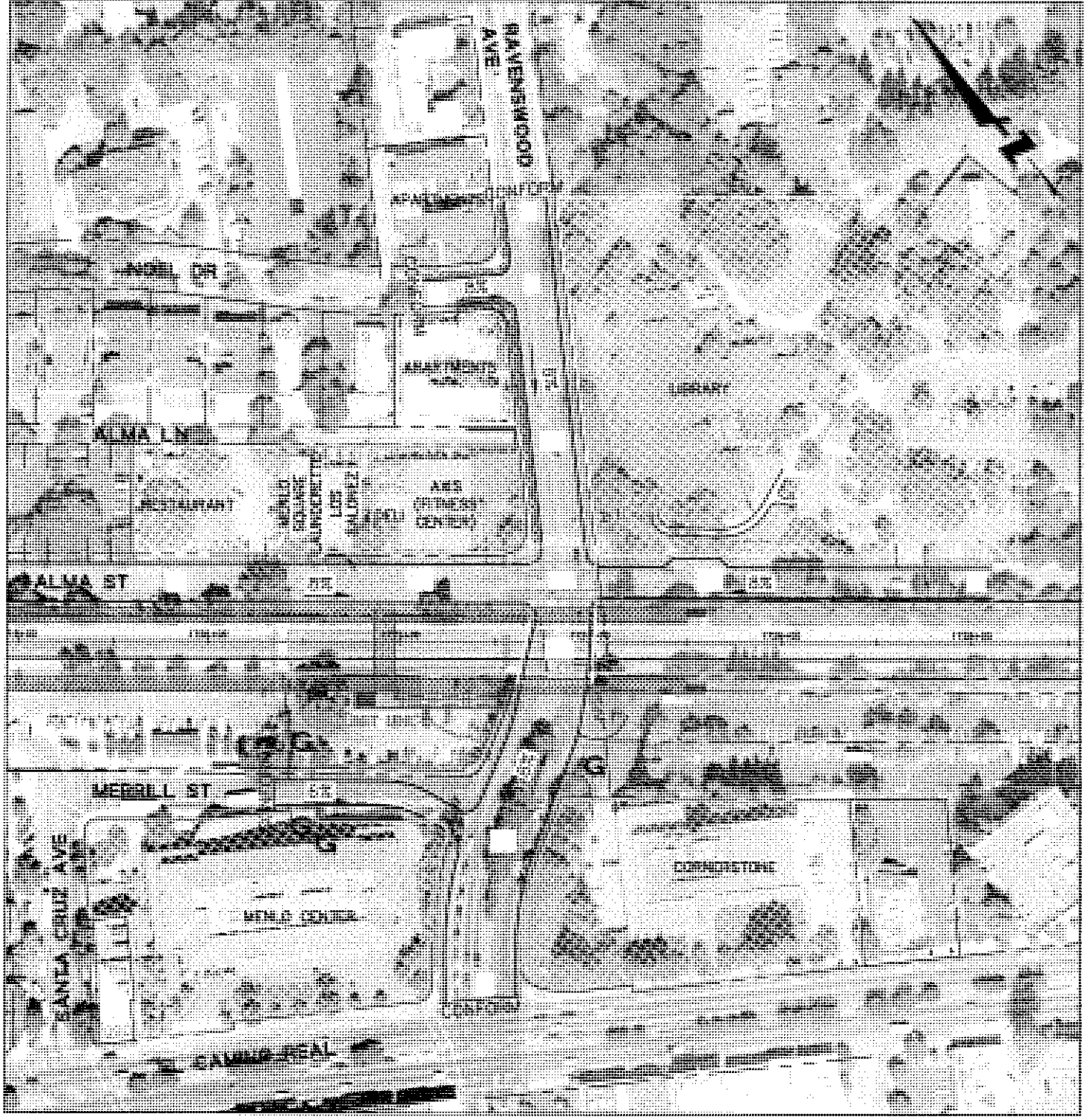
Depending on the alternative chosen traffic patterns will need to be modified to accommodate the option. The Underpass alternative will have the greatest impact on traffic. Depending on which roads are depressed and which north/south roads cross the east/west roads on bridges, road patterns will need to accommodate the needs of the residences in the area. The changing road patterns will have either minor or possibly major impacts on both businesses and residences in the area.

Appendix A

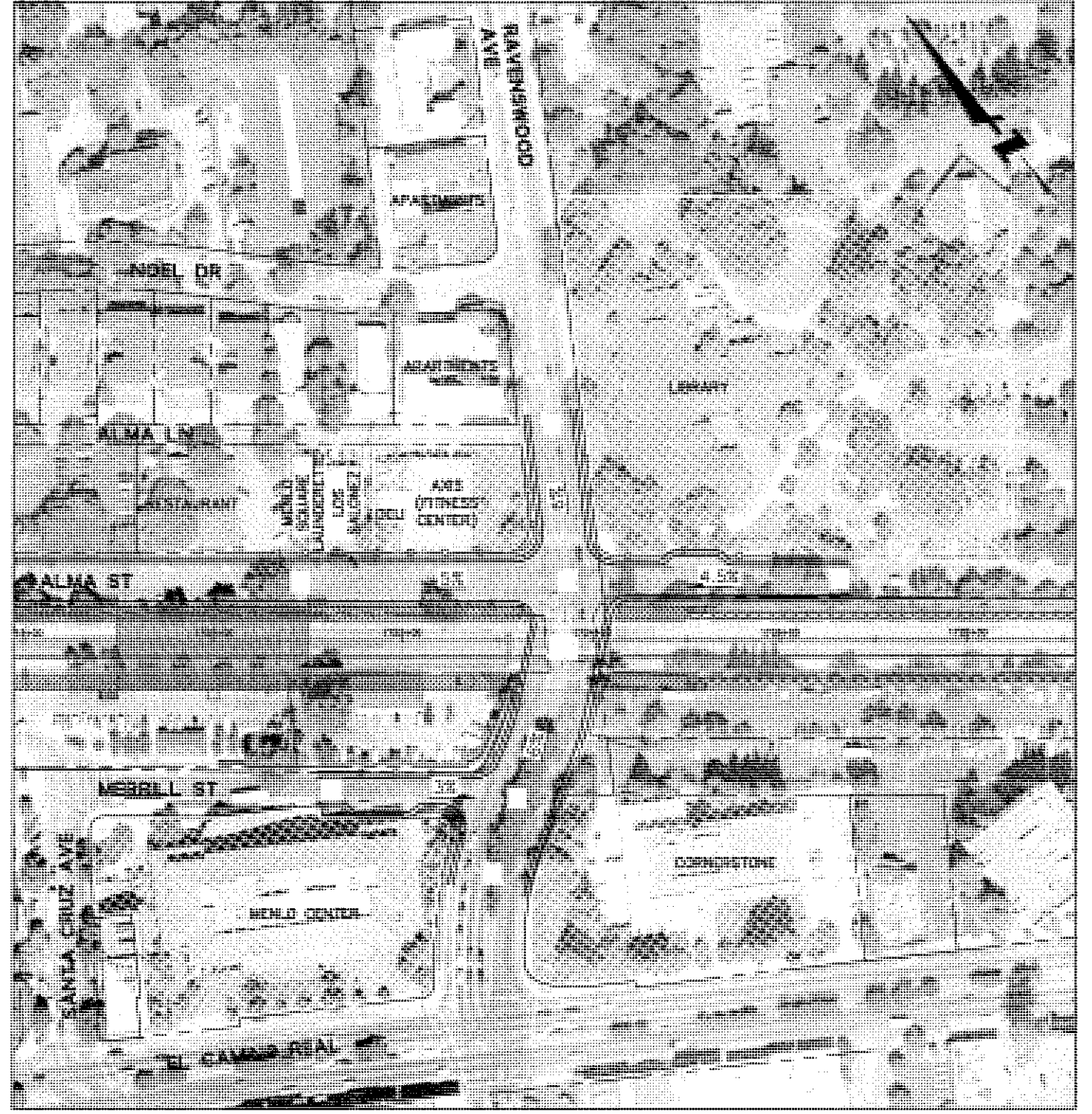
This Appendix contains side by side comparisons of the Street Underpass Alternative, and the Depressed Street and Elevated Track or “Split” Alternative. The extent to which properties would be affected as a result of the construction of the grade separations are shown with red, orange and blue hatch patterns. These plans also indicate the roadway regarding and modifications to traffic flows as a result of the grade separation construction.

LEGEND

-  DEPRESSED STREET
-  RETAINING WALL
-  EXISTING STREET CLOSED OFF
-  TRAFFIC CIRCULATION (GENERAL)
-  SIGNIFICANT IMPACT ON PROPERTY OR USE
-  BRIDGE STRUCTURE
-  ACCESS ROAD
-  TRAFFIC CIRCULATION OVER DEPRESSED STREET
-  EXISTING DRIVEWAY CLOSED OFF
-  EXISTING DRIVEWAY TO BE REGRADED
-  MAJOR IMPACT ON PROPERTY OR USE
-  MINOR IMPACT ON PROPERTY OR USE



**STREET UNDERPASS ALTERNATIVE
"UNDERPASS" ALTERNATIVE 1**



**DEPRESSED STREET AND ELEVATED TRACK ALTERNATIVE
"SPLIT" ALTERNATIVE 2**

J:\ENG02\020032\DWG\USER\OVERPASS\STREET-UNDER-HALF-COMPARE.DWG

CONTROL POINT:

CITY: MENLO PARK

COUNTY: SAN MATEO

REV	DATE	BY	SUB	APP	DESCRIPTION	REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED
DRAWN
CHECKED
IN CHARGE
DATE

BKF
ENGINEERS / SURVEYORS / PLANNERS

APPROVED

Caltrain
1250 San Carlos Avenue
San Carlos, CA 94070

CHIEF ENGINEER
PROJECT MANAGEMENT
STRUCTURES
TRACK/CIVIL

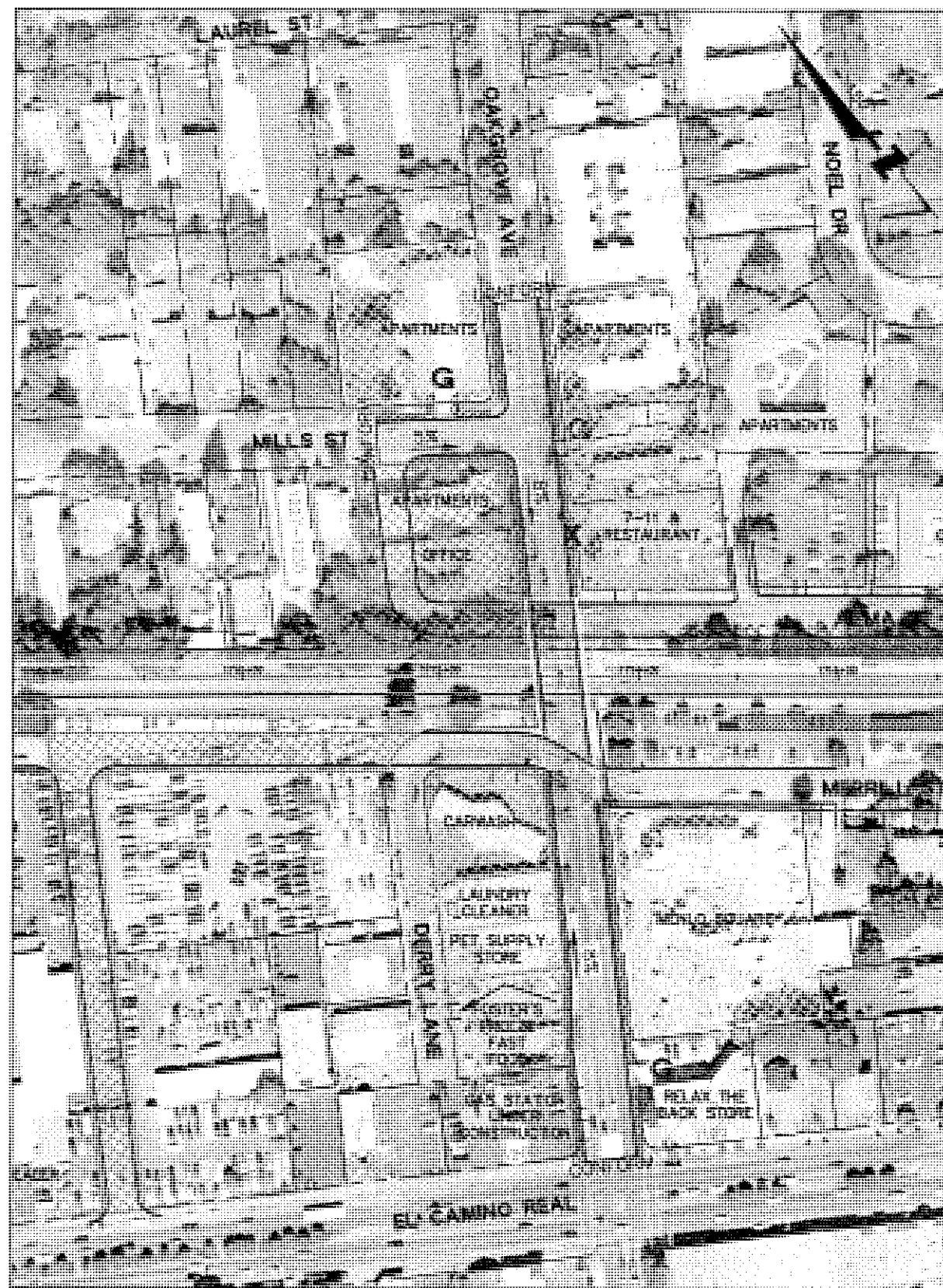
PENINSULA CORRIDOR JOINT POWERS BOARD
MENLO PARK GRADE SEPARATION
AND NEW STATION

ALTERNATIVE COMPARISON
RAVENSWOOD AVENUE

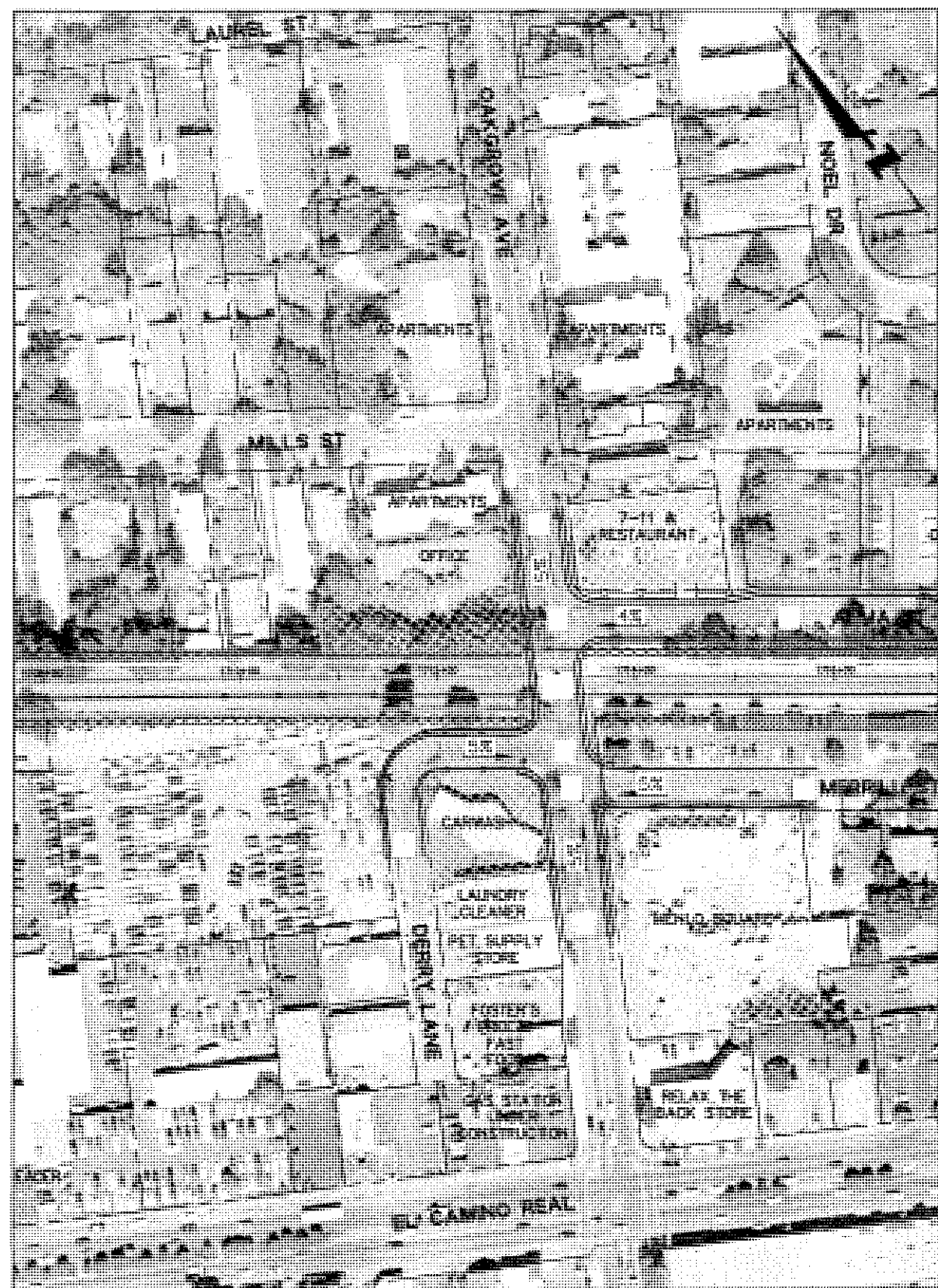
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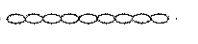






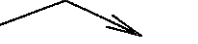



COUNTY: SAN MATEO CITY: MENLO PARK CONTROL POINT:



STREET UNDERPASS ALTERNATIVE
"UNDERPASS" ALTERNATIVE 1



DEPRESSED STREET AND ELEVATED TRACK ALTERNATIVE
"SPLIT" ALTERNATIVE 2

- LEGEND**
-  DEPRESSED STREET
 -  BRIDGE STRUCTURE
 -  RETAINING WALL
 -  ACCESS ROAD
 -  EXISTING STREET CLOSED OFF
 -  TRAFFIC CIRCULATION OVER DEPRESSED STREET
 -  TRAFFIC CIRCULATION (GENERAL)
 -  EXISTING DRIVEWAY CLOSED OFF
 -  EXISTING DRIVEWAY TO BE REGRADED
 -  EXISTING DRIVEWAY TO BE RELOCATED
 -  MAJOR IMPACT ON PROPERTY OR USE
 -  SIGNIFICANT IMPACT ON PROPERTY OR USE
 -  MINOR IMPACT ON PROPERTY OR USE

REV	DATE	BY	CHK	APP	DESCRIPTION

DESIGNED
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DATE

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San Carlos, CA 94070

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CHIEF ENGINEER
PROJECT MANAGEMENT
STRUCTURES
TRACK/CIVIL

PENINSULA CORRIDOR JOINT POWERS BOARD

MENLO PARK GRADE SEPARATION AND NEW STATION

ALTERNATIVE COMPARISON OAKGROVE AVENUE

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SCALE	1"=150'	CONTRACT NO	MILEPOST
DWG NO	REV	PAGE NO	2

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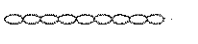

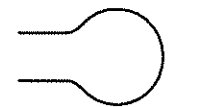
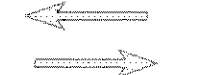
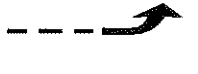






COUNTY: SAN MATEO
 CITY: MENLO PARK
 CONTROL POINT:



STREET UNDERPASS ALTERNATIVE
"UNDERPASS" ALTERNATIVE 1

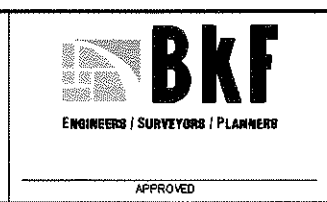
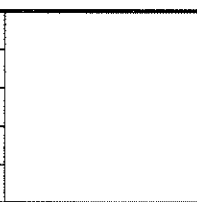


DEPRESSED STREET AND ELEVATED TRACK ALTERNATIVE
"SPLIT" ALTERNATIVE 2

- LEGEND**
-  DEPRESSED STREET
 -  BRIDGE STRUCTURE
 -  RETAINING WALL
 -  ACCESS ROAD
 -  EXISTING STREET CLOSED OFF
 -  TRAFFIC CIRCULATION OVER DEPRESSED STREET
 -  TRAFFIC CIRCULATION (GENERAL)
 -  EXISTING DRIVEWAY CLOSED OFF
 -  EXISTING DRIVEWAY TO BE REGRADED
 -  EXISTING DRIVEWAY TO BE RELOCATED
 -  MAJOR IMPACT ON PROPERTY OR USE
 -  SIGNIFICANT IMPACT ON PROPERTY OR USE
 -  MINOR IMPACT ON PROPERTY OR USE

REV	DATE	BY	SUB	APP	DESCRIPTION	REV	DATE	BY	SUB	APP	DESCRIPTION

DESIGNED
DRAWN
CHECKED
IN CHARGE
DATE



1250 San Carlos Avenue
 San Carlos, CA 94070

CHIEF ENGINEER
PROJECT MANAGEMENT
STRUCTURES
TRACK/CIVIL

PENINSULA CORRIDOR JOINT POWERS BOARD
 MENLO PARK GRADE SEPARATION
 AND NEW STATION
 ALTERNATIVE COMPARISON
 GLENWOOD AVENUE

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SCALE	1"=150'		
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DWG NO		REV	PAGE NO
			3

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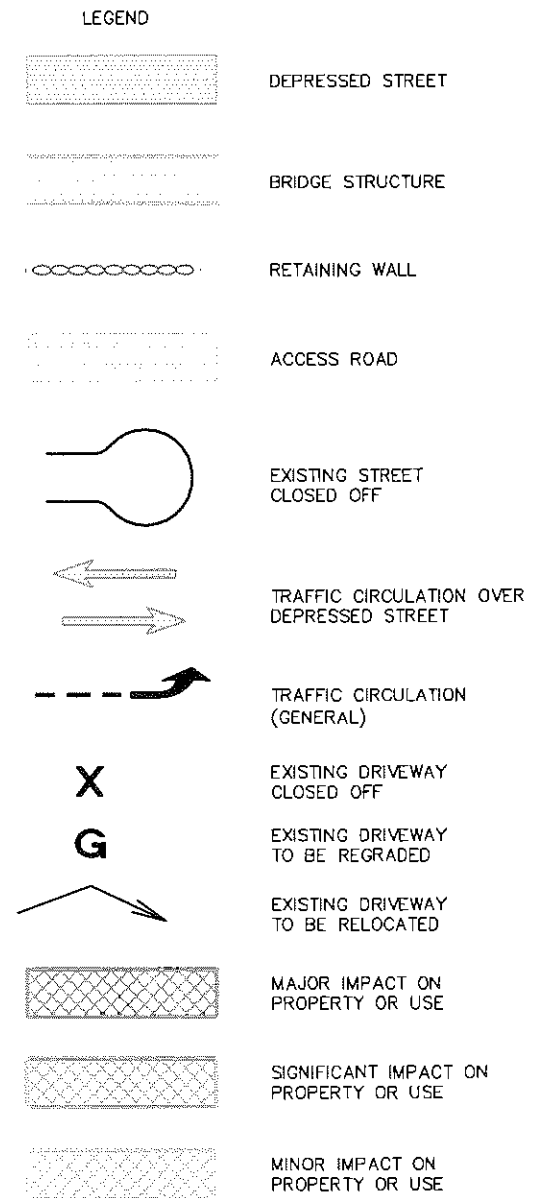
COUNTY: SAN MATEO CITY: MENLO PARK CONTROL POINT:



**STREET UNDERPASS ALTERNATIVE
"UNDERPASS" ALTERNATIVE 1**



**DEPRESSED STREET AND ELEVATED TRACK ALTERNATIVE
"SPLIT" ALTERNATIVE 2**



REV	DATE	BY	CHK	APP	DESCRIPTION

DESIGNED	
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IN CHARGE	
DATE	

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Caltrain

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San Carlos, CA 94070

CHIEF ENGINEER	
PROJECT MANAGEMENT	
STRUCTURES	
TRACK/CIVIL	

PENINSULA CORRIDOR JOINT POWERS BOARD

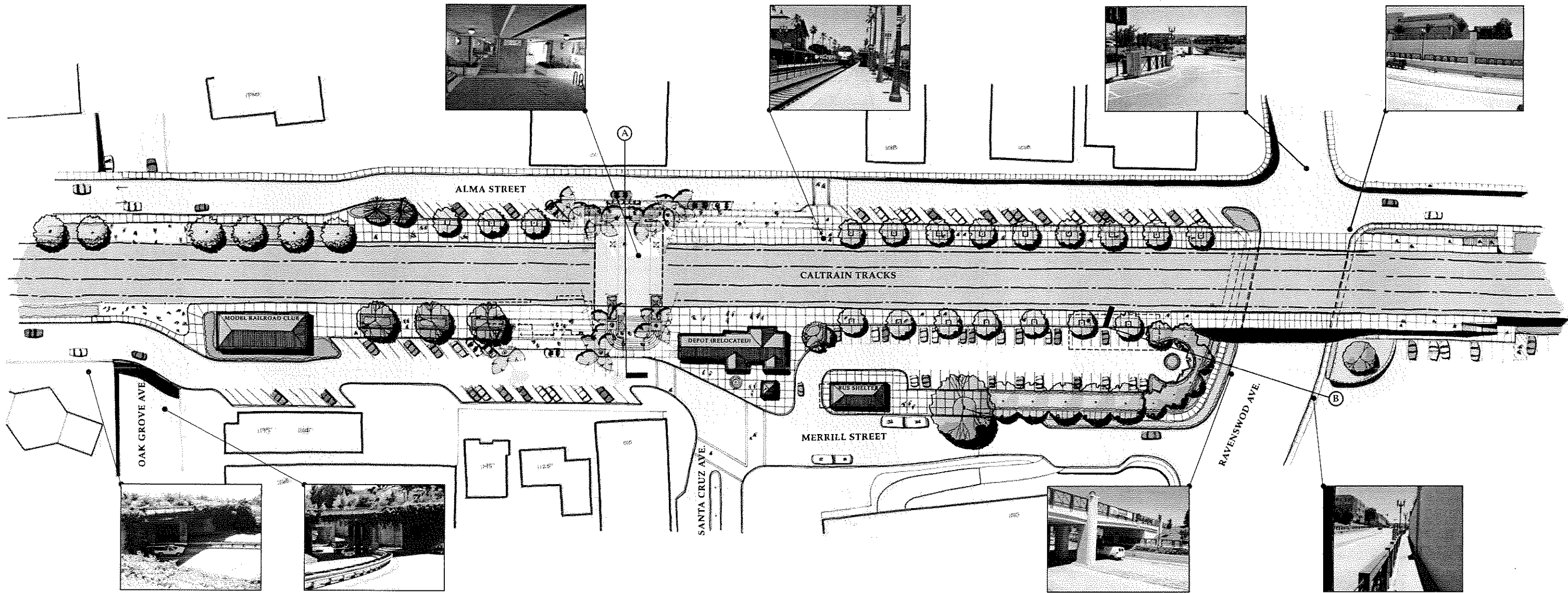
MENLO PARK GRADE SEPARATION AND NEW STATION

ALTERNATIVE COMPARISON
ENCINAL AVENUE

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SCALE	1"=150'	CONTRACT NO	
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Appendix B

This Appendix contains layouts for the Menlo Park Station for the Underpass and Split alternatives. It also contains section showing the platform access and elevations of the Ravenswood crossing.



Alternative 1: Depressed Street (Underpass)
Menlo Park Grade Separation

Callander Associates
Landscape Architects & Planners

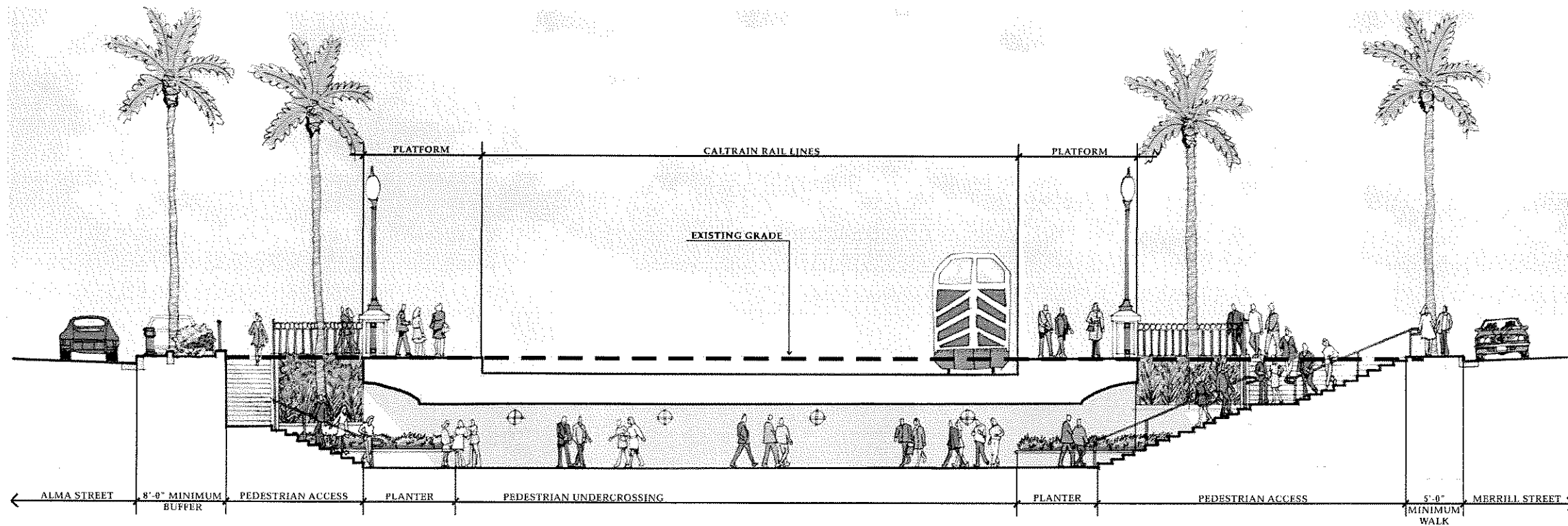
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BYRON KURTZ & FREDERICK

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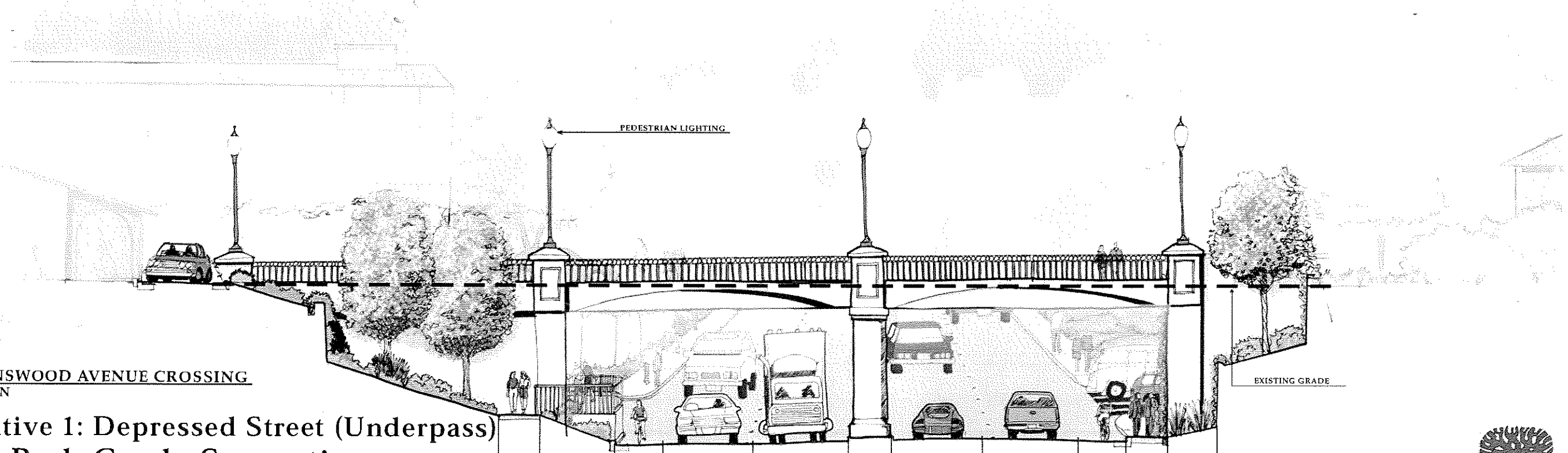
← NORTH

August 1, 2004





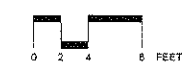
(A) PLATFORM UNDERCROSSING SECTION



(B) RAVENSWOOD AVENUE CROSSING SECTION

**Alternative 1: Depressed Street (Underpass)
Menlo Park Grade Separation**

5'-0" WALK | 8'-0" LAND-SCAPING | 5'-0" BIKE LANE | 12'-0" DRIVE LANE | 12'-0" DRIVE LANE | 6'-0" MEDIAN | 12'-0" DRIVE LANE | 12'-0" DRIVE LANE | 5'-0" BIKE LANE | 5'-0" WALK | 6'-0" LAND-SCAPING

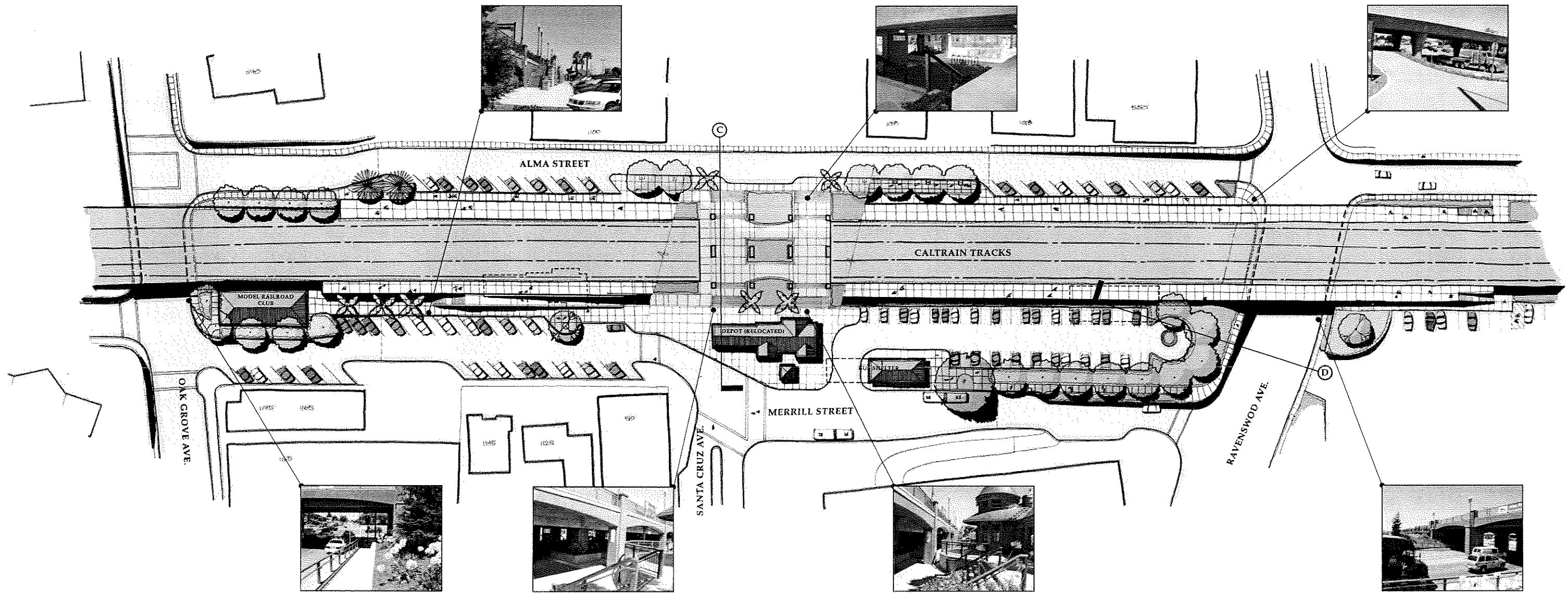


August 1, 2004

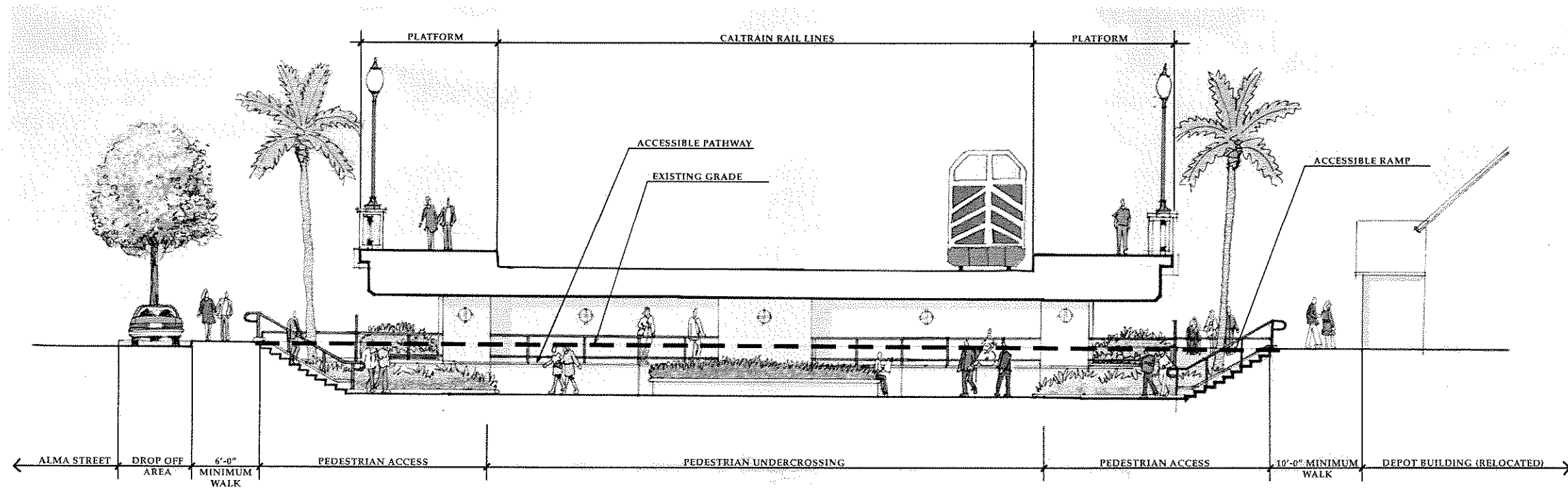
Callander Associates
Landscape Architecture, Inc.

BKF
BENTON & BOWLES KIMBLE FRAZER

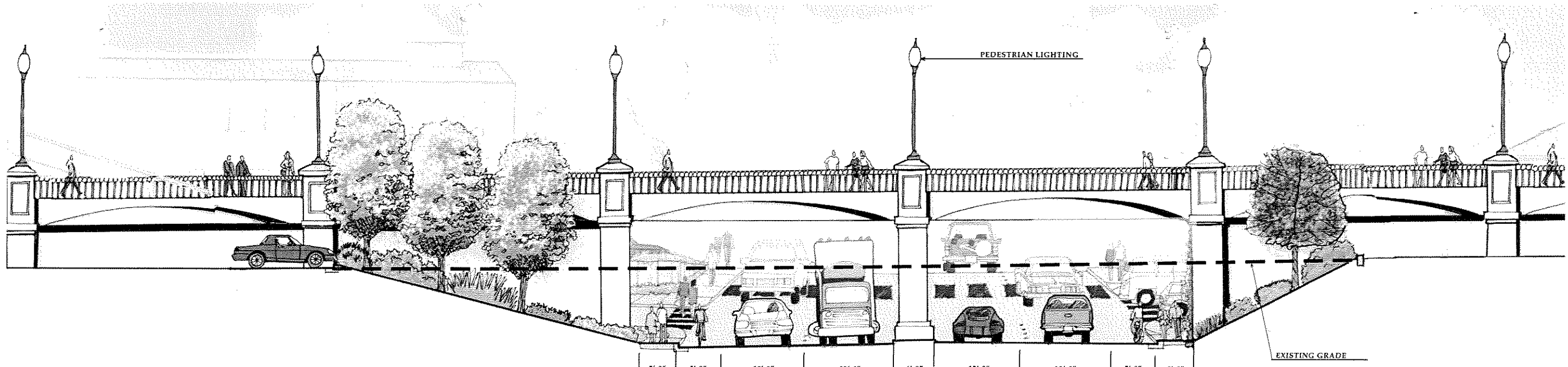




Alternative 2: Depressed Street and Elevated Tracks (Split)
Menlo Park Grade Separation



© PLATFORM UNDERCROSSING SECTION



© RAVENSWOOD AVENUE CROSSING SECTION

Alternative 2: Depressed Street and Elevated Tracks (Split) Menlo Park Grade Separation

Callander Associates
Landscape Architecture, Inc.

BKF
ARCHITECTS

0 2 4 8 FEET
August 1, 2004



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City of Menlo Park Council Position Summary

The following bullet points clarify the Council's position on high speed rail on the Caltrain corridor through Menlo Park.

- The City opposes any elimination of any part of CEQA for the High Speed Rail Project environmental process.
- ~~No aerial or elevated structures will be utilized on the Caltrain alignment between San Jose and San Francisco unless such an elevated structure is specifically requested by a local agency, for an area within their jurisdiction~~
- The high speed rail within Menlo Park should be either in a two-track envelope "at grade" system, ~~or in an open or closed trench or tunnel~~, and stay within the existing Caltrain right-of-way (with very minor exceptions, and in very limited locations)
- No Environmental Impact Report should go forward which increases it beyond two tracks in Menlo Park, ~~unless underground in a closed trench or tunnel~~
- City is interested in positive train control and alternative propulsion systems as an early investment project to increase regional mobility and local train service. We are in favor of positive train control and electrification, provided they increase train service at or beyond 2005 levels at the Menlo Park Caltrain Station.
- The City approves of a blended system but opposes passing tracks located in Menlo Park
- The City is interested in quiet zones for the rail corridor in Menlo Park
- Our strategy is to work cooperatively with the blended system planning efforts while preventing an at-grade or elevated 4 track system through Menlo Park.

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Nagaya, Nicole H

From: Quirion, Jesse T
Sent: Tuesday, February 24, 2015 8:58 AM
To: Nagaya, Nicole H
Subject: FW: Caltrain accident

Jesse T. Quirion
 Director of Public Works
 City of Menlo Park
 E: jtquirion@menlopark.org
 P: 650-330-6744

From: Mike O'Donnell [<mailto:mod@cimamgt.com>]
Sent: Tuesday, February 24, 2015 8:23 AM
To: _CCIN
Subject: Caltrain accident

Dear Menlo Park City Council:

I was greatly disturbed to hear the news of yesterday's tragic Caltrain accident. We returned to living in Menlo Park recently after living in a neighboring town for many years. Our home near Burgess Park requires us to cross the railroad tracks at Ravenswood many times a day, and the potential for this type of accident there is something that we have often discussed. I didn't speak up about the risks at that intersection because I always presumed that the dangers there were so obvious that the City must be working on a solution.

Pedestrians legally walking in crosswalks at the intersection of Alma and Ravenswood cause vehicles to back up on the railroad tracks every day. The most cautious, experienced and able driver can suddenly find himself in a literal box, without any safe exit.

I have given considerable thought to improvement to the intersection. The only expeditious solution, which can be achieved unilaterally by the City of Menlo Park, is a change in the placement of pedestrian crosswalks. While vehicle traffic very occasionally backs up to Alma from the Laurel/Ravenswood intersection, almost all backups at the tracks are caused by pedestrian crossings. My opinion is that the crosswalk parallel to the tracks linking both sides of Ravenswood at Alma should be immediately removed, and barriers/signage placed on both sides of the street to prevent future pedestrian

crossings there. And the crosswalk on the south side of Ravenswood linking both sides of Alma should be moved further south, near the library auto entrance, with signage and barriers to prevent future pedestrian crossing there. These changes would not alter the walking distance to work/train for most of the users of the intersection. Finally, a 24 hour prohibition on left turns for vehicles traveling east on Ravenswood at Alma should be enacted. Because there is a slight curve of the road at that intersection with the tracks, it is difficult for cars crossing the tracks to anticipate cars that decide to turn left there.

I am approaching you with these thoughts because I can say with great certainty that today, one day after a fatality at this crossing, there are other cars that will be stopped on the Caltrain tracks there. And every weekday thereafter. I believe that emergency direction from the City Council to change this intersection is necessary to prevent another accident, until a permanent solution can be further studied and implemented.

Mike O'Donnell

Nagaya, Nicole H

From: Quirion, Jesse T
Sent: Monday, February 23, 2015 7:38 PM
To: Nagaya, Nicole H
Subject: Fwd: Time for Action - Cal-train Underpass at Ravenswood Ave Railroad Crossing

Fyi

Jesse T. Quirion
Director of Public Works
City of Menlo Park
Phone: 650-330-6744
Email: jtquirion@menlopark.org

----- Original message -----

From: califguy <califguy5473@yahoo.com>
Date: 02/23/2015 7:00 PM (GMT-08:00)
To: _CCIN <councilmail@menlopark.org>
Cc:
Subject: Re: Time for Action - Cal-train Underpass at Ravenswood Ave Railroad Crossing

Dear City Council,

The blood of this poor woman is on the hands of THIS MP City Council. The City is negligent for acting like it has not known about this problem. It is wrong, inhumane, sad, greedy, and regressive to not deal with this issue NOW. The Cal-train express train was moving 79 mph when it hit the woman. Why are future lucrative mega-developments by Bohannon, Arrillaga, SRI, Facebook, and Sunset Magazine property owners not paying NOW for this and other MP railroad crossings?! . . . The money is there. The courage to act, humanity, common sense, politics, and public safety seems to be fleeting and hindering any semblance of normalcy on the MP City Council. How many more have to die before MP takes a stand? One person can change the world and society. Ever person lost is a loss for MP (city), county, Bay Area, USA, and the planet. Wake up. I am embarrassed to see those of you sitting on the City Council acting as lame duck representatives of our community.

[Driver Dead After Menlo Park Caltrain Collision](#)



Driver Dead After Menlo Park Caltrain Collision

Caltrain is shutdown in both directions in Menlo Park after a vehicle was struck by a train, officials said.

[View on www.nbcbayarea.com](http://www.nbcbayarea.com)

Preview by Yahoo

[Caltrain single-tracking through area after woman killed by train in Menlo Park](#)



Caltrain single-tracking through a rea after woman killed...

Officials confirm that a woman has died after her vehicle was hit by Caltrain at the Ravenswood crossing in Menlo Park.

[View on abc7news.com](http://abc7news.com)

Preview by Yahoo

Nagaya, Nicole H

From: Leslie Muennemann <leslie@muenn.net>
Sent: Wednesday, February 25, 2015 12:47 PM
To: Nagaya, Nicole H
Subject: funding for rr crossing

when I read the almanac's headline with the word "kickstart" I thought, brilliant, finally the public is being asked to put their money where their aching hearts are. I thought literally a Kickstart crowd funding was underway and frankly I and I bet a lot of folks would gladly contribute. I cross that track many times a week and every single time I say a prayer the equipment will work and that Im' not rushing and getting squeezed by traffic. Consider a crowd source funding mechanism, it might make it happen sooner.

Leslie Muennemann

--

[Swap Books for Free - PaperBackSwap.com](http://PaperBackSwap.com)



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Nagaya, Nicole H

From: Quirion, Jesse T
Sent: Thursday, February 26, 2015 5:22 PM
To: Lemons, Kristina
Subject: RE: Hello

Kristina,

Thank you for reaching out and introducing yourself.

We are deeply saddened by the tragic accident that occurred on Monday and I am sorry to hear about your past incidents at the intersection.

The City completed conceptual designs for grade separation of the tracks and the roadway at this intersection in 2001 with grant funding, and in 2014 we received a grant in the amount of \$750k from the Transportation Authority (TA) to complete design plans for the grade separation. We are actively working with Caltrain to kick start the design for Ravenswood in the coming months with the intention of moving this project forward to final completion as soon as funding and staff capacity becomes available.

You can find more information about the grade separation studies here: <http://www.menlopark.org/169/Railroad-Grade-Separations>

Jesse T. Quirion

Director of Public Works
City of Menlo Park
E: jtquirion@menlopark.org
P: 650-330-6744

From: Lemons, Kristina [<mailto:klemmons@cornerstone.com>]
Sent: Thursday, February 26, 2015 11:27 AM
To: Quirion, Jesse T
Subject: Hello

Hello,

I am the woman on this video (<http://wn.ktvu.com/story/28193228/driver-killed-in-menlo-park-caltrain-accident-was-trapped-on-tracks>) that was struck by a car last year at Alma and Ravenswood. Just a few months later, my 15 year old son was also clipped by a car (the driver not realizing at all and just drove off) while he was on his bike and was thrown and banged up in that same crosswalk.

I happen to work on this corner as well, at Cornerstone Research and walk to work every day. I live on Laurel St., 3 blocks away.

On Monday at 4:45 while I was talking to my boss, we heard a loud noise that shook our building. We went outside on the deck on the 3rd floor and saw the wreckage from the southbound express Caltrain that hit Jennifer Jahyun's SUV while she was trapped on the tracks. We watched stunned as they tried to rescue her. Many of my coworkers have windows on that side of the building and saw the entire incident. Seeing an accident that horrific changes you. So that's why I'm writing you now.

I am now personally invested in making sure we do something to fix this.

I know that the media talks a lot about a lot of different things that can be done to this corner, and it seems like the permanent solutions suggested are going to take several years. While of course this does need to happen, I am more focused on spending my energy helping in whatever way I can to develop a temporary solution until we get our lasting one.

I just want to introduce myself and let you know that I want to help in whatever way I can to see this change. It's too personal now. I watched someone die and I don't want to ever see that again.

Thank you,

Kristina L. Lemons
Senior Project Administrator

CORNERSTONE RESEARCH
1000 El Camino Real, Suite 250
Menlo Park, California 94025
650.470.7185 direct

klemons@cornerstone.com

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Nagaya, Nicole H

From: Bobbie Wood <bobbiewood@gmail.com>
Sent: Wednesday, March 11, 2015 11:55 AM
To: Nagaya, Nicole H
Subject: Ravenswood/Train Crossing Request

Hi Nikki,

I'm sure your office has been inundated with requests and feedback after the fatality at the train crossing at Ravenswood. Please add this request to the list.

Our NextDoor online discussion forum had a long thread with many neighbors weighing in on how we might best solve for the very dangerous problems with the intersection at the Ravenswood train crossing. Concerns included:

Traveling Eastbound on Ravenswood--

- Crosswalk at Ravenswood and Alma is already very dangerous for pedestrians.
- Crosswalk at Ravenswood causes cars to stop suddenly resulting in backed up traffic and cars stuck on the train tracks.
- Cars turning left onto Alma just past the tracks cause cars to stop suddenly resulting in backed up traffic and cars stuck on the tracks.
- Cars turning right onto Alma must stop suddenly for pedestrians causing backed up traffic and cars stuck on the tracks.
- Jaywalking and illegal bike crossings at the east side of the tracks (across Ravenswood) causes even more unpredictability.
- The posted sign prohibiting left turns to and from Alma between 4-6pm is broadly ignored, and does nothing to prevent left-turn danger at all other times.

Traveling Westbound on Ravenswood--

- Split lanes for choice of left turns or straight across El Camino cause drivers to jockey for position resulting in sudden lane changes. The result - again - is cars backed up and caught on the tracks.
- The Keep Clear space encourages drivers turning from Alma to jam into the space resulting in unpredictable behavior and more sudden lane changes.

Our group reached some consensus on proposed solutions. The overall consensus was that **GRADE SEPARATION MUST HAPPEN.**

But the group was very concerned that the city enact interim solutions such as these AS SOON AS POSSIBLE:

Prohibit left turns to and from Alma at all times.

- Install a physical barrier (plastic posts?) to indicate clearly to all drivers that left turns are prohibited.
- A physical barrier would also help to deter jaywalkers and illegal bike crossings across Ravenswood just east of the tracks.

- Alternative routes are readily available. Preventing left turns for safety FAR OUTWEIGHS any inconvenience to drivers would incur by taking an alternate route.

Add a stoplight at Ravenswood westbound just before the tracks.

- From the eastbound direction, add a synchronized stop light approaching the train tracks that prevents back up onto the tracks.
- Time the light on Ravenswood to correspond to the El Camino light so that traffic further back stops well ahead of the tracks.

Move the crosswalk further down Ravenswood away from the tracks, or add a crosswalk along with the timed traffic light mentioned above.

I do want to mention that many contributors felt that Menlo Park shared some culpability for the many pedestrian and auto accidents in the intersection due to a failure to solve for these complications before now. Everyone is very eager to see solutions enacted to prevent further misfortune.

Thank you for reading, and please keep us posted on any decisions the city makes to address this dangerous intersection.

Kind regards,

Bobbie Wood
Arbor Rd., Menlo Park

Nagaya, Nicole H

From: Chiachi Hung <Chiachi.Hung@sri.com>
Sent: Wednesday, March 18, 2015 4:49 PM
To: Nagaya, Nicole H
Cc: Quirion, Jesse T
Subject: Re: Inquiry regarding Ravenswood/Alma intersection
Attachments: 2015-Ravenswood_v1.3.pdf

Hi Nikki,

Here is something we wrote as observers and attached along with this email. Please keep us posted for any progress or update.

Regards,

Chiachi Hung
650-859-4629

On 03/13/2015 01:16 PM, Nagaya, Nicole H wrote:

> Hi Chiachi,

>

> I wanted to let you know that the City Council's Rail Subcommittee will be hosting a public meeting next Wednesday, March 18th at 6pm in the City Council Chambers at 701 Laurel Street, Menlo Park to discuss potential grade separation at Ravenswood and the Caltrain tracks, as well as taking suggestions for possible near-term modifications at Alma/Ravenswood. If you have specific ideas you'd like to share, please feel free to join us, or email suggestions over and we will share during the meeting.

>

> Please feel free to share this email with other colleagues that may be interested. We'd appreciate hearing from you, especially as daily users of the intersection.

>

> You can find the agenda with more detailed information here:

> <http://www.menlopark.org/Calendar.aspx?EID=996>

>

> Best,

> Nikki

>

> Nicole H. Nagaya, P.E.

> Transportation Manager

> City of Menlo Park

> P: 650.330.6781

> e: nhnagaya@menlopark.org

>

>

> -----Original Message-----

> From: Nagaya, Nicole H

> Sent: Monday, March 02, 2015 10:45 AM

> To: 'Chiachi.Hung@sri.com'

> Cc: Quirion, Jesse T (jtquirion@menlopark.org)

> Subject: RE: Inquiry regarding Ravenswood/Alma intersection

>

> HI Chiachi,

>

> Thank you for reaching out and your question. In 2014, the City received a grant from the San Mateo County Transportation Authority (SMCTA) to evaluate grade separation of the Caltrain tracks at Ravenswood Avenue. With modifications that grade separation could bring, modifications to the Ravenswood/Alma intersection would also be evaluated. The City is currently working with Caltrain to develop a work plan to conduct this study.

>
> Please let me know if you have any further questions.

>
> Best,
> Nikki

>
> Nicole H. Nagaya, P.E.
> Transportation Manager
> City of Menlo Park
> P: 650.330.6781
> e: nhnagaya@menlopark.org

>
> -----Original Message-----
> From: Chiachi Hung [<mailto:Chiachi.Hung@sri.com>]
> Sent: Thursday, February 26, 2015 10:37 AM
> To: Nagaya, Nicole H
> Subject: Inquiry regarding Ravenswood/Alma intersection

>
> Dear Nikki Nagaya,

>
> We, a group of SRI CalTrain commuters, are wondering if there is any plan to improve Ravenswood Ave. and Alma St. intersection. We'd like to find out what the plan will be if there is one. Otherwise, could you please let us know to initiate a such needed improvement discussion in your transportation commission.

>
> Regards,

>
> Chiachi Hung
> A daily CalTrain Commuter working at SRI International
> (650) 859-4629

>

Background

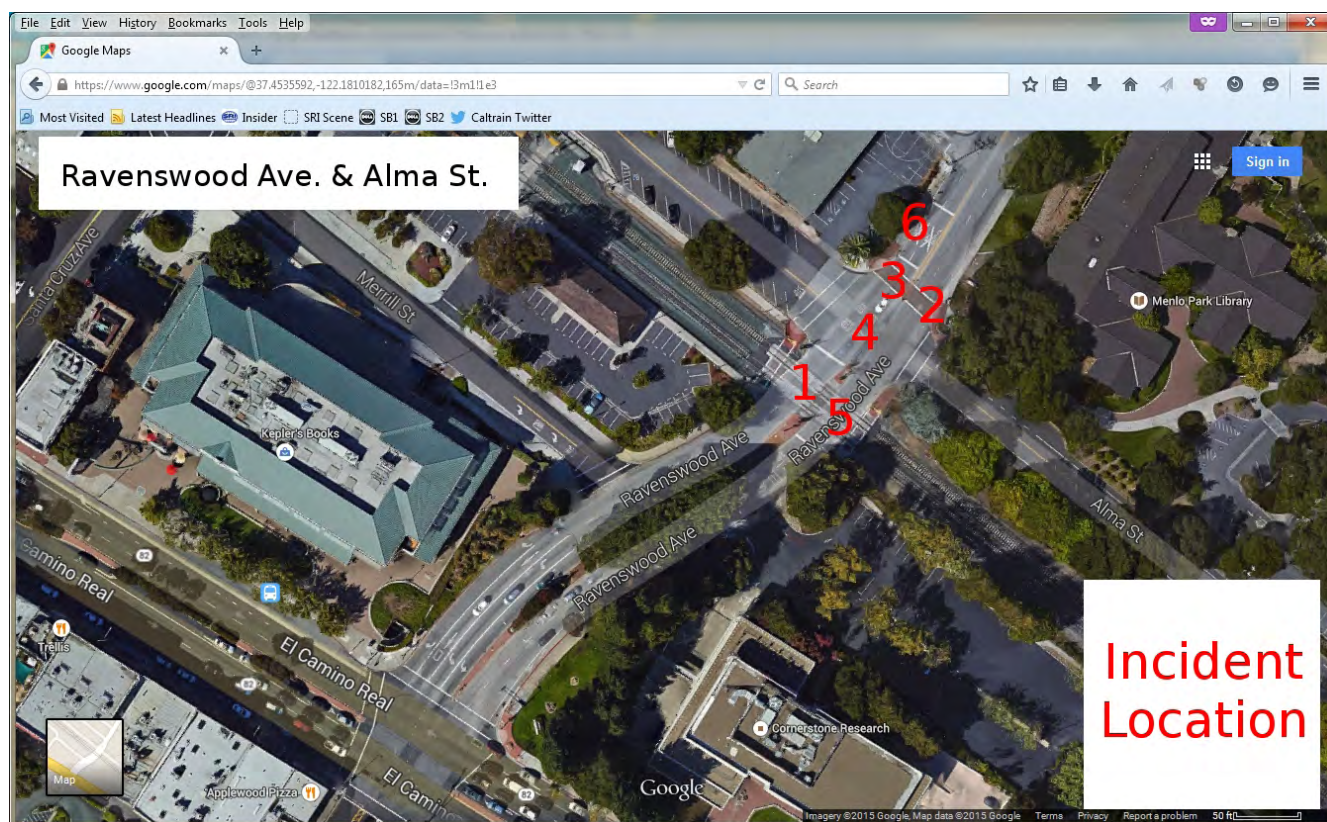
Who are we?

We are SRI International employees who commute to work via the Ravenswood and Alma intersection during the week (Monday-Friday).

What is the problem?

People who use this intersection suffer a high level of stress. Drivers not only need to watch out for the street signs, but also the pedestrian walkway, railroad tracks and the signs marked on the road. It is too much information for the drivers to bear. The same level of stress applies to pedestrians who cross the intersection fearing for their lives and Baby Bullet CalTrain engineers who are concerned about vehicles on the track as they travel through the Menlo Park Station above 60 mph. There is no real assurance for a safe intersection.

Problem Statement: Observation of Ravenswood Ave. and Alma St. intersection



Based on our daily observation in this intersection, we identify about six hotspots or incident locations with some logical assumptions.

1. Railroad tracks southwest bound from Ravenswood Ave. - **Car vs. Train**
 - Drivers may not have good visual clearance to predict if they can make it to the other side of railroad track. They find out only when entering the intersection that is too late and could potentially be stuck on the railroad tracks.
 - When it comes to making a judgment, people may be concerned about stopping illegally at the intersection and getting a traffic ticket. People may wrongly judge that they should be able to get to the other side of the tracks but find themselves stuck on the tracks for longer than anticipated.

2. Pedestrian walkway on northeast bound of Ravenswood Ave. - **Car vs. Pedestrian**
 - ↪ Poor visual clearance to see the pedestrian yellow flashlight when drivers are putting more focus on railroad crossing.
 - ↪ Cars quickly passing the railroad track may not be able to stop for pedestrians due to speed and short brake distance.
 - ↪ Cars in outer (right) lane may have visual obstruction to see pedestrians by cars in inner (left) lane so cars in inner lane may not have time to react when gaining visual contact with pedestrians who may have already been in outer lane area of the walkway entering inner lane area of walkway.
3. Pedestrian walkway on southwest bound of Ravenswood Ave. **Car vs. Pedestrian**
 - ↪ Similar to #2, cars in left lane can potentially run over pedestrian if cars in right lane block their view.
4. Intersection on Ravenswood Ave. and Alma St. **Car vs. Car**
 - ↪ Drivers sitting in the car waiting their turn to either get onto Ravenswood Ave. or continue Alma St. often time face a long wait. Once their patience wears out, they attempt to cross the intersection. They block one side of traffic on Ravenswood Ave. and then try to either go onto Ravenswood Ave. or proceed to Alma St. Car collisions may occur when their vision is obstructed by cars in another different lane.
5. Railroad tracks northeast bound from Ravenswood Ave. **Car vs. Train**
 - ↪ The visibility of the railroad crossing sign may be blocked or shaded by tree. It is not very noticeable to drivers who are unfamiliar with the area. They may not expect railroad tracks, shortly after entering Ravenswood Ave. from El Camino Real.
6. Northeast bound of Ravenswood Ave. where bike lane merges with traffic right lane. **Car vs. Bike**
 - ↪ The bike lane merges with vehicle's right lane; it is a shared lane. This merge is extremely dangerous for bicyclists because the drivers may miss the sign and try to tailgate bicyclists or get ahead of bicyclists by making unsafe passing.

Conclusion: Possible solution proposal to address these problems

There may be two constructions that could be able to address all these problems.

1. Install four-way traffic light

Installing four-way traffic light may be one of the solutions to manage the traffic flow. One of the traffic lights should be installed before the railroad track for northeast bound of Ravenswood Ave. The traffic should turn red before the train gates drop down. This should prevent any attempt by the car drivers to go across the track and provide safety to pedestrians as well as adjacent cars from crossing the intersection. This traffic light may also need to synchronize with the traffic light in El Camino Real and Ravenswood Ave.

2. Construct dedicated bike lane on southwest bound of Ravenswood Avenue

Obtain a stretch of land from Menlo Park Library perhaps through eminent domain or some other mean. All marked lanes and dividers will need to shift toward library in order to make a new dedicate bike lane. This should avoid merging bike lane and car lane together which creates unsafe roads.

Although, there may be some better solutions that we are not seeing or out of our scope, we strongly believe that maintaining the status quo for this intersection would only lead to more unnecessary injuries or loss of lives. We believe that something has to be done about this intersection to make it safer, if not the safest.

People:

Chiachi Hung, Sybil Vasche, Andreas Tsiartas, Chris Bartels, Aaron Lawson, Richard Guzman, Victor Freitas and Karen Matsuyama and more.

Nagaya, Nicole H

From: Jonathan Weiner <jonathan@fineprint.com>
Sent: Thursday, March 26, 2015 12:44 PM
To: Nagaya, Nicole H
Subject: ravenswood crossing

Hi Nikki,

I have been following the Ravenswood Ave safety meetings. I had an idea I wanted to run by you. If you change the lane configuration such that there is a single lane in each direction at the rail crossing, you reduce the potential number of cars on the tracks by 50%. This can be done by delaying the split into multiple turns lane in the westbound direction as the street approaches ECR. Eastbound, the merge from two lanes to one would occur before the tracks.

Lane reduction has an added benefit for the Alma crosswalk to the library. By making Ravenswood one lane in each direction at Alma, the crossing time is halved and is much safer since the pedestrian need not wait for 4 lanes of traffic to stop before proceeding. The space currently used by car lanes would be converted to bike lanes.

The combination of single lanes at the tracks and less time that traffic is stopped due to pedestrians crossing would reduce the chance of getting caught on the tracks significantly. Lane reduction at the tracks might degrade the current LOS D to E or even F. At the GBI talk in Atherton, Jeff Tumlyn mentioned that a properly designed road should be at LOS F at the peak 15 minutes of the peak hour.

It would be great if any changes to the street could include the commission recommendation of widening the bike lanes along Ravenswood. Thanks so much for your consideration and leadership in improving safety on Ravenswood.

Best,
Jon

Nagaya, Nicole H

From: Quirion, Jesse T
Sent: Wednesday, April 08, 2015 5:19 PM
To: Nagaya, Nicole H
Subject: FW: Suggestion for Improving Traffic Circulation

FYI

-Jesse Q.

From: Jym [<mailto:jym.clendenin@gmail.com>]
Sent: Wednesday, April 08, 2015 4:34 PM
To: _CCIN
Subject: Suggestion for Improving Traffic Circulation

If Menlo and Oak Grove Avenues between El Camino Real and University Avenue were one-way with cars circulating CCW, it would:

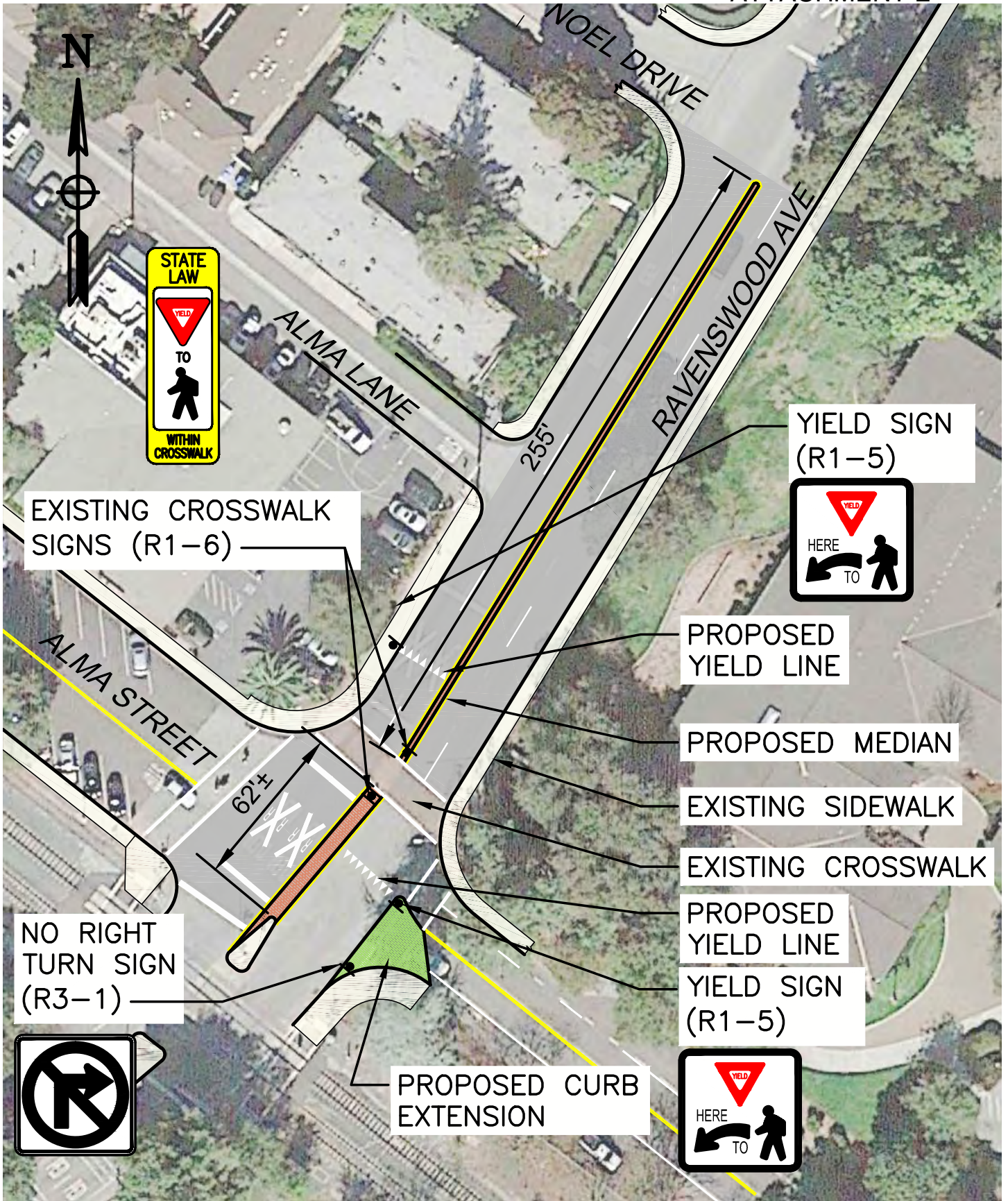
- 1) Ease traffic congestion on these 2 streets;
- 2) Provide room to add buffered bike lanes;
- 3) Free up a lane on Ravenswood Ave at El Camino Real since there would no longer be the option of proceeding straight from Ravenswood onto Menlo. This excess lane could then be utilized for a double right turn off ECR onto Ravenswood going NE, saving some of the beautiful triangle area on the corner.


Note that there would be no need to make either Ravenswood or Oak Grove NE of ECR one-way. One could consider making the block of University between Santa Cruz Avenue and Menlo one-way (conforming to the CCW circulation), which again would provide room for buffered bike lanes.


Since the Fire Station 6 vehicles need to go in both directions on Oak Grove from the firehouse, the Oak Grove one-way could be limited to the block between Crane Street and University.

Jym Clendenin

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 475 14TH STREET
 SUITE 290
 OAKLAND, CA 94612

0 50' 100'

 SCALE: 1"=50'

ALMA ST / RAVENSWOOD AVE
TRIAL MEDIAN EVALUATION
PHASE 1

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April 16, 2015

Ms. Nicole Nagaya
 Transportation Manager
 City of Menlo Park
 701 Laurel Street
 Menlo Park, CA 94025

**Whitlock & Weinberger
 Transportation, Inc.**

475 14th Street
 Suite 290
 Oakland, CA 94612

voice 510.444.2600
 web www.w-trans.com

Proposal for Alma Street/Ravenswood Avenue Median Evaluation

Dear Ms. Nagaya;

W-Trans is pleased to submit this proposal to the City of Menlo Park to evaluate the proposed temporary median on Ravenswood Avenue across the intersection Alma Street. The median will extend between the crosswalk at Alma Street to Noel Drive. The following is our proposed scope of services and fee for this work.

Tasks

1. Review City-provided data at the intersection of Ravenswood Avenue and Alma Street. This will include peak hour intersection turning movement counts, pedestrian and bicycle data if available, and a five year collision history. Pedestrian and bicycle counts at the Ravenswood Avenue intersections at Laurel Street and El Camino Real should also be provided.
2. Review CalTrain data. Data from CalTrain based on video surveillance will also be reviewed, including the number of fouling incidents. We will also review the train crossing frequency in both directions on Ravenswood Avenue based on the CalTrain schedule.
3. Prepare "Before Condition" Memo. This memo will summarize the existing conditions based on Tasks 1-2 above. This task will also include preparation of graphics materials to support the City Council staff report.
4. Conduct "After Condition" evaluations. This will take place six months after installation of the temporary median. Weekday a.m. (7:00 – 9:00) and p.m. (4:00 – 6:00) peak period traffic counts (including pedestrian and bicyclist counts) will be taken at the Ravenswood Avenue intersections at El Camino Real, Alma Street and Laurel Street. The evaluation will describe the effects of the median and include items such as pedestrian safety, impacts to bicyclists, vehicle delay, and traffic re-routing, based on a comparison of After Conditions data with Before Conditions data.

As part of the six month evaluation, recommendations for subsequent improvements will be made, if needed, following the 6-month trial. These may include items such as relocation of the existing crosswalk at Alma to Noel, a traffic signal to restore access or perhaps with a median/restricted access, or other recommendations.

5. Meetings and Project Administration. We have budgeted time for project coordination activity.

Budget

Our services will be conducted on a time and materials basis at our current billing rates. The estimated maximum fee for this work is \$12, 830. Any services not explicitly stated above are excluded from this proposal and fee estimate.

Schedule

W-Trans will summarize the available data for the “before” analysis by Friday April 24, with a final memo delivered on Monday April 27. Prior to the May 5 City Council Meeting we will provide support in developing a series of graphics/concept plans showing Phase 1 – median and Phase 2 – crosswalk relocation.

The six-month “After Condition” memo will be completed within four weeks of data collection.

Please forward written authorization to proceed and/or a Purchase Order Number if you wish to initiate work. Thank you for giving W-Trans the opportunity to propose on these services. Do not hesitate to contact us should you have any questions or comments regarding our proposal.

Sincerely,

A handwritten signature in cursive script that reads "Mark Spencer".

Mark Spencer, PE
Principal

MS/MPA900-5.PI-1

Ravenswood Ave Median W-Trans Fee Estimate

<i>Task</i>	<i>HOURS BY STAFF MEMBER</i>				
	<i>Mark Spencer</i>	<i>Project Engineer</i>	<i>Tech/ Admin</i>	<i>Misc</i>	<i>Total Hours</i>
1-2. Review Data from City and CalTrain	4	8	0	\$0	12
3. "Before" Conditions Memo and Graphics for City Council Mtg	4	20	1	\$0	25
4. "After" Conditions Evaluation and Memo (6-mo)	9	15	1	\$1,350	25
5. Meetings/Project Administration	10	0	0	\$200	10
	27	43	2	\$1,550	72

<i>Task</i>	<i>FEE AT HOURLY RATES INDICATED</i>				
	<i>\$220</i>	<i>\$120</i>	<i>\$90</i>	<i>LS</i>	<i>TOTAL</i>
1-2. Review Data from City and CalTrain	\$880	\$960	\$0	\$0	\$1,840
3. "Before" Conditions Memo and Graphics for City Council Mtg	\$880	\$2,400	\$90	\$0	\$3,370
4. "After" Conditions Evaluation and Memo (6-mo)	\$1,980	\$1,800	\$90	\$1,350	\$5,220
5. Meetings/Project Administration	\$2,200	\$0	\$0	\$200	\$2,400
	\$5,940	\$5,160	\$180	\$1,550	\$12,830

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COMMUNITY SERVICES DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-065

INFORMATIONAL ITEM: Parks and Recreation Commission Recommendations Regarding Non-resident Fees for Recreation Programs

RECOMMENDATION

Staff recommends Council accept this informational report.

POLICY ISSUES

The City Council, through their Cost Recovery Policy (Attachment A) and through the City's Master Fee Schedule, sets fees for City programs, including recreation activities.

BACKGROUND

The City Council received an email in February 2014 from a resident of unincorporated Menlo Park regarding the 35% surcharge added to Community Services program fees for non-residents. This question was referred to the Park and Recreation Commission for review that same month. The Parks and Recreation Commission held an initial meeting on this issue on March 26, 2014 where staff presented the following information (see Attachment C for staff report):

- Defined and mapped the unincorporated areas adjacent to the City of Menlo Park
- Reviewed the property taxes distinctions between incorporated and unincorporated residents
- Provided the history and explanation for non-resident surcharges for recreation programs and services
- Compared Menlo Park non-resident rates and policies with other regional cities
- Reviewed the estimated percentage of non-resident customers and provided the estimated annual revenue

Based on the feedback from this meeting, as well as public comment during approval of the Master Fee Schedule at the City Council meeting on April 29, 2014 and later at the City Council meeting on May 6, 2014, Council directed staff to present additional information on non-resident fees and the resident priority registration policy. Some of the requested information included a comparative analysis of other cities' non-resident fee surcharges, determine how much residents contribute through Measure T to support City recreation

facilities, explore membership options for non-residents to equal the amount resident tax payers pay to support recreation facilities and programs, provide a breakdown of resident and non-resident participation for various programs, a breakdown of non-residents by city, investigate the feasibility of a sliding scale for non-resident surcharges, and historical information concerning how the City arrived at the current 35% non-resident surcharge.

ANALYSIS

The attached staff report (Attachment B) from the Parks and Recreation Commission's October 22, 2014 meeting, as well as attachments to that report (included here as Attachment D) outline the Parks and Recreation Commission's analysis of this issue as well as the options they considered.

As a result of their review of this information, the Parks and Recreation Commission made the following recommendations and determinations regarding non-resident fees:

- Affirmed the appropriateness of a 35% fee for non-residents and, additionally, recommended that Gymnastics (which had historically charged only a 25% non-resident fee) be increased to 35%.
- Added a third registration category to the Community Services Department class registration process, allowing residents to begin signing up for programs on the Monday of each registration period; allowing unincorporated Menlo Park non-residents (the new category) to register the following Thursday of the registration period; and opening up program registration to non-residents the Monday following resident signups.
- Determined that real-time sliding scale for non-resident surcharges was not beneficial or feasible since registration behavior had more to do with customer preferences than price, limits to the registration software, communication and promotion of price changes to potential customers, would incentivize late registration resulting in cancelled classes, administrative costs of implementation.
- Rejected membership options over the concern that it equates to purchasing "residency" which would be a different amount for residents depending on when you bought your home and also the Commission reaffirmed the belief that lowering the price would not necessarily result in increased registration.

The recommendation regarding increasing non-resident fees for gymnastics from 25% to 35% was presented to the Council and approved with the Master Fee Schedule on April 7, 2015. Staff is prepared to implement the additional registration category in time for Fall program registration, which begins August, 2015.

IMPACT ON CITY RESOURCES

Options considered by the Parks and Recreation Commission had the potential to impact City resources anywhere from 0\$ to \$80,000 annually if the Commission selected an option to modify the non-resident surcharge for classes only. The analysis did not include non-resident surcharge increment collected for facility and field rentals due to limitations in collecting and reporting that data. Total elimination of the non-resident fee surcharge was

not considered. The final recommendations made by the Commission cost \$2,500 for the programming change to the registration system and generated an additional \$122,255 by increasing non-resident fees for gymnastics.

The Commission did not consider changes to the 35% non-resident fee, as they determined the current rate to be appropriate.

ENVIRONMENTAL REVIEW

This project requires no 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: Menlo Park Cost Recovery / User Fee Policy
- B: Parks and Recreation Commission Staff Report of October 22, 2014
- C: Parks and Recreation Commission Staff Report of March 26, 2014
- D: Area Map delineating unincorporated Menlo Park

Report prepared by:
Derek Schweigart
Community Services Manager

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City of Menlo Park

Fiscal Policy

Department City Council	Page 1 of 11	Effective Date 03/09/10
Subject User Fee Cost Recovery	Approved by Minute Order March 9, 2010	Procedure # CC-10-0001

Purpose:

A clear User Fee Cost Recovery Policy will allow the City of Menlo Park to provide an ongoing, sound basis for setting fees that allows charges and fees to be periodically reviewed and updated based on predetermined, researched and supportable criteria that can be made available to the public.

Background:

In 2005 the *Your City/Your Decision* community driven budget process provided community direction and initial information on approaches to cost recovery of services. In 2007, the Cost Allocation Plan provided further basis for development of a standardized allocation system by providing a methodology for data-based distribution of administrative and other overhead charges to programs and services. The Cost of Services Study completed in 2008 allowed the determination of the full cost of providing each service for which a fee is charged and laid the final groundwork needed for development of a values-based and data-driven User Fee Cost Recovery Policy. A draft User Fee Cost Recovery Policy was presented for consideration by the Council at a Study Session on February 10, 2009. Comments and direction from the Study Session were used to prepare this Fiscal Policy.

Policy:

The policy has three main components:

- Provision for ongoing review
- Process of establishing cost recovery levels
 - Factors to be Considered
- Target Cost Recovery Levels
 - Social Services and Recreation Programs
 - Development Review Programs
 - Public Works
 - Police
 - Library
 - Administrative Services

Provision for ongoing review

Fees will be reviewed at least annually in order to keep pace with changes in the cost of living and methods or levels of service delivery. In order to facilitate a fact-based approach to this review, a comprehensive analysis of the city's costs and fees should be made at least every five years. In the interim, fees will be adjusted by annual cost factors reflected in the appropriate program's operating budget.

Process of establishing service fee cost recovery levels

The following factors will be considered when setting service fees and cost recovery levels:

1. Community-wide vs. special benefit
 - The use of general purpose revenue is appropriate for community-wide services while user fees are appropriate for services that are of special benefit to individuals or groups. Full cost recovery is not always appropriate.
2. Service Recipient Versus Service Driver
 - Particularly for services associated with regulated activities (development review, code enforcement), from which the community primarily benefits, cost recovery from the "driver" of the need for the service (applicant, violator) is appropriate.
3. Consistency with City public policies and objectives
 - City policies and Council goals focused on long term improvements to community quality of life may also impact desired fee levels as fees can be used to change community behaviors, promote certain activities or provide funding for pursuit of specific community goals, for example: health and wellness, environmental stewardship.

City of Menlo Park

Fiscal Policy

Department City Council	Page 2 of 11	Effective Date 03/09/10
Subject User Fee Cost Recovery	Approved by Minute Order March 9, 2010	Procedure # CC-10-0001

4. Impact on demand (elasticity)
 - Pricing of services can significantly impact demand. At full cost recovery, for example, the City is providing services for which there is a genuine market not over-stimulated by artificially low prices. Conversely, high cost recovery may negatively impact lower income groups and this can work against public policy outcomes if the services are specifically designed to serve particular groups.
5. Discounted Rates and Surcharges
 - Rates may be discounted to accommodate lower income groups or groups who are the target of the service, such as senior citizens or residents.
 - Higher rates are considered appropriate for non-residents to further reduce general fund subsidization of services.
6. Feasibility of Collection
 - It may be impractical or too costly to establish a system to appropriately identify and charge each user for the specific services received. The method of assessing and collecting fees should be as simple as possible in order to reduce the administrative cost of collection.

Target cost recovery levels

1. Low cost recovery levels (0% – 30%) are appropriate if:
 - There is no intended relationship between the amount paid and the benefit received
 - Collecting fees is not cost-effective
 - There is no intent to limit use of the service
 - The service is non-recurring
 - Collecting fees would discourage compliance with regulatory requirements
 - The public at large benefits even if they are not the direct users of the service
2. High cost recovery levels (70% – 100%) are appropriate if:
 - The individual user or participant receives the benefit of the service
 - Other private or public sector alternatives could or do provide the service
 - For equity or demand management purposes, it is intended that there be a direct relationship between the amount paid and the level and cost of the service received
 - The use of the service is specifically discouraged
 - The service is regulatory in nature
3. Services having factors associated with both cost recovery levels would be subsidized at a mid-level of cost recovery (30% - 70%).

General categories of services tend to fall logically into the three levels of cost recovery above and can be classified according to the factors favoring those classifications for consistent and appropriate fees. Primary categories of services include:

- Social Services and Recreation Programs
- Development Review Programs – Planning, and Building
- Public Works Department – Engineering, Transportation, and Maintenance
- Public Safety

City of Menlo Park

Fiscal Policy

Department City Council	Page 3 of 11	Effective Date 03/09/10
	Subject User Fee Cost Recovery	Approved by Minute Order March 9, 2010

Social Services and Recreation Programs

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low cost recovery (0-30%)	Mid cost recovery (30-70%)	High cost recovery (70-100%)
9	<u>Parks</u>			
	Dog Park	X		
	Skate Parks	X		
	Open Space/Parks Playgrounds	X X		
7 11 10 11 11 7 7 11	<u>Social Services</u>			
	Senior Transportation	X		
	Senior Classes/Events	X		
	Belle Haven School Age – Title 22		X	
	Menlo Children’s Center – Title 22			X
	Preschool - Title 22			X
	Preschool – Title 5		X	
	Second Harvest	X		
Congregate Nutrition		X		
Belle Haven Community School		X		
	<u>Events/Celebrations</u>			
	City Sponsored	X		
	City-Wide	X		
	Youth & Teen Targeted	X		
	Cultural	X		
	Concerts	X		
5, 6, 7 9 9 9 10 5,6,7 9 5,6,7,8,9,10	<u>Facility Usage</u>			
	City Functions (e.g. commissions)	X		
	Co-Sponsored Organizations	X		
	Non-Profit	X		
	Fields - Youth (non-profit)		X	
	Fields - Adult (non-profit)		X	
	Tennis Courts		X	
	Picnic Rentals - Private Party			X
	Private Rentals			X
	Fields - For-profit			X
Contracted Venues – for profit			X	
8 8 8 7 11	<u>Fee Assisted Programs</u>			
	Recreational Swim	X		
	Swimming Classes	X		
	Lap Swimming	X		
	Recreation Classes	X		
Open Gym Activities	X			

City of Menlo Park

Fiscal Policy

Department City Council	Page 4 of 11	Effective Date 03/09/10
Subject User Fee Cost Recovery	Approved by Minute Order March 9, 2010	Procedure # CC-10-0001

Social Services and Recreation Programs - continued

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low cost recovery (0-30%)	Mid cost recovery (30-70%)	High cost recovery (70-100%)
	<u>Recreation Programs</u>			
11	Drop-In Activities		X	
10,11	Camps & Clinics			X
9	Youth Leagues			X
10	Youth Special Interest			X
10	Adult Special Interest			X
12	Gymnastics			X
6,12	Birthday Parties			X
11	Adult League			X

Low Recovery Expectations: Low to zero recovery is expected for programs in this category as the community benefits from the service. Non-resident fees if allowed may provide medium cost recovery.

In general, low cost programs or activities in this group provide a community wide benefit. These programs and activities are generally youth programs or activities enhancing the health, safety and livability of the community and therefore require the removal of a cost barrier for optimum participation. Recreation programming geared toward the needs of teens, youth, seniors, persons with disabilities, and/or those with limited opportunities for recreation are included. For example:

- Parks – As long as collecting fees at City parks is not cost-effective, there should be no fees collected for general use of parks and playgrounds. Costs associated with maintaining the City’s parks represent a large cost for which there is no significant opportunity for recovery – these facilities are public domains and are an essential service of City government.
- Social Services – There is no intended relationship between the amount paid and the benefit received for social service programs. Some programs are designed and delivered in coordination/partnership with other providers in Menlo Park.
- Senior Transportation – Transportation is classified as a low cost recovery program because there is no fee charged for the program and the majority of the seniors served cannot afford the actual cost of the service. Donations are solicited, but they are minimal. No fee should be established for this service, as it would threaten ridership and County reimbursements would be withdrawn.
- Senior Classes/Events – The primary purpose of senior classes and events is to encourage participation. The seniors served in these classes do not have the means of paying for the classes and are classified as “scholarship” recipients due to their low income levels. The classes should continue to be offered in collaboration with outside agencies which can offer them for free through state subsidies.
- Second Harvest – Monthly food distributions provide free food to needy families and so contribute a broad community benefit. The coordination and operation of the program is through the Onetta Harris Center staff with volunteers assisting with the distribution of food, to keep costs as low as possible.
- Events/Celebrations – Community Services events provide opportunities for neighborhoods to come together as a community and integrate people of various ages, economic and cultural backgrounds. Events also foster pride in the community and provide opportunities for volunteers to give back. As such, the benefits are community-wide. In addition, collection of fees are not always cost effective.

City of Menlo Park

Fiscal Policy

Department City Council	Page 5 of 11	Effective Date 03/09/10
Subject User Fee Cost Recovery	Approved by Minute Order March 9, 2010	Procedure # CC-10-0001

- Facility Usage – Safe and secure facilities for neighborhood problem-solving and provision of other general services support an engaged community and should be encouraged with low or no fees.
- Fee Assisted Recreation Programs – Activities with fee assistance or sliding scales make the programs affordable to all economic levels in the community. Organized activities, classes, and drop-in programs are designed to encourage active living, teach essential life and safety skills and promote life-long learning for broad community benefit.

Medium Recovery Expectation – recovery of most program costs incurred in the delivery of the service, but without recovery of any of the costs which would have been incurred by the department without the service. Both community and individuals benefit from these services. Non-resident fees if allowed may provide high cost recovery.

- Belle Haven School Age – Title 22 - Licensed Child Care Program – Services to participants in this program are not readily available elsewhere in the community at low cost. The program provides broad community benefit in the form of a safety net for children in the community. Organized activities and programs teach basic skills, constructive use of time, boundaries and expectations, commitment to learning and social competency. Resident fees charged based on San Mateo County Pilot program for full day care that sets fees at no more than 10% of the family’s gross income.
- Preschool Title 5 – The Preschool Program is supported primarily by reimbursement of federal and state grants for low income children. Tuition and reimbursement rates are regulatory.
- Senior Lunches – Congregate Nutrition is classified as a medium cost recovery fee as it asks a donation coupled with a per meal reimbursement from OAA & State funds.
- Belle Haven School Community School – The Community School partners with various non-profit and community-based agencies to provide much needed services to the community – high quality instruction, youth enrichment services, after-school programs, early learning and a family center. Services are open to Belle Haven students, their families and residents of the surrounding neighborhood.
- Field Rentals and Tennis Courts – Costs should be kept low for local non-profit organizations providing sports leagues open to residents and children in the Menlo Park Schools that encourage healthy lifestyles and lifelong fitness. Opportunities exist to collect a reasonable fee for use to defray citywide expenses for tennis facilities and fields.
- Programs – Drop-in programs can be accessed by the widest cross section of the population and therefore have the potential for broad-base participation. Recreation drop-in programs have minimal supervision while providing healthy outlets for youth, teens and adults

High Recovery Expectations – present when user fees charged are sufficient to support direct program costs plus up to 100% of department administration and city overhead associated with the activity. Individual benefit foremost and minimal community benefit exists. Activities promote the full utilization of parks and recreation facilities.

- Menlo Children’s Center School Age and Pre-school – Title 22 – Participation benefits the individual user.
- Picnic Areas – Picnic rental reservations benefit the individual but help defray the cost of maintaining parks benefiting the entire community.
- Facility Usage – Facility use is set at a higher rate for the private use of the public facility for meetings, parties, and programs charging fees for services and celebrations.

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- Programs – Activities in this area benefit the individual user. Programs, classes, and sports leagues are often offered to keep pace with current recreational trends and provide the opportunity to learn new skills, improve health, and develop social competency. The services are made available to maximize the use of the facilities, increase the variety of offerings to the community as a whole and spread department administration and city-wide overhead costs to many activities. In some instances offering these activities helps defray expenses of services with no viable means of collecting revenue e.g. parks, playgrounds, etc.
- Contracted Venues – (for profit) – Long term arrangements where a facility is rented or contracted out to reduce general funding expense in order to provide specialized services to residents.

Development Review Services

1. Planning (planned development permits, tentative tract and parcel maps, re-zonings, general plan amendments, variances, use permits)
2. Building and safety (building permits, structural plan checks, inspections)

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low cost recovery (0-30%)	Mid cost recovery (30-70%)	High cost recovery (70-100%)
	1. Planning			
24	Appeals of Staff Decisions	X		
24	Appeals of Planning Commission Decisions by Residents	X		
	Subsequent Appeals			X
24	Temporary Sign Permits	X		
23	Use Permits – Non-Profits	X		
24	Administrative Reviews – Fences		X	
	Appeals of Planning Commission Decisions by			X
24	Non-Residents			X
23	Administrative Reviews – Other			X
23	Architectural Control			X
23	Development Permits			X
23	Environmental Reviews			X
23	General Plan Amendments			X
24	Tentative Maps			X
24	Miscellaneous – not listed elsewhere			X
	Reviews by Community Development			X
24	Director or Planning Commission			X
23	Special Events Permitting			X
23	Study Sessions			X
24	Zoning Compliance Letters			X
23	Signs and Awnings			X
23	Use Permits – other			X
23	Variances			X
23	Zoning Map			X
	Ordinance Amendments			X

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Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low cost recovery (0-30%)	Mid cost recovery (30-70%)	High cost recovery (70-100%)
28-48	<u>2. Building and safety</u> Solar installations Building Permits Mechanical Permits Electrical Permits Plumbing Permit Consultant Review	X		X X X X X

Low Recovery Expectations: Low to zero recovery is expected for services in this category to maintain open and accessible government processes for the public, encourage environmental sustainability and encourage compliance with regulatory requirements. Example of Low Recovery items:

- Planning – The fees for applicants who wish to appeal a Staff Decision or for a Menlo Park resident or neighbor from an immediately adjacent jurisdiction who wishes to appeal a decision of the Planning Commission is purposefully low to allow for accessibility to government processes.
- Planning – Temporary sign permit fees are low so as to encourage compliance.
- Building – The elimination or reduction of building permits for solar array installations is consistent with California Government Code Section 65850.5, which calls on local agencies to encourage the installation of solar energy systems by removing obstacles to, and minimizing costs of, permitting for such systems.

Mid-level Recovery Expectations: Recovery in the range of 30% to 70% of the costs incurred in the delivery of the service reflects the private benefit that is received while not discouraging compliance with the regulation requirements.

- Planning – Administrative permits for fences that exceed the height requirements along Santa Cruz Avenue are set at mid-level to encourage compliance.

High Recovery Expectations: Cost recovery for most development review services should generally be high. In most instances, the City's cost recovery goal should be 100%.

- Planning – Subsequent Appeals - The fees for applicants who are dissatisfied with the results of a previous appeal of an administrative permit or a decision of the Planning Commission should be at 100% cost recovery.
- Planning – Most of the Planning fees charged are based on a "time and materials" basis, with the applicant/customer being billed for staff time (at a rate that includes overhead cost allocations) and the cost of actual materials or external services utilized in the delivery of the service.
- Building – Building fees use a cost-basis, not a valuation basis, and are flat fees based on the size and quantities of the project.

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Public Works Department - Engineering, Transportation, and Maintenance

1. Engineering and Transportation (public improvement plan checks, inspections, subdivision requirements, encroachments)
2. Transportation (red curb installation, truck route permits, traffic signal repairs from accidents)
3. Maintenance (street barricades, banners, trees, special event set-up, damaged city property)

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low cost recovery (0-30%)	Mid cost recovery (30-70%)	High cost recovery (70-100%)
	<u>1. Engineering</u>			
25	Heritage Tree	X		
25	Appeals to Environmental Quality Commission and City Council	X		
	Bid Packages	X		
19	Plotter Prints		X	
19	Encroachment Permits for			
19	City-mandated repair work (non-temporary)		X	
25	Heritage Tree		X	
	Tree Removal Permits			
	1 – 3 trees			
19	City Standard Details		X	
20	Improvement Plan Review			X
20	Plan revisions			X
21	Construction Inspection			X
20	Maps / Subdivisions			X
	Real Property			X
19	Abandonments			X
19	Annexations			X
21	Certificates of Compliance			X
20	Easement Dedications			X
20	Lot Line Adjust/Merger			X
19	Encroachment Permits			X
19	Completion Bond			X
	Processing Fee			X
25	Heritage Tree Permits			X
	After first 3 trees			X
16	Downtown Parking Permits			X
	<u>2. Transportation</u>			
22	Red Curb Installation	X		
22	Truck Route Permits	X		
22	Traffic Signal Accident			X
22	Aerial Photos			X

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Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low cost recovery (0-30%)	Mid cost recovery (30-70%)	High cost recovery (70-100%)
	<u>3. Maintenance</u>			
22	Tree Planting	X		
22	Banners – Santa Cruz Ave			X
22	Barricade replacement			X
22	Weed Abatement			X
22	Special Event set-up – for profit use			X
22	Special Event set-up- for non-profits use		X	
22	Damaged City property			X

Low Recovery Expectations: Low to zero recovery is expected for services in this category as the community benefits from the service. In general, low cost services in this group provide a community-wide benefit. These services generally are intended to enhance or maintain the livability of the community and therefore require the removal of a cost barrier to encourage use. However, in some instances the maximum fee that can be charged is regulated at the State or Federal level and therefore the City fee is not determined by City costs (truck route permits, copies of documents). Examples of Low Recovery items:

- Maintenance – Tree Plantings is classified as a low cost recovery fee to replacement of trees removed due to poor health and to encourage new tree plantings.
- Transportation – Red Curb Installation is classified as a low cost recovery fee for support traffic/parking mitigation requests to address safety concerns of residents and businesses.
- Transportation – Truck Route Permits Fees – maximum fee set by State Law.
- Engineering – Heritage Tree Appeals is classified as a low cost recovery fee to insure that legitimate grievances are not suppressed by high fees.
- Engineering – Bid Packages are provided at a low cost to encourage bid submissions thereby insuring that the City receives sufficient bids to obtain the best value for the project to be undertaken.

Medium Recovery Expectations: Recovery in the range of 30% to 70% of the costs incurred in the delivery of the service. Typically both the community and individuals benefit from these services.

- Engineering – Encroachment Permits for City-mandated repairs are classified as a medium cost recovery. Since the property owner is paying for the cost of construction but is required by ordinance to perform it promptly, a discounted fee for the permit is appropriate.

High Recovery Expectations: Recovery in the range of 70% to 100% when user fees charged are sufficient to fully recover costs of providing the service. Individual benefit is foremost and minimal community benefit exists. Most services provided by the Public Works Department fall in this area.

- Engineering – Encroachment Permits where the public right of way is used or impacted on a temporary or permanent basis for the benefit of the permittee. Debris Boxes are such an example.
- Transportation – Traffic Signal Accident repair cost is the responsibility of the driver/insurer.
- Maintenance – Weed Abatement performed by Public Works staff to address ongoing code violation.
- Maintenance – Banners on Santa Cruz Avenue and El Camino Real.

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Public Safety – Police Services (Case Copies, False Alarms, Parking Permits, Abatements, Emergency Response, Background Investigations, Tow Contract)

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low cost recovery (0-30%)	Mid cost recovery (30-70%)	High cost recovery (70-100%)
14	Case Copies	X		
15	Citation Sign Off - Residents	X		
1, 15	Document Copies	X		
14	Bicycle Licenses	X		
16	Overnight Parking Permits			X
16	Residential Parking Permits	X		
15	Property Inspection – Code Enforcement	X		
15	Real Estate Sign Retrieval	X		
14	False Alarm – Low Risk		X	
15	Rotation Tow Service Contract		X	
15	Repossession Fee		X	
14	False Alarm – High Risk			X
14	Good Conduct Letter			X
14	Preparation Fees			X
14	Research Fee			X
14	Civil Subpoena Appearance			X
14	Finger Printing Documents			X
15	Background Investigations			X
14	Notary Services			X
14	Vehicle Releases			X
14	DUI - Emergency Response			X
15	Intoximeter Rental			X
15	Street Closure			X
15	Unruly Gatherings			X
18	Abatements			X

Low Recovery Expectations: Low to zero recovery is expected for services in this category as the community generally benefits from the regulation of the activity. The regulation of these activities is intended to enhance or maintain the livability of the community. However, in some instances the maximum fee that can be charged is regulated at the State or Federal level and therefore the City fee is not determined by City costs (copies of documents).

Medium Recovery Expectation: Recovery in the range of 30% to 70% of the costs of providing the service. Both community and individuals benefit from these services.

- False Alarm – primarily residential and low cash volume retail. Alarm response provide a disincentive to crime activity. However excessive false alarms negatively impact the ability of prompt police response to legitimate alarms.

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Public Safety – Police Services - continued

High Recovery Expectations: Recovery in the range of 70% to 100% when user fees charged are sufficient to recover costs of the service provided. Individual benefit is foremost and minimal community benefit exists. Items such as False Alarm, DUI Emergency Response, Vehicle Releases, Unruly Gathering, and Abatements are punitive in nature and the costs should not be funded by the community. Items such as Good Conduct Letter, Preparation Fees, Research Fee, Finger Printing, Background Investigations, and Notary Service primarily benefit the individual. 100% of the cost for services in these areas is typical.

- Overnight Parking Permits – the fee charged for One Night Parking Permits fall into Low Cost Recovery, however when combined with the fees collected from the issuance of Annual Permits the result is the program should achieve High Cost Recovery.
- Street Closure – primarily residential for activities within a defined area. This service is provide for public safety and therefore is provided at a rate below 100% cost recovery.

Library (Library Cards, Overdue Fines, etc.) – fees are primarily established by the Peninsula Library Service.

Administrative Services (Copying Charges, Postage, etc.) – fees are primarily set by regulations and are generally high cost recovery of pass-thru charges.

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COMMUNITY SERVICES DEPARTMENT

Parks and Recreation Commission Meeting Date: October 22, 2014

Agenda Item #: B2

REGULAR BUSINESS: **Review and provide general direction on the City's Non-Resident Fees and Priority Registration Policy**

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission provide general feedback and direction on the City's non-resident fees and priority registration policy.

BACKGROUND

The City Council received an email in February 2014 from a resident of unincorporated Menlo Park regarding the 35% surcharge added to Community Services program fees for non-residents. Since these fees and the non-resident fee policy were set by Council, this question has been referred to the Park and Recreation Commission for review. The Parks and Recreation Commission held the initial meeting on this issue on March 26, 2014. During the meeting, the following topics were presented by staff (see Attachment A for staff report):

- Defined and mapped the unincorporated areas adjacent to the City of Menlo Park
- Reviewed the property taxes distinctions between incorporated and unincorporated residents
- Provided the history and explanation for non-resident surcharges for recreation programs and services
- Compared Menlo Park non-resident rates and policies with other regional cities
- Reviewed the estimated percentage of non-resident customers and provided the estimated annual revenue

Based on the feedback from the meeting in March as well as public comment at the City Council meeting on May 13, 2014 regarding the Master Fee Schedule, Council directed staff to present additional information on non-resident fees and priority registration policy to the Parks and Recreation Commission for their review and recommendation.

ANALYSIS

The City of Menlo Park, as with many cities, charges a non-resident rate for its programs and services that helps offset the overhead costs paid for by general tax dollars and, therefore, not shared by non-residents for programs, services and facilities. The City passes these costs on to non-residents by way of a non-resident user fee surcharge which varies between programs but is generally 35% of the resident rate (25% for gymnastics). The following table compares Menlo Park’s non-resident fees with other municipalities in the region.

REGIONAL CITIES COMPARISON OF NON-RESIDENT POLICIES			
<i>City</i>	<i>Priority Registration</i>	<i>Non-Residents Rate</i>	<i>Unincorporated Areas</i>
Menlo Park	1 week	35%, 25% for gymnastics	Non-Residents
Burlingame	No preference	15-20% classes and 50% fields	N/A
Redwood City	2 week	20%	Residents
San Carlos	1 week	20% up to \$20 max	Residents
San Mateo	2 week	25% up to \$25 max	Non-Residents
Foster City	2 week	\$10 flat rate	N/A
Palo Alto	1 week	15% classes, up to 50% for everything else	N/A
Mountain View	2 week	25%	Residents
Santa Clara	1 week	25% up to \$40 max	N/A

The neighboring cities’ non-resident fees vary, and in comparison Menlo Park is slightly higher than the average. Menlo Park has increased non-residents fees over the past 20 years, especially during economic down turns and when the City was facing a fiscal crisis. The last increase to 35% for the non-resident surcharge was approved by City Council in 2004. In addition, Menlo Park is consistent with the other cities’ policies on priority registration with the general practice of waiting 1 or 2 weeks before non-residents can register for classes. While not all of the other cities have unincorporated areas, the cities that do have are split as to whether they allow those customers to pay the resident fees and participate in priority registration.

Non-Resident Statistics by City and Program Area

In the March 2014 staff report, non-resident fee percentages and financial calculations were based on estimates by evaluating the total customer database. After further analysis of all of the program registrations from January 2010 through June 2014, the following information can be provided regarding the percentage residents and non-residents using the programs and services of the Menlo Park Community Services Department.

Program Participants	% of Participants	Average Annual Revenue	% of Total Revenue
Residents	67%	\$2,653,198	74%
Non-Residents	33%	\$932,291	26%

The average annual revenue in the above table is based on fees charged for services and paid by customers directly. These figures do not include facility rentals, sports field rentals, special events or Menlo-Atherton Performing Arts Center, which is approximately \$695,000 in additional annual revenue. It also does not include any revenue from other government sources or grants, which is approximately \$625,000.

The following table provides a detailed breakdown of non-resident participants in Community Services programs as well as the average annual revenue, percentage of revenue and average annual non-resident surcharge by each area. The two largest groups are Menlo Park unincorporated non-residents and Palo Alto.

Non-Resident Participants By Area	% of Participants	Average Annual Revenue	% of Total Revenue	Avg Annual Non-Resident Surcharge
Atherton	3.6%	\$163,380	4.6%	\$42,357
East Palo Alto	3.7%	\$33,159	0.9%	\$8,596
Los Altos/Los Altos Hills	1.0%	\$21,774	0.6%	\$5,645
Menlo Park Unincorporated	6.4%	\$235,381	6.6%	\$61,024
Palo Alto	6.1%	\$184,061	5.1%	\$47,719
Portola Valley	1.4%	\$51,298	1.4%	\$13,299
Redwood City	3.3%	\$72,858	2.0%	\$18,889
Woodside	0.8%	\$35,157	1.0%	\$9,114
Other*	6.4%	\$135,221	3.8%	\$35,057
Total	33%	\$932,291	26%	\$241,705

*Other cities include Stanford, Belmont, San Jose, Cupertino, Burlingame, Campbell, Union City, Sunnyvale, Santa Clara, San Mateo, San Carlos, San Francisco, Daly City, Foster City, San Bruno, Mountain View, Newark (all cities less than 1%)

The percentage of residents and non-residents varies by program area. Any potential changes to the non-resident fee policy may affect programs differently. The table below provides the percentage of residents and non-residents by each main facility within Community Services. Menlo Children’s Center preschool and afterschool programs have fewest non-residents mainly due to the high monthly enrollment fees up to \$1400-\$1800 per month for residents. In addition, the childcare facility proximity to home or school is also a significant contributor to more residents using this service and also the reason for the lower percentage of non-residents for Belle Haven After School and Belle Haven Child Development Center. The three Arrillaga recreational facilities on the Burgess campus as well as the Senior Center have more equally divided amount of residents and non-residents in their programs. There are likely several factors contributing to these percentages including the popularity of those programs, high

quality facilities, and Menlo Park’s ability to offer unique recreational opportunities not offered in other neighboring communities.

Menlo Park Facility/Program Area	Residents	Non-Residents
Menlo Children Center	93%	7%
Belle Haven After School	83%	17%
Belle Haven Child Development Center	79%	21%
Onetta Harris Community Center	74%	26%
Arrillaga Gymnasium	59%	41%
Arrillaga Gymnastics Center	56%	44%
Arrillaga Recreation Center	55%	45%
Senior Center	52%	48%

The above figures do not include facility rentals, sports field rentals, special events, or aquatics. The City’s registration system currently does not easily separate the percentage of residents and non-residents for facility rentals. Also, groups or individuals who rent or lease the Menlo Park facilities are not required to track residency or charge an additional non-resident surcharge to their participants.

While the various Community Services programs have different percentages of non-residents, the fiscal impact of non-residents fees to these programs varies significantly. Many of the programs at the Senior Center are free and the average class fee at Onetta Harris Community Center is \$25 per session for residents and \$34 for non-residents. By evaluating the overall department, the average class costs are shown below. In order to reflect accurate average class costs childcare fees, team sports league fees, and drop-in classes were not included. The average class cost is helpful in understanding the approximate amount of non-resident surcharge fees that non-residents are spending and is helpful when comparing an annual fee, creating a cap for fees, or evaluating other options discussed later in the report.

Average Class Costs	
Overall	\$202
Residents	\$189
Non-Residents	\$224

Alternative Non-Resident Fee Options

If Menlo Park wants to align more closely with neighboring cities, the Parks and Recreation Commission could recommend lowering the non-resident surcharge percentage or place a cap on the total amount of non-resident fees for each class. The following table demonstrates the potential financial impact of a change to the non-

resident surcharge percentage or a cap on the total amount charged for non-resident fees per class. The various options evaluated were to reduce the non-resident surcharge percentage to 25% or 20%, similar to other neighboring cities, or to set a non-resident fee cap at intervals of \$40, \$50, or \$75 per class. With the cap at \$50 and \$40, revenue losses are comparable to the reduction in percentage from 25% to 20%. The cap at \$75 demonstrates an option to address the small minority of customers, approximately 100 customers each quarter, who are paying more than \$100 in non-resident surcharge fees for each class. The classes include higher levels gymnastics, martial arts, and dance.

Non-Resident Fees Estimates	Annual Non-resident Surcharge Revenue (Classes Only)	Estimated Annual Change
No change	\$261,300	-
Reduce to 25%	\$225,500	(\$35,800)
Reduce to 20%	\$180,400	(\$80,900)
Current % with cap at \$75	\$240,300	(\$21,000)
Current % with cap at \$50	\$218,100	(\$43,200)
Current % with cap at \$40	\$189,300	(\$72,000)

The above table analyzes the financial impact to classes only. The potential decrease in non-resident revenue from facility rentals is too difficult to determine at this time due to limitations of the current registration software.

It has been suggested that lowering non-resident fees, could result in additional revenue from an increase in non-resident participants that would offset these estimated decreases. This is difficult to calculate since it is unknown how many new non-resident customers will use Menlo Park recreational services if the fees were lowered. However, with an average class cost of approximately \$200, the decrease in revenue with using the 25% non-resident surcharge could result the need for 180 more class registrations per session or an approximate increase of 14% more non-residents in order to breakeven.

Class Capacity

Another item both Council and Commission request be analyzed further was the relationship between class capacity and lower non-resident rates. The goal would be to potentially increase class capacity with more non-residents if the fees were lowered. Class capacity is determined by evaluating the total number of participants in the class compared to the maximum number of participants that could be in the class. Class capacity is not easily estimated because the maximum number of participants can be set by the available room size, instructor preferences, risk management best practices, or by state licensing regulations in the case of childcare. Class capacity is also only

measuring the capacity within the existing programs and does not measure the total capacity for the facility.

The following two tables demonstrate the class capacity for the overall Community Services department as well as each program area. Currently, nearly half of all of the classes for the overall department are at 80-100% capacity (100% equals a full class). In addition, regardless of the class capacity percentage, the average number of residents and non-residents is relatively consistent across the various capacity categories with approximately 60% residents and 40% non-residents. Therefore, one potential conclusion might be that regardless of the price the class capacity is based more on the customer preferences.

Class Capacity Overall	% of Classes	Average % of Residents	Average % of Non-Residents
100-80%*	53%	58%	42%
79-60%	14%	64%	36%
59-40%	16%	60%	40%
Below 40%	18%	63%	37%

Facility/Program Area	Average Class Capacity %	% of Residents	% of Non-Residents
Menlo Children Center	91%	93%	7%
Belle Haven After School	81%	83%	17%
Belle Haven Child Development Center	100%	79%	21%
Onetta Harris Community Center	41%	74%	26%
Arrillaga Gymnasium	69%	59%	41%
Arrillaga Gymnastics Center	90%	56%	44%
Arrillaga Recreation Center	45%	55%	45%
Seniors Center	83%	52%	48%

As shown in the table above, the average class capacity within each program area varies widely. The three childcare facilities have higher capacity and higher percentage of residents. The term “classes” for childcare refers to their monthly enrollments and camps. The Arrillaga Family Gymnastics Center and Senior Center have high class capacity but have more an equal split of residents and non-residents. The two community centers, Arrillaga Family Recreation Center and Onetta Harris Community Center, have the two lowest class capacities. The two community centers offer the widest range of programming for the most diverse group of customers. The community centers have a core group of classes that are successful and have higher average class capacity. However, the centers also offer more new classes or experimental classes where the demand and proven track record have not been established. In addition, the Arrillaga Family Recreation Center mainly uses contract instructors for their classes. The contract instructors earn 60% of the resident fees while the City retains 40% of the resident fees and the entire non-resident surcharge. The contract instructors often get to decide if they will still hold a class regardless of the number of participants in the

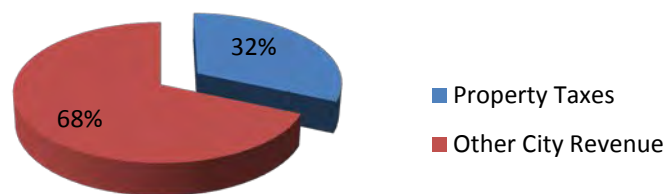
class as well as set the resident fees for their classes. Similar to the overall department analysis, it is difficult to measure if the non-resident fees were lowered whether more non-residents would register for classes especially at the facilities with more available capacity or if the classes would continue to have lower attendance by both residents and non-residents due to customer preferences.

One alternative suggested was to have the non-resident surcharge percentage decrease for lower capacity classes to entice more non-residents to help fill up classes. Due to how the class fees are advertised as well as the restrictions with the current registration software, a real-time sliding scale percentage option would not be feasible. These changes would be difficult to communicate with potential customers. In addition, this change may incentivize customers to sign up later for classes in order to wait for a lower class fee and the class may be cancelled in advance due to low enrollment. Lastly, having multiple non-resident fees adds to the administrative costs and increased staff time for data entry.

Property Taxes

As explained in the March staff report, non-residents pay the non-resident surcharge because their property taxes do not contribute to the City of Menlo Park's General Fund. The City's General Fund helps cover both the direct and indirect costs of providing the many services the City provides. Even when there are charges for services, the full cost of providing those services does not include all of the overhead, capital spending and depreciation of facilities which is paid for by General Fund tax dollars. In FY 2013-14, the Community Services Department programs and facilities were supported by the General Fund by approximately \$1.6 million dollars, which does not include the capital investment and depreciation of recreation facilities. Many of the capital investments for the Community Services Department facilities have been made by the Measure T bonds financed by Menlo Park property owners.

Below is an estimate to quantify the amount of property taxes residents contribute to the Community Services program annually. In YR13-14, the City of Menlo Park's General Fund revenue was \$46.5M with 32% from property taxes.



The Community Services Department's General Fund expenses were approximately \$1.6M in YR13-14. Therefore, the resident property tax contribution to the \$1.6M would be approximately \$512,000. If divided by the total number of owner occupied households (estimated to be 9,800 households), the total annual contribution by each household's property taxes to the Community Services

Department would be \$52. This amount does not include the other city overhead which supports the Community Services Department including Public Works, Finance, Human Resources, etc.

The County Assessor Office’s data listed the average assessed property value for Menlo Park to be \$1,012,126. If this amount is multiplied by the “Menlo Park Parks & Rec Bond” property tax rate, the average contribution to the Measure T bond by resident property owners is \$142 annually.

By combining the annual contribution to the General Fund and the annual contribution to Measure T, the total average contribution by residents’ property taxes to the Community Services Department is approximately \$194 each year.

Property Taxes	Average Annual Resident Property Tax Contribution
General Fund for CSD	\$52
Measure T	\$142
Total	\$194

COMMISSION FEEDBACK

Staff recommends the Parks and Recreation Commission consider the following options regarding the non-resident fees and registration priority policy:

Option A – Lower non-resident surcharge percentage for all non-residents

- The financial impact for lowering the non-resident surcharge to 25% or 20% could be potentially \$35,800 or \$80,900, respectively.
- There is potential for an increase in participation due to the lower fees which could offset these revenue losses and potentially increase overall revenue. However, it is difficult to measure and the potential risk is unknown. The General Fund contribution to Community Services Department may need to increase if non-resident participation does not increase at least 14% to offset the revenue loss.

Option B – Lower non-resident fees to the resident rate for only unincorporated Menlo Park non-residents

- The financial impact for removing the non-resident surcharge for non-residents of unincorporated Menlo Park is estimated to be approximately \$60,000 annually.
- Similar to Option A, there could be additional revenue from additional participants to offset the revenue decrease from lowering the non-resident

fees. With an average class cost of approximately \$200, the decrease in revenue with this option could result in the need for 300 more class registrations per session or an approximate increase of 23% more non-residents in order to breakeven. A separate or 3rd lower non-resident percentage for only unincorporated Menlo Park non-residents is not an option with current registration software and too challenging to implement.

Option C – Keep non-resident fees at current rate but cap non-resident surcharge at \$75 per class (or different amount)

- The financial impact for the \$75 per class cap would be approximately \$21,000 annually.
- This option would reduce the impact to customers who are paying more than approximately \$280 per class.
- Similar to Option A and B, it is unknown if there would be enough additional revenue for additional participants to offset the revenue decrease or whether the City's general fund would need to make up the difference.

Option D – Provide resident priority registration to unincorporated Menlo Park non-residents but make no changes to non-resident fees

- There is no financial impact to the annual revenue by selecting this option. There would be a one-time expense of approximately \$6,000 to implement this change to current registration system.
- Residents could be potentially impacted in programs with less available class capacity and may not be able to register for their preferred class or time slot.

Option E – Non-resident option to purchase “residency” by paying approximately \$194 or more annually

- The financial impact is difficult measure not knowing which non-residents would choose this option.
- This is another alternative to Option C, creating a cap per class, to assist those families paying more than \$100 per class in non-resident surcharge fees.
- Similar to Option D, residents would be potentially impacted in programs with less available class capacity. However, many of the higher level classes with the largest class fees have fewer issues with class capacity and could likely accommodate both residents and non-residents.

Option F – A combination of any of the above options

Option G – No change to non-resident fees or priority registration

IMPACT ON CITY RESOURCES

The financial impact to the City of Menlo Park's General Fund can range from \$0 to \$80,900 depending on the option(s) the Commission chooses to recommend to the City Council.

POLICY ISSUES

The policy question under consideration is whether or not the City should consider a subsidy for non-residents using City services, programs and facilities, including the option to eliminate priority registration period currently afforded to residents only.

ENVIRONMENTAL REVIEW

This report does not require an 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. Non-Resident Fee Policy for Unincorporated Areas of Menlo Park Staff Report – March 26, 2014

Report prepared by:
Derek Schweigart
Community Services Manager



COMMUNITY SERVICES DEPARTMENT

Parks and Recreation Commission Meeting Date: March 26, 2014

Agenda Item #: C1

REGULAR BUSINESS: **Review and provide general direction on the City's Non-Resident Fee Policy as it relates to unincorporated areas of Menlo Park**

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission provide general feedback and direction on the City's non-resident fee policy, as it relates to residents in unincorporated areas of Menlo Park for the purpose of fee collection.

BACKGROUND

The City Council recently received an email from a resident of unincorporated Menlo Park regarding the 35% surcharge added to Community Services program fees for non residents. Since these fees and the non-resident fee policy were set by Council, this question has been referred to the Park and Recreation Commission for review.

There are currently four unincorporated areas adjacent to the City of Menlo Park that include Stanford Weekend Acres along Alpine Road, West Menlo Park along the Alameda, Menlo Oaks between Middlefield and Bay and North Fair Oaks between Marsh and Fifth Avenue. Since its incorporation in 1927, the City of Menlo Park has gone through as many as seventy-two (72) annexations; the last was off of Santa Cruz Ave and Sand Hill Road back in 2000. The process of annexation by a City is quite a lengthy process and is typically initiated by resident petition to the City when an unincorporated area wishes to include their development in the City's service area and requires an extensive review process by the City and County. Areas adjacent to a City which remain unincorporated are those where residents have not taken the necessary steps to incorporate in the City's service area. The households in the unincorporated areas of Menlo Park have a City of Menlo Park address and zip code, but do not pay City property taxes. It is important to note that if the area of North Fair Oaks was annexed it would become incorporated into the City of Redwood City as it is not contiguous with Menlo Park city limits (Attachment A). There has historically been a disincentive for residents in unincorporated areas of cities like Menlo Park to want to incorporate. Prior to the issuance of Proposition 13 in the late 1970s, property taxes were much higher in incorporated areas of the City compared to that of the County. This served as a financial disincentive for residents to want to take on the added tax burden. In addition, unincorporated areas did not have to abide by the City's zoning ordinances, land use regulations and other City ordinances such as overnight parking restrictions,

etc. Also, in the late 1970s, small pockets of unincorporated area could be annexed by the City and did not require voter approval as with larger areas.

The City of Menlo Park receives approximately 12 cents on every property tax dollar paid by a City resident, or 12% of a resident property tax bill for those properties in the City limits. Those tax dollars go directly into the City's General Fund Revenues and pay for City services. These services include such things as police, roads, street lights, parks, recreation facilities and much more. Just as residents in other municipalities do not contribute to the property tax revenue collected by the City, neither do those in unincorporated areas near Menlo Park, whose property taxes go to support County services.

ANALYSIS

The City's General Fund revenues for FY 2013-14 include 33% from property taxes, 15% from sales tax, 18% from charges for services and the rest from a variety of smaller sources. The City's General Fund helps cover both the direct and indirect costs of providing the many services the City provides. Where charges for services are not possible, General Fund tax dollars pay for the delivery of these services. Even when there are charges for services, as there are with many Community Services programs, the full cost of providing those services does not include all of the overhead, capital spending and depreciation of facilities which is paid for by General Fund tax dollars. In FY 2013-14, the Community Services Department programs and facilities were supported by the General Fund by approximately \$1.6 million dollars, which does not include the capital investment and depreciation of recreation facilities.

The City of Menlo Park, as with many cities, charges a non-resident rate for its programs and services that helps to offset the overhead costs not shared by non-residents for programs, services and facilities. As the cost for delivering services to non-residents is equally to residents in terms of staffing, supplies and the wear-and-tear on facilities, which eventually will need to be replaced, The City Council has previously determined that it would not be in the interest of the City to be the supplier of recreation programs in the region if non-residents are not also contributing to covering the full costs of these services. It has been the position of the City that the General Fund or resident tax dollars, should not subsidize non-residents in the delivery and consumption of City services.

The City passes these costs on to non-residents by way of a non-resident user fee surcharge which varies between programs but is generally 35% of the resident rate. A full list of approved charges for services can be found on the City's Master Fee Schedule (Attachment B).

Over the past twenty years, the City has made incremental increases to the non-resident fee in order to improve cost-recovery, especially during economic down turns and when the City was facing a fiscal crisis. Also, in 1999, the City did a comparison study of non-resident rates among nine other cities on the Peninsula, resulting in an increase in the non-resident rate from 20% to 25%, placing the City's non-resident fee

within the average range being charged by other cities. The rate was increased to 32% in 2002 and then again in 2004 to 35%, which is where it has remained for the past 10 years. Per the Master Fee Schedule, the non-resident surcharge may be less than or greater than 35%, depending on the particular program and/or circumstances.

In a recent survey of neighboring cities on the Peninsula, which includes Colma, Burlingame, San Mateo, Foster City, San Carlos, Redwood City, Palo Alto, Mountain View and Santa Clara, the non-resident rate averaged between 20% and 50%, with most charging around 25% surcharge. Of the cities surveyed, Colma charged the most to non-residents, which was the actual cost of the program, with Palo Alto second -- upwards of 50% for their non-resident rate. The City of Palo Alto also restricts access to non-residents to some of its public parks. The only City that charged the non-resident fee differently was Foster City, which charges a flat \$10 fee; which, depending on the class fee, could be anywhere from 1% to 90% of the resident rate. Of the Peninsula cities that have adjacent unincorporated areas, some of the cities, like San Carlos, Redwood City and Mountain View, charge those residents the same as their residents as long as they have a city address and zip code since they do not have address data bases that identify unincorporated households with city mailing addresses. Other cities having unincorporated areas, like Colma and San Mateo, do charge those residents the non-resident rate since their systems CAN identify unincorporated addresses with city mailing addresses.

The City of Menlo Park Community Services Department's customer database includes approximately 34,000 customers, some of which are active customers that include adults and children, and some which no longer use our services. In terms of residency versus non-residency: 52% of our customers are Menlo Park residents, 16% are Menlo Park non-residents and 32% are from other cities and are non-residents. Excluding the pools, which are fully operated by an outside contractor, and special events, for which we do not have accurate data in terms of residency, the majority of the non-resident revenue collected comes from the Recreation Services Division. There is an insignificant amount of revenue from Social Services programs and childcare. The revenue collected in the Recreation Services division was \$3,058,250 for FY 2012-13 which means that:

- 52% of revenue collected, or \$1,590,290, came from residents.
- 32% of revenue collected, or \$978,640, came from non-residents in other cities.
- 16% of revenue collected, or \$489,320 came from unincorporated Menlo Park non-residents

Based on these percentages and estimated dollar amounts, the amount of revenue collected as a result of the 35% non-resident fee surcharge (excluding resident fees) is:

- \$253,722 for non-residents in other cities (non-resident surcharge for 32% of revenue).
- \$126,860 for unincorporated Menlo Park non-residents (non-resident surcharge for 16% of revenue).

Staff recommends the Parks and Recreation Commission consider the following questions in their review and discussion of the City's non-resident fee policy and the treatment of residents in unincorporated areas of Menlo Park as non-residents for the purpose of fee collection:

1. Should the City of Menlo Park reconsider charging a surcharge to non-residents for programs and services?
2. Should the City of Menlo Park reconsider how it classifies residents of unincorporated areas of Menlo Park?
3. If the City should reconsider charging a surcharge to non-residents or residents of unincorporated Menlo Park, what other information would the Parks and Recreation Commission want to receive that would assist in making a recommendation to the City Council?

IMPACT ON CITY RESOURCES

The estimated fiscal impact to the City of Menlo Park if it eliminated the non-resident fee surcharge for recreation classes and programs is \$380,582. This is only an estimate and does not include non-resident fee surcharges for Social Services programs, field reservations, picnic rentals and tennis court rentals. For reference, the total budget of the Adults Sports Program is \$310,000. Total budget for the Onetta Harris Community Center is about \$460,000.

POLICY ISSUES

The policy question under consideration is whether or not City of Menlo Park residents should subsidize non-residents for City services, programs and facilities, and if so, to what degree?

ENVIRONMENTAL REVIEW

This report does not require an 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. City of Menlo Park Map and Unincorporated Areas
- B. City of Menlo Park Master Fees Schedule

Report prepared by:

Derek Schweigart

Assistant Director Community Services

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**MASTER FEE
SCHEDULE
July 1, 2013**

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GENERAL

COPY CHARGES

Per image (8 ½ x 11 sheet)	\$.10
Per image (11 x 17 sheet)	.20

RESIDENTIAL INFORMATION PACKETS

Each	5.00
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RETURN CHECK CHARGE

Per check – each return	30.00
Each department must display a sign indicating charge.	

STATE LAW CONCERNING RETURNED CHECK NOTIFICATION

California Civil Code, Chapter 522, Section 1719

Any person who issues a check on insufficient funds shall be liable for three times the amount of the check or \$100.00, whichever is greater.
The maximum amount which can be collected is \$1,500.00, plus the face value of the check, court costs and accrued interest.

A cause of action under this section may be brought in small claims court, if it does not exceed the jurisdiction of that court, or in any other appropriate court.

COLLECTION AGENCY FEE RECOVERY

The City will assess an additional 25% fee to any debt owed to the City which is assigned to a collection agency.	25% of assigned debt
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ADMINISTRATIVE SERVICES

MUNICIPAL CODE BOOK

Code Book and updating supplements to date.	
Unassembled	50.00
Assembled	250.00

PRIVATE SUBSCRIPTIONS

City Council	
Agendas	30.00
Minutes	45.00

The above fees cover paper, envelopes and postage costs.

NOTE: Current agendas and minutes can be picked up without charge at City Hall. You can also subscribe via the City's website (www.menlopark.org) to receive agendas and minutes by email free of charge.

CANDIDATES' ELECTION STATEMENT

Candidates' reimburse City for the statement printing and mailing costs. (Collected in advance. Any overpayment will be refunded.)	350.00
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POLITICAL CAMPAIGN STATEMENTS AND REPORTS

Copying charge (as per Government Code Section 81008) - per page	.10
Statements five or more years old - per statement	5.00

ADDITIONAL MAILING CHARGE

Inclusion of additional correspondence with weekly agenda mailings to various subscribers cost of postage

TAPE RECORDING DUPLICATION

Audio tape of City Council meetings - per tape (collected in advance) actual cost
Video tape of City Council meetings - per tape (collected in advance) actual cost

ADMINISTRATION BUILDING CONFERENCE ROOM RENTAL

Residents - per hour (plus cleaning fee deposit) \$ 60.00
Non-residents per hour (plus cleaning fee deposit) 85.00
Plus equipment and furnishings replacement - per hour 5.00

COUNCIL CHAMBERS RENTAL

Residents - per hour (plus cleaning fee deposit) 125.00
Non-residents – per hour (plus cleaning fee deposit) 160.00
Commercial – per hour (plus cleaning fee deposit) 190.00
Service charge on cancellations 25.00
Cleaning Deposit (refundable) 250.00
Facility Attendant – per hour 17.50
Plus equipment and furnishings replacement – per hour 5.00
Other rental item: Piano - per use per meeting 50.00

MIS/PRINTING

Staff hourly billing rate per hour for programming and report generation plus material cost - 1/2 hour minimum Quotation

Staff hourly billing rate per hour for City Print Operator plus material cost- 1/2 hour minimum Quotation

FILM, VIDEO and AUDIO PRODUCTION PERMITS

Application Review and Coordination 150.00
Revisions – each 50.00
Daily Permit Fees
Still Photography and Short Subject 50.00
Industrials 100.00
Features, TV, Music Videos and Commercials 150.00

PUBLICATIONS

Financial Statement – plus postage 20.00
Budget, bound copy – plus postage 15.00
Master Fee Schedule – plus postage 5.00

BUSINESS LICENSE

Duplicate Business License Certificate 2.00

VERIFICATION OF NON-CONFIDENTIAL BUSINESS LICENSE INFORMATION

For Collection Agencies, etc. - per item 5.00
For Menlo Park residents No Charge

MENLO PARK MUNICIPAL WATER

WATER

Metered Service Connection Charges: The estimated installation costs for metered services, based on the scope of the work, shall be paid to the Water Department before installation. The charge for installing the service shall be the actual cost of the meter, materials and labor, plus 25% of the costs for Engineering Division administration. Meters and materials remain the property of the Water Department.

Payment of a Capital Facilities Charge based on meter size is also required in advance:

Capital Facilities Charge Based on Meter Size

<u>CODE</u>	<u>SIZE</u>	<u>CAPITAL FACILITIES CHARGE</u>	<u>CODE</u>	<u>SIZE</u>	<u>CAPITAL FACILITIES CHARGE</u>
A	5/8"	\$ 2,706.00	E	2"	\$ 14,348.00
B	3/4"	2,706.00	F	3"	26,247.00
C	1"	4,328.00	G	4"	40,595.00
D	1-1/2"	8,935.00	H	6"	90,124.00

Larger sizes based on ratio of size to 5/8" – 3/4" meters.

Un-metered Fire Service Connection Charges: The estimated installation costs for un-metered fire service, based on the scope of the work, shall be paid to the Water Department before installation. The charge for installing the service shall be the actual cost of labor and materials, plus 25% for Engineering Division administration. Materials remain the property of the Water Department.

Payment of a Capital Facilities Charge for Fire Services is also required in advance:

Fire Services with sprinklers	\$ 1,000.00
Fire Services without sprinklers	3,500.00

Deposit Required to Establish Water Service Account: A deposit of \$25.00 per account is required of all customers applying for service. The deposit will be credited as a payment to customers Water Service Account when one year of timely payment history is achieved or at the close of account whichever comes first.

Penalty Deposit on Re-establish Water Service Account: A deposit equal to twice a normal monthly billing is required to re-open a service which has been disconnected due to non-payment. The deposit will be credited as a payment to customers Water Service Account when one year of timely payment history is achieved or at the close of account whichever comes first.

Deposit Required for Temporary Meters: A temporary water meter may be obtained from the Water Department upon payment of a \$2,500.00 deposit. Monthly rental charge is \$15.00. Temporary meters are to be read and billed monthly. If an illegal connection is determined, 100 units will be automatically billed in addition to the monthly bill. The Water Department shall designate the hydrant where temporary meters are to be used. The deposit will be refunded after return of the meter (undamaged) and payment of the final rental and reading billing.

Schedule of Charges:

Minimum monthly service charge based on meter size:

<u>CODE</u>	<u>SIZE</u>	<u>MONTHLY CHARGE</u>	<u>CODE</u>	<u>SIZE</u>	<u>MONTHLY CHARGE</u>
A	5/8"	\$ 14.46	F	3"	\$ 140.21
B	3/4"	14.46	G	4"	216.83
C	1"	23.12	H	6"	481.38
D	1-1/2"	47.70	I	8"	1,068.28
E	2"	76.62	J	10"	2,370.74

Plus a charge for water consumed based on monthly meter readings:

First 5 Units	\$	2.30
Next 6 through 10 Units		2.90
Next 11 through 25 Units		3.47
All Units over 25		4.63

Plus: Capital Facilities Surcharge (per unit) - MPMWD Services .48

Un-metered Fire Connection Charges:

Monthly service charge based on size of the connection:

<u>CODE</u>	<u>SIZE</u>	<u>CHARGE</u>	<u>CODE</u>	<u>SIZE</u>	<u>CHARGE</u>
A	1-1/2"	\$ 4.00	F	8"	\$ 17.00
B	2"	5.00	G	10"	22.00
C	3"	7.00	H	12"	28.00
D	4"	9.00	I	8" & 10"	39.00
E	6"	13.00			

Finance charge on late payment:

1.5% Interest charge plus a penalty of 5% or \$3.00, whichever is higher, if service has been turned off.

Turn-on and Reinstallation fee:

(for services closed for non payment):

During business hours - per hour fee (one hour minimum)	25.00
After business hours - per hour fee (one hour minimum)	65.00
Collection of delinquent account by third party collection agency	10.00
Fine for unauthorized connections – per occurrence	50.00
Removal of locks – per occurrence	50.00
Fire Flow Test (report included)	250.00
Additional copies of Flow Test Reports	25.00
Backflow Preventor Tags (3 year tag for tested assembly)	20.00

COMMUNITY SERVICES

ARRILLAGA FAMILY RECREATION CENTER

Cancellation fee for dropped classes	\$ 15.00
Equipment replacement and facility maintenance fee per class	2.00 to 5.00
Promotional Discounts – sliding scale – 5% to 15%	
Menlo Madness – Weekly Camps – per week – sliding scale	175.00 to 304.00
– Camp Registration Deposit (non-refundable)	25.00
– Extended Care – 10 hours a week	50.00

(Non-resident fees are 135% of resident fee unless a non-resident fee is listed)

RECREATION RENTALS – ALL FACILITIES

Confirmation of the reservations of a room rental by the recreation staff requires that the Community Services Department receive at the time of application, full payment of the rental fee for the total number of hours required for the function as well as a security and cleaning deposit from the individual or group renting the facility. Compliance with the rental contract as well as the security and clean-up procedures is the determining factor in the refunding of all or part of the security/cleaning deposit. No function can end later than 11 p.m., for weekday rentals and 1 a.m. on weekends. The Community Services Department must be given two weeks notice of any cancellation of a weekend rental and one week notice for cancellation of a weekday rental to receive a full refund. There is a **\$25.00** service charge on cancellations. Any exceptions to these requirements must be submitted to the director in writing two weeks before the activity takes place. ****Note:** Staff fee of \$17.50 per hour for each staff member assigned to an event for regular operational hours and \$26.75 per hour for overtime and holidays.

ARRILLAGA - WEEKEND RENTALS – Friday evening, Saturday & Sunday (2 hour minimum)

Sequoia Room – includes staff, tables and chairs for inside use.	
Resident – per hour	\$ 170.00
Non-resident – per hour	230.00
Elm Room - includes staff, tables and chairs for inside use.	
Resident – per hour	75.00
Non-resident – per hour	100.00
Cypress Room – includes staff, tables and chairs for inside use.	
Resident – per hour	75.00
Non-resident – per hour	100.00
Maple Room – includes staff, chairs for inside use.	
Resident – per hour	100.00
Non-resident – per hour	135.00
Willow Room - includes staff, tables and chairs for inside use.	
Resident – per hour	50.00
Non-Resident – per hour	70.00

ARRILLAGA - WEEKEND RENTALS – Friday evening, Saturday & Sunday
(2 hour minimum) - continued

Oak Room - includes staff, tables and chairs for inside use.	
Resident – per hour	\$ 75.00
Non-Resident – per hour	100.00
Juniper Room - includes staff, tables and chairs for inside use.	
Resident – per hour	75.00
Non-Resident – per hour	100.00
Large Patio	
Resident – per hour	170.00
Non-resident – per hour	230.00
Small Patio – additional charge with rental of Oak or Elm Rms – per hour	50.00
Kitchen	
Resident – per hour	40.00
Non- Resident – per hour	55.00

ARRILLAGA - WEEKDAY RENTALS (2 hour minimum)

Sequoia Room – includes staff, tables and chairs for inside use.	
Resident – per hour	125.00
Non-resident – per hour	170.00
Elm Room - includes staff, tables and chairs for inside use.	
Resident – per hour	55.00
Non-resident – per hour	75.00
Cypress Room – includes staff, tables and chairs for inside use.	
Resident – per hour	55.00
Non-resident – per hour	75.00
Maple Room – includes staff, chairs for inside use.	
Resident – per hour	75.00
Non-resident – per hour	100.00
Willow Room - includes staff, tables and chairs for inside use.	
Resident – per hour	35.00
Non-Resident – per hour	50.00
Oak Room - includes staff, tables and chairs for inside use.	
Resident – per hour	55.00
Non-Resident – per hour	75.00
Juniper Room - includes staff, tables and chairs for inside use.	
Resident – per hour	55.00
Non-Resident – per hour	75.00
Large Patio	
Resident – per hour	125.00
Non-resident – per hour	170.00
Small Patio – additional charge with rental of Oak or Elm Rms – per hour	50.00
Kitchen	
Resident – per hour	25.00
Non-resident – per hour	50.00

MISCELLANEOUS RENTAL ITEMS

Use of indoor furniture outdoors – Patio and certain picnic areas	
Table – each	\$ 5.00
Chair – each	1.00
EZ Up Canopy – (rental including setup and take down) – per day - each	75.00
Above fees include equipment and furnishings replacement fee:	
Per hour fee added to all room rental fees above for residents	5.00
Per hour fee added to all room rental fees above for non-residents	8.00
Cleaning Fee	75.00
Use of the Arrillaga Recreation Center by Recreation Department sponsored or co-sponsored groups on weeknights after 10 p.m. (Fridays after 7:00 p.m.), or on weekends shall be charged a staff fee of \$17.50 per hour.	
Birthday Party Packages – Residents	175.00
(non residents an additional \$52)	to 800.00
Non-Profit use of facilities – 50% discount off hourly room rates	
Multi-room Discount – 30% discount on any additional room(s) rented for the same time – applies only to the lower cost room(s)	

ARRILLAGA FAMILY GYMNASIUM

Court Rental fee (Arrillaga Gym only):	
Resident - per hour	70.00
Non-resident – per hour	95.00
Monthly Rental Agreement – one month - 10% discount	
Monthly Rental Agreement – 6 – 12 months – 20% discount	
Conference Room Rental – per hour	30.00
Locker rental – 6 months - Resident:	41.00
Locker rental – 6 months - Non-Resident:	55.00
Showers	
Single usage	3.00
Unlimited usage – per month	30.00
Near-court storage rental – per square foot per month	1.00
Security Deposit – refundable if no damage during rental period	250.00
	to 500.00

ARRILLAGA FAMILY GYMNASTICS CENTER

GYMNASTICS CLASSES – per hour fee

1-2 hours per week	13.40
3 hours per week	10.45
6 hours per week	8.90
9 hours per week	8.45
12 hours per week	7.85
15 hours per week	7.00
MCC participant – per hour fee	5.00
Private Lessons	
1/2 hour – resident – up to two children	35.00
- each additional child	15.00

GYMNASTICS CLASSES – per hour fee - continued

Low Income – Reduced Fee Program - sliding scale – per hour	\$ 1.50 to 5.00
Gymnastics - Registration / Insurance fee - per registration	9.00
All gymnastics fees for non-residents are 125% of resident fee.	
Birthday Party Packages – Residents (non residents an additional \$52)	175.00 to 800.00

ROOM RENTALS

Gymnastics Room – Per Hour – Resident	160.00
– Non-resident	200.00
Fitness Room – Per Hour – Resident	25.00
– Non-resident	35.00
Multi-Purpose Room – Per Hour – Weekday – Resident	35.00
Weekday – Non-resident	50.00
Weekend – Resident	50.00
Weekend – Non-resident	70.00
Security Deposit – One Day Rental	250.00
– Multi-Day Rental	500.00

BURGESS PARK CINCESSION STAND

3 month rental – March 31 through July 3	275.00
– July 5 through August 15	275.00
– August 18 through November 15	275.00
Daily rental	75.00
Security Deposit	250.00

MENLO PARK SENIOR CENTER

Grand Ballroom and Kitchen Rental Fee	
Resident – per hour	120.00
Non-resident – per hour	150.00
Imagination Room	
Resident – per hour	40.00
Non-resident – per hour	50.00
Community Room	
Resident – per hour	40.00
Non-resident – per	50.00
Poolside Patio Rental Fee	
Resident – per hour	100.00
Non-resident – per hour	135.00

ONETTA HARRIS COMMUNITY CENTER

Activity Room Rental Fee	
Resident – per hour	\$ 50.00
Non-resident – per hour	65.00
Art/Class Room Rental Fee	
Resident – per hour	32.00
Non-resident – per hour	40.00
Kitchen Rental Fee	
Resident – per hour	20.00
Non-resident – per hour	26.00
Conference Room Rental Fee	
Resident – per hour	29.00
Non-resident – per hour	38.00
Gymnasium Rental Fee	
Resident – per hour	40.00
Non-resident – per hour	54.00
Long-term rental discount – 20 or more hours in a year	25%
Long-term rental discount – 20 or more hours in a year and providing Programs for Belle Haven residents	50%
Non-Profit use of facilities – 50% discount off hourly room rates	

ROOM RENTAL – SECURITY DEPOSITS (all facilities)

Standard (refundable)	250.00
Alcoholic Beverage Service (refundable)	500.00

FACILITY RENTAL STAFF ASSISTANCE FEE – one hour minimum

For requested staff assistance beyond that provided in the rental agreement	*Staff hourly billing rate
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ATHLETIC FIELDS USAGE – NATURAL TURF – Non Profit Groups

per hour – per team – (Little League, AYSO, MAASL, etc.)

Baseball/Softball – Youth – resident	10.00
Youth – non resident	18.00
Adult – resident	26.00
Adult – non resident	40.00
Soccer – Youth – resident	16.00
Youth – non resident	26.00
Adult – resident	36.00
Adult – non resident	53.00

ATHLETIC FIELDS USAGE – NATURAL TURF – For Profit Groups

per hour – per group

Resident	33.00
Non resident	72.00

ATHLETIC FIELDS USAGE – SYNTHETIC TURF – Non Profit Groups

per hour – per team – (AYSO, CYSA, MAASL, etc.)

Soccer – Youth – resident	25.00
Youth – non resident	34.00
Adult – resident	40.00
Adult – non resident	54.00

ATHLETIC FIELDS USAGE – SYNTHETIC TURF – For Profit Groups

per hour – per group

Resident	60.00
Non resident	100.00

LIGHTING FEE – SYNTHETIC TURF – All Groups

Resident	\$ 10.00
Non resident	20.00

TENNIS COURTS

Yearly Key – Calendar Year – Purchased Jan through Jun - Residents	50.00
Purchased July through Dec - Residents	30.00
Yearly Key – Calendar Year - Purchased Jan through Jun - Non-residents	100.00
Purchased July through Dec – Non-residents	60.00
Court Rental – Day Use – Up to One Week – Per Day Fee	5.00
Court Rental – Special Events – Per hour – Resident	*15.00
– Non-resident	*20.00

*Hourly Fee in Addition to Yearly Tennis Key Purchase

PICNIC AREAS – per hour – per area

Resident	7.00
Non resident	12.00

WEDDINGS IN PARK (Sharon Park only)

Residents	150.00
Non-residents	250.00

NOTE: The above fees **do not** include field preparation or equipment.

BEDWELL BAYFRONT PARK

Special Event Park Usage – (non-exclusive use of park) – Per Day	100.00
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YOUTH AFTERSCHOOL SPORTS – per season – per team

Volleyball – All Grades – resident	527.00
Volleyball – All Grades – non resident	713.00
Basketball – 3 rd & 4 th Grades – resident	636.00
Basketball – 3 rd & 4 th Grades – non resident	793.00
Basketball – 5 th to 7 th Grades – resident	818.00
Basketball – 5 th to 7 th Grades – non resident	984.00

ADULT SPORTS – LEAGUES - per season – per team

Basketball	775.00
Softball – Men’s	896.00
Softball – Co-ed	698.00
Softball – Noon	225.00
Volleyball – Co-ed	738.00
Non-resident Team Surcharge (<50% residents on team)	10%

OHCC COMMUNITY CLASSES

Community/Contact Classes – Sliding Scale – per hour	1.50 to 5.00
Fee Assistance Program/Discounts – sliding scale	1.50 to 5.00
Community Classes – sliding scale – based on income level*	
Extremely Low Income	25%
Very Low Income	38%
Low Income	50%

*Program fees charged based on income levels set by the San Mateo County Housing Office. Non-resident fees 135% of resident fee.

MENLO CHILDREN'S CENTER – MICELLANEOUS CHILDCARE FEES

Late Tuition Payment Fee – assessed if payment not received by the 5 th of the month	\$ 20.00
Late Pick-up Fee – per child not picked-up by scheduled closing time	
– First 10 minutes	15.00
– Each additional minute	1.00
Lunch Fee	10.00
Non-notification of Absence Fee	25.00
Waiting List Application Fee	50.00

MENLO CHILDREN'S CENTER SCHOOL- SEASONAL PROGRAMS

2 week Camp - 1 st through 5 th grades (Field Trips subject to extra fees)	375.00
2 week Camp – Middle School grades (Field Trips subject to extra fees)	375.00
2 week Camp - Kindergarten (Field Trips subject to extra fees)	447.00
(above fees are reduced by 5% when pre-enrolling two continuous sessions)	
Extended Hours – per week	50.00
1 week Camp – All age groups – per week fee range	175.00 to 304.00
Weekly Camps – School Year Breaks	258.00
Morning Birds – per hour rate	9.50
Morning Program – 8:30 am to Noon (Field Trips subject to extra fees)	
5 days a week (per month)	538.00
3 days a week (per month)	341.00
2 days a week (per month)	239.00
Extended Morning Program – 8:30 am to 2:00 pm (Field Trips subject to extra fees)	
5 days a week (per month)	846.00
3 days a week (per month)	536.00
2 days a week (per month)	376.00
Wise Owls – per hour rate	9.50
(Non-resident fees are 135% of resident fee unless a non-resident fee is listed)	

MENLO CHILDREN'S CENTER SCHOOL-AGE CHILD CARE – AFTERSCHOOL PROGRAM

- per month fee	
1 st through 5 th grades (Full-time 5 day)	\$ 425.00
1 st through 5 th grades (Full-time 3 day)	310.00
1 st through 5 th grades (Full-time 2 day)	242.00
Morning Kindergarten (Full-time 5 day)	670.00
Morning Kindergarten (Full-time 3 day)	489.00
Morning Kindergarten (Full-time 2 day)	382.00
Afternoon Kindergarten (Full-time 5 day)	460.00
Afternoon Kindergarten (Full-time 3 day)	331.00
Afternoon Kindergarten (Full-time 2 day)	262.00

(Non-resident fees are 135% of resident fee unless a non-resident fee is listed)

MENLO CHILDREN'S CENTER SCHOOL-AGE CHILD CARE – EXTENDED CARE

Per week (one-half hour per day) – resident	10.00
Per week (one-half hour per day) – non-resident	13.50

MENLO CHILDREN'S CENTER – PRESCHOOL – per month fee

Toddler room (Full-time 5 day)	1,787.00
Toddler room (Part-time 3 day)	1,304.00
Toddler room (Part-time 2 day)	1,018.00
Early pre-school room (Full-time 5 day)	1,405.00
Early pre-school room (Part-time 3 day)	1,026.00
Early pre-school room (Part-time 2 day)	801.00
Pre-school room (Full-time 5 day)	1,405.00
Pre-school room (Part-time 3 day)	1,026.00
Pre-school room (Part-time 2 day)	801.00
Hot Lunch Fee (Friday only)	4.00

(Non-resident fees are 135% of resident fee unless a non-resident fee is listed)

<u>MENLO CHILDREN'S CENTER</u> – Facility Rental – Per Hour (2 hour minimum)	115.00
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BELLE HAVEN PROGRAMS:

CDC Preschool (non-certified program) – per month fee

Resident	\$ 854.00
Non-resident	1,153.00
Toddler – Resident	1,086.00
Toddler – Non-resident	1,466.00

CDC – Miscellaneous Childcare Fees

Late Pick-up (per child not picked up by scheduled closing time)	
- First 10 minutes	15.00
- Each additional minute	1.00

PARENTS NIGHT OUT – 3 hours of unlicensed care

First Child	20.00
Each Additional Sibling	10.00
Children not enrolled in a season program	25.00

BELLE HAVEN SCHOOL AGE CHILD CARE - AFTERSCHOOL PROGRAM – per month fee

Kindergarten – standard start (non-subsidized) (resident)	460.00
1 st through 6 th grade – standard start (non-subsidized) (resident)	425.00
Kindergarten – standard start (subsidized*)	104.00
1 st through 6 th grade – standard start (subsidized*)	95.00
Kindergarten – early start (non-subsidized)	670.00
Kindergarten – early start (subsidized*)	124.00

*Program fees charged based on extremely low income levels set by the San Mateo County Housing Office. Subsidized rates for eligible residents only. Non-resident fees 135% of the non-subsidized resident fee.

BELLE HAVEN SCHOOL AGE CHILD CARE – CAMP PROGRAMS

- 2 week program – Summer Break – resident

Kindergarten (non-subsidized)	550.00
Kindergarten (subsidized*)	156.00

1st through 6th grade (non-subsidized) 425.00

1st through 6th grade (subsidized*) 135.00

- 1 week program – Winter/Spring Breaks

Kindergarten through 6th grade (non-subsidized) 292.00

Kindergarten through 6th grade (subsidized*) 80.00

BELLE HAVEN SCHOOL AGE CHILD CARE – CAMP PROGRAMS - continued

- One Day Program – School Breaks – Daily Fee - resident

Single All Day Care (non-subsidized) \$ 62.00

Single All Day Care (subsidized*) 20.00

(Field Trips are subject to extra fees)

*Program fees charged based on extremely low income levels set by the San Mateo County Housing Office. Subsidized rates for eligible residents only. Non-resident fees 135% of the non-subsidized resident fee.

BELLE HAVEN SCHOOL BREAKS – One Day Program (daily fee) 15.00

NOONTIME BASKETBALL/VOLLEYBALL

Per day – Monday through Saturday 2.00
Sunday 3.00

11 visits 20.00

ADVERTISING RATES – ACTIVITY GUIDE AND CITY SPOTLIGHT

Activity Guide Ad (as space available) 50.00
to 900.00

Video Display Ad – per month 10.00

SPECIAL EVENT PERMIT APPLICATION FEE – based on level of services provided

Minor Event 125.00

Major Event 250.00

NON-RESIDENT SURCHARGE FEE

All programs and services (unless noted otherwise) 35%

LIBRARY

FEES

Library Card	
Residents	No Charge
Replacement fee for lost or forgotten library card	\$ 2.00
Other	
Hold placement	.75
Library meeting room - per hour charge for use by non-City or non-City-sponsored groups (non-profit groups only)	35.00
Processing fee for lost and overdue (more than 30 days) materials	5.00
Proctor exam – Residents – each	25.00
Proctor exam – Non-residents – each	75.00
Overdue Fines	
Adult materials - per day	.25
Maximum fine per adult item	8.00
Children's materials - per day	.15
Maximum fine per children's item	6.00
Damaged Materials Fee	
Fee based on extent of damage as determined by staff. Minimum Fee \$ 5.50. Fee is the value of the damaged item plus \$5.00 for processing	
Collection Agency Fee	10.00

EQUIPMENT USE

Microfilm reader/printer – per page	.25
Copy/Internet Printers – per page	.15
Guest Internet Access – per use	1.00

POLICE

CASE COPIES

Per report	\$	2.00
Additional copy - per page		.10

LETTER OF GOOD CONDUCT

30.00

FINGERPRINTING DOCUMENT PROCESSING

Per person (plus Department of Justice and other agency fees)	45.00
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MESSAGE PERMIT PROCESSING

Initial Permit (does not include fingerprint fees)	135.00
Annual Renewal Permit	135.00

PEDDLERS – SOLICITORS PERMIT PROCESSING

Initial Permit (does not include fingerprint fees)	135.00
Annual Renewal Permit	135.00

CHECK CASHING PERMIT PROCESSING

Initial Permit (does not include fingerprint fees)	955.00
Annual Renewal Permit	955.00

NOTARY AND DOCUMENT CERTIFICATION SERVICES

Notary - per signature	10.00
Document Certification – per document	10.00

BICYCLE LICENSE FEE

3 year license	6.00
Renewal	4.00

CHILD SEAT SAFETY INSTALLATION

Resident	40.00
Non resident	100.00

FALSE ALARM PROGRAM

Registration	25.00
Standard – False Alarm Response	175.00
High Risk – False Alarm Response	350.00
30 Day late charge – additional billing surcharge	10%
60 Day late charge – additional billing surcharge	10%

DUI EMERGENCY RESPONSE

Arrest with non-injury and minor injury accident	1,300.00
Arrest with major injury and/or Manslaughter	*Actual Costs

*Fee based on calculated costs of each arrest including wages at staff hourly billing rates

VEHICLE RELEASES

Vehicle Code Infraction	200.00
Misdemeanor or Felony Incidents	300.00
Early release of impounded vehicle	100.00

MISCELLANEOUS PERMITS

Sound device	\$ 50.00
Explosive Permits – initial	84.00
– each additional	84.00

PREPARATION FEES

Photo/Media graphic Reproductions	*Actual Costs
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*Fee based on staff hourly billing rates and Photo/Media reproduction costs.

RESEARCH FEE

*Actual Costs

*Fee based on staff hourly billing rates.

CIVIL SUBPOENA APPEARANCE

*Fee based on staff hourly billing rates and other expenses.	* 400.00 Deposit
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MISCELLANEOUS DOCUMENT COPIES

1st page	2.00
Each additional	.10

UNRULY GATHERINGS

After initial written warning \$100 plus cost of repair to damaged City property and the cost of an officer per hour for each officer called out to the scene.	100.00 plus actual costs
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BACKGROUND INVESTIGATIONS

*Actual Costs

*Fee based on staff hourly billing rates and Department of Justice fees.

COUNSELING PROGRAM

Per session	25.00
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TAXI CAB OPERATOR PERMIT

Initial application (includes fingerprinting)	75.00
Renewal application (annual - no fingerprints)	50.00

ROTATION TOW SERVICE CONTRACT

Annual Application and Maintenance	150.00
Per vehicle towed – stored and released after 30 days	100.00
Three tow request non-response within six months	150.00
Failure to display identification	100.00
Records check	10.00
Dispatching or Towing without contract	100.00

<u>REPOSSESSION FEE</u> – (fee subject to change per California Vehicle Code)	\$ 15.00
<u>VEHICLE IDENTIFICATION NUMBER VERIFICATION</u> – per request	27.00
<u>REAL ESTATE SIGN RETRIEVAL</u> – per sign	20.00
<u>HELICOPTER LANDING and HOVERING</u> – per event	200.00
<u>INTOXIMETER RENTAL</u> – per day (*plus \$300 equipment deposit)	*75.00
<u>SHIPPING and HANDLING</u> (*Postage and packaging on internet/phone orders)	*Actual Costs
<u>PROPERTY INSPECTION FEE</u>	25.00
<u>CITATION REPLACEMENT</u> – per citation	11.00
<u>CITATION SIGN OFF</u>	15.00
<u>HOURLY CHARGE BY POSITION</u> - Fee based on staff hourly billing rate	
<u>DOWNTOWN PARKING PERMITS</u>	
Employee and Merchant Delivery Vehicle – Annual	592.00
Permit Replacement/Updating	30.00
Permit Surrender – Refund Processing	75.00
Full-day parking – Per day	10.00
<u>OVERNIGHT PARKING PERMITS</u>	
Per-night/One-night parking	2.00
After hours permit issuance	5.00
Annual overnight permit	150.00
Permit Replacement/Updating – each	25.00
<u>RESIDENTIAL DAY TIME PARKING PERMITS</u>	
Flood Park Area (3 permits – annual fee)	15.00
College Park / Crane Area (3 permits – annual fee)	15.00
Permit Replacement/Updating – each	15.00
Single Use Permit – each	1.00
<u>PARKING VIOLATIONS</u>	
15 Feet of Firehouse – 22500 (D) CVC	45.00
15 Feet of Fire Hydrant – 22514 CVC	45.00
18 Inches from Curb / Wrong Side of Street – 22502 CVC	45.00
72 Hours Tow – 11.24.070 MPMC	58.00
Abandoned Vehicle – 22523(A) CVC	108.00
Abandoned Vehicle – 22523 (B) CVC	108.00
Between Zone and Curb – 22500 (C) CVC	45.00
Bicycle on Sidewalk – 21210 CVC	45.00
Blocking a Driveway – 22500(E) CVC	45.00

PARKING VIOLATIONS - continued

Blocking Intersection – 22526 (A) CVC	\$ 58.00
Curb Markings – Red, Green, Yellow, White - 11.08.030 MPMC	45.00
Display for Sale – 11.24.030 MPMC	45.00
Display Vehicle for Sale – 3-7.311 MPMC	45.00
Double Parking – 22500 (H) CVC	45.00
Drive / Park Public Grounds – 21113 (A) CVC	45.00
Failure to Obey Signs / Markings – 11.20.020 MPMC	45.00
False Evidence of Registration – 4462 CVC	128.00
Fire Hydrant Private Property – 10.206 UFC	63.00
Fire Lane – 22500.1 CVC	45.00
Fire Lane / Posted – 10.207 (G) UFC	63.00
Foreign Registration – 41525 CVC	45.00
Front Yard Storage – 8.20.020 MPMC	45.00
Handicapped Parking – 22507.8 CVC	333.00
Improper Use of Registration – 4461 (B) CVC	128.00
Inoperable Vehicle on Private Property – 41-1 SCZO	45.00
License Plates (reduced fee with Proof of Correction) – 5200 CVC	Fee set by State
Loading Zone – 22500(I) CVC	45.00
Low Tire Tread – 27465 (B) CVC	45.00
Mirrors Required – 26709 (B) CVC	45.00
Miscellaneous – 11.44.030 MPMC	45.00
Mudguard Required – 27600 CVC	45.00
Near Excavation – 22500 (G) CVC	45.00
New Owner Transfer within Required Time – 5902 (A) CVC	45.00
Night Parking 2 AM – 5 AM – 11.24.050 MPMC	45.00
No Gas Cap – 27155 CVC	45.00
Not in Marked Space – 11.24.010 MPMC	45.00
Obstruction of Access / Sidewalk Ramp – 22522 CVC	45.00
One Way Street – 11.24.040 MPMC	45.00
Overtime Parking – 11.24.009 MPMC	45.00
Parked in Tunnel – 22500 (J) CVC	45.00
Parked on a Highway – 22504 CVC	45.00
Parked on Bridge – 22500 (K) CVC	45.00
Parked on Freeway – 22520 CVC	45.00
Parked within Crosswalk – 22500 (B) CVC	45.00
Parked on Sidewalk – 11.24.020 MPMC	45.00
Parked on Sidewalk – 22500 (F) CVC	45.00

PARKING VIOLATIONS - continued

Parking Violation – 240 MPMC	\$ 45.00
Parked on Unsurfaced Area – 8.20.040 MPMC	45.00
Parking Red Zone Handicap Ramp – 22500 (L) CVC	308.00
Position of Plates – 5201 CVC	45.00
Posted No Parking – 22505 CVC	45.00
Rear Reflectors – 24607 (A) CVC	45.00
Registration Expired (reduced fee with Proof of Correction) – 4000 (A) CVC	Fee set by State
Residential Parking – 10.20.020 MPMC	45.00
Stolen Plate – 4458 CVC	45.00
Stolen / Damage Cards / Plates – 4457 CVC	45.00
Stopped 7½ Feet – Rail Road Tracks – 22521 CVC	45.00
Tabs on Vehicle (reduced fee with Proof of Correction) – 5204 CVC	Fee set by State
Turn Signals – 24951 (B) CVC	45.00
Turn Signals – 24953 (A) CVC	45.00
Unattended Running Vehicle – 22515 (A) CVC	45.00
Unattended Vehicle – 22515 CVC	45.00
Unlawful Use of Tabs – 4462 (B) CVC	45.00
Vacant Lot Storage – 8..20.060 MPMC	45.00
Vending in Vista Area – 224206 (A) CVC	45.00
Within 18 Inches of Curb – 22502 (E) CVC	45.00
Windshield Required – 26710 CVC	45.00
Within an Intersection – 22500 (A) CVC	45.00

Note: All Vehicle Code Violations are subject to change in accordance with the Uniform Bail Schedule

NUISANCE VIOLATION CITATIONS

Class 1	Verify complaint, leave 10 day correction notice	No fee
Class 2	After 10 days with no action, proceed with abatement	224.00
Class 3	10 additional days with no response. If abatement completed, fee increased by \$76.00	300.00
Class 4	Involved cases requiring additional assistance or a large amount of staff time – per hour	50.00

NOTE: Abatements requiring extensive staff time will be charged at an hourly rate plus expenses incurred by the City in order to complete abatement.

ANIMAL CONTROL (MUNICIPAL CODE SECTION 9.20)

All fees related to Animal Control are administered by the County of San Mateo under a contract with the Peninsula Human Society

PUBLIC WORKS - ENGINEERING

GENERAL ENGINEERING FEES

Construction plans and Specifications (minimum – published fee based on size of packet)	\$ 10.00
Additional charge if mailed	10.00
Blueprint copies – per sheet	5.00
Plotter prints – per square foot	8.00
Copies 11” x 17” – per image	.20
Electronic File Reproduction	
Labor – per hour (1/2 hour minimum)	Cost
Media – CD, DVD or floppy disk	30.00
City Standard Details	
Bound Booklet	20.00
Per Sheet	.10
Abandonments	2,000.00
Annexations	1,400.00
Storm drainage connection fees	
Single family - per lot	450.00
Multiple family – per unit	150.00
Industrial and Commercial – per square foot of impervious area	.24
Weed abatement - per hour (1 hr. minimum)	*Staff
*Staff hourly billing rate and cost of equipment or for work contracted out – actual charges plus 25% for billing and administration.	hourly rate

ENCROACHMENT PERMITS (Routine inspections included in fees)

VIOLATION FEE
 A PENALTY FEE **DOUBLE** THE AMOUNT OF THE FILING FEE WILL BE IMPOSED ON
 PROJECTS UNDERTAKEN WITHOUT THE APPROPRIATE PERMITS.

Minor Encroachments:	\$ 500.00
Non-development-related curb, gutter, sidewalk, driveway; up to 3 potholes on the same street; up to 3 monitoring wells on the same street; one lateral street opening; routine maintenance by a utility company; street tree planting. Includes up to 4 inspections.	
Permit Extension	250.00
Major Encroachments:	825.00
Work on construction requiring extended impact to traffic, multiple Inspections or other on-going disturbances such as utility mains, street widening and major undergrounding.	plus 3% of the cost estimate with final fee based on staff hourly billing rates

ENCROACHMENT PERMITS (Routine inspections included in fees) - continued

Temporary Encroachments:		
Non-construction activity such as;	Under 30 Days	\$ 300.00
scaffolding for façade in improvements;	30 days or over	400.00
locating a new portable planter box;		
traffic control only. Includes up to 2 inspections.		
City-Mandated Repairs:		275.00
Including but not limited to; sidewalk tripping hazard repairs required of the property owner.		
Debris Box / Container on Street (maximum of 8 weeks) – per week		200.00
Refund for Cancellation prior to any work		50% of base fee
Appeal to City Council of any Encroachment Permit Action		200.00

MAPS

Final Parcel Map – First 2 sheets		1,300.00
– Each additional sheet		215.00
Amended Parcel Map – First 2 sheets		2,150.00
– Each additional sheet		215.00
Final Map – First 2 sheets		1,610.00
– Each additional sheet		215.00
Amended Final Map – First 2 sheets		2,350.00
– Each additional sheet		215.00
Certificate of Correction – First 3 sheets		750.00
– Each additional sheet		100.00
Adjust lot line		1,000.00 plus 125% of cost of external review if required
Lot Merger		1,000.00 Plus 125% of cost of external review if required
Easement Dedication – each		1,000.00
Final Condominium Conversion Map		1,330.00

BUILDING CONSTRUCTION STREET IMPACT FEE

Fee to be collected at the time of issuance of a building permit for all construction projects above \$10,000 in valuation excluding all building permits classified as residential alteration, or residential repairs.		0.58% of project valuation
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IMPROVEMENT PLAN REVIEWS – fees due at time of plan submittal

Single Family Residences

Initial Review (includes two full reviews, applies to Grading & Drainage, Subdivision improvements, Engineering reviews to ensure conformity with conditions of approval, pre-application submittals and miscellaneous reviews) \$ 700.00 plus 3% of cost estimate

Multi-family Residences, Commercial, and Industrial

Initial Review (includes two full reviews, applies to Grading & Drainage, Subdivision improvements, Engineering reviews to ensure conformity with conditions of approval, pre-application submittals and miscellaneous reviews) 700.00 Deposit \$ 700.00 plus 3% of cost estimate with final fee based on staff hourly billing rates

Example of Improvement Plan Initial Review Fee Calculation

<u>ESTIMATED COST OF SITE IMPROVEMENTS</u>	<u>CALCULATION</u>	<u>FEE</u>
\$ 10,000	\$ 700.00 + 3%	\$ 1,000.00
40,000	700.00 + 3%	1,900.00
75,000	700.00 + 3%	2,950.00
175,000	700.00 + 3%	5,950.00
500,000	700.00 + 3%	15,700.00

Additional Plan Review (full plan set required) – fee per sheet 100.00

Plan Revision – fee per sheet requiring revision 100.00

CONSTRUCTION INSPECTION – fees due at time of building or grading and drainage permit issuance

Routine Inspection as required by City Standards or inspector 500.00 plus 3% of the cost estimate

Example of Construction Inspection Fee Calculation

<u>ESTIMATED COST OF SITE IMPROVEMENTS</u>	<u>CALCULATION</u>	<u>FEE</u>
\$ 10,000	\$ 500.00 + 3%	\$ 800.00
40,000	500.00 + 3%	1,700.00
75,000	500.00 + 3%	2,750.00
175,000	500.00 + 3%	5,750.00
500,000	500.00 + 3%	15,500.00

Overtime Construction Inspection – Four hour minimum – hourly rate 200.00

Re-inspection – fee per each re-inspection 135.00

Cancelled or Missed Inspection Fee 135.00

RECREATION FEES

Residential Subdivision Recreation in Lieu Fees:
See Subdivision Ordinance Section 15.16.020 for detailed explanation.

Single Family (RE and R-1): 0.013 X number of units X market value of acreage to be subdivided.

Multiple Family Development (R-2, R-3, RC, RLU and PD): 0.008 X number of units X market value of acreage to be subdivided.

CERTIFICATE OF COMPLIANCE \$ 900.00

FEMA

Determination for Substantial Improvements 400.00
Building Permit Plan Review 250.00

DOCUMENT RECORDING 100.00
plus County Recorder's fees

HERITAGE TREE

Tree Permits
1 – 3 trees (each tree) * 135.00
Additional for 4 or more trees (each tree) * 90.00

*Heritage tree permits related to development applications will also be charged for City-retained Arborist expenses at hourly rate

Appeals to Environmental Quality Commission or City Council
First tree 200.00
Each additional tree (not to exceed a maximum appeal fee of \$500.00) 100.00

Tree Protection Plan Review 100.00

WATER EFFICIENT LANDSCAPE PLAN CHECK 300.00
plus 125% of cost of external review when required

STORM WATER OPERATIONS AND MAINTENANCE AGREEMENTS 500.00

COMPLETION BOND AGREEMENTS 200.00

FORFEITURE OF ENCROACHMENT PERMITS – DEPOSITS AND BONDS

All funds collected are subject to forfeiture for failure to comply with City Codes and Ordinances

SPECIAL SERVICES

Provided by City Staff where a special interest is served other than the General Public - i.e.

Special surveying, Encroachment permits (in some cases) City staff time plus
Solving private drainage problems, Special inspections, 25%
and Other. billing and Administration charge

PUBLIC WORKS – TRANSPORTATION

Traffic Signal Accident – Plus actual cost of repairs	\$ 1,165.00
Copies of traffic counts for intersections and streets – Per intersection/street - per page	.10

TRUCK ROUTE

Per trip – each	16.00
Annual	90.00
10 or more repetitive loads	90.00

<u>RED CURB INSTALLATION</u> – per foot	10.00
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TRANSPORTATION IMPACT FEE – Chapter 13.26 of Menlo Park Municipal Code

Office, Restaurant, Retail – per square foot	4.19
Research and Development – per square foot	3.01
Manufacturing – per square foot	2.06
Hotel – per square foot	1.65
Warehousing – per square foot	.90
Medical Office – per square foot	9.73
Single-Family Residential – per unit	2,841.12
Multi- Family Residential – per unit	1,743.88
All other land uses – per PM Peak Hour Trip	2,812.50

<u>TRAFFIC IMPACT FEE APPEAL TO CITY COUNCIL</u>	200.00
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PUBLIC WORKS – MAINTENANCE

STREETS

Barricades (use by private party)		
Pick up/return by private party	3' barricade per day	3.00
	12' barricade per day	8.00
Pick up/return by City – plus staff costs	3' barricade per day	3.00
	12' barricade per day	8.00
Lost or broken barricade – 3' barricade		50.00
	12' barricade	200.00

BANNERS

Santa Cruz Ave - Installation, maintenance and removal – one week display	450.00
	– two week display 550.00
El Camino Real – One week display – per pole – per week	10.00

TREES

Street Trees - new and replacement (City furnishes and plants)	
15 gallon tree – each	100.00
Street Tree Trimming – Premium Service	25.00
*Staff hourly billing rate and cost of equipment or for work contracted out – actual charges plus 25% for billing and administration	and *actual costs

<u>WEED ABATEMENT</u> – Administrative Fee	225.00
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SPECIAL EVENT SET-UP

*Staff hourly billing rate and cost of equipment

*actual costs

DAMAGED CITY PROPERTY

Where police report allows recovery for street signs, traffic signs, etc.

Labor, equipment, and materials cost plus 25% inspection, billing and collection fee.

COMMUNITY DEVELOPMENT - PLANNING

DEPOSIT POLICY

Fee based on staff hourly billing rate.
Supplemental billings will be sent if initial deposit is exhausted
Un-expended deposits are subject to refund

PRE-APPLICATION FEE

For applicants that request more than 2 hours of cumulative staff time per project. \$ 400.00
Deposit

STUDY SESSION

City Council – applicable to projects which have submitted a complete Development application and if requested by the City Council 1,000.00
Deposit

Planning Commission 1,000.00
Deposit

USE PERMIT

Legal non-profit charitable organization seeking use permit for fundraising for their activities in Menlo Park. 1,500.00
Deposit
Fee Waiver
Process
Required

ARCHITECTURAL CONTROL

2,000.00
Deposit

VARIANCE

3,000.00
Deposit

TENTATIVE MAPS

Tentative Parcel Map (0-4 lots):
Planning Commission 6,000.00
Deposit

Administrative 4,400.00
Flat Fee

Tentative Tract / Subdivision Map 6,000.00
Deposit

GENERAL PLAN AMENDMENT

8,000.00
Deposit

ZONING COMPLIANCE LETTER

400.00

ZONING MAP and/or ORDINANCE AMENDMENT

8,000.00
Deposit

CONDITIONAL DEVELOPMENT PERMIT/PLANNED DEVELOPMENT PERMIT

10,000.00
Deposit

DEVELOPMENT AGREEMENT

10,000.00
Deposit

ENVIRONMENTAL REVIEW

Staff Review and Processing of Environmental Documents	\$ 5,000.00
*Fee based on cost of consultant to prepare report plus staff time at hourly billing rate.	*Deposit
Circulation System Assessment – per development project	4,000.00

SIGNS AND AWNINGS

Sign review by Staff	300.00
Sign review by Planning Commission	1,500.00
	Deposit

SIGNS AND AWNINGS - continued

Re-facing an approved sign	100.00
Temporary Sign	No charge

ADMINISTRATIVE REVIEW

Fences	500.00
Administrative Permit	1,100.00

APPEALS

Appeals of staff decision	110.00
Menlo Park resident appeal of Planning Commission decision on somebody else's project	110.00
Owner occupant appeal of Planning Commission decision related to his/her owner-occupied house	110.00
All other appeals of Planning Commission decisions	1,000.00
	Deposit

CITY ATTORNEY – per hour – one hour minimum

Review of CC&R's	200.00
Preparation of Recorded Deed Restrictions	950.00

MISCELLANEOUS

Home Occupation Permit	50.00
Business License – Zoning Compliance Review Fee (Non-residential locations)	50.00
Special Events and Outdoor Sales Permit	150.00
Change of Address	50.00
Property File Research – per hour (after the first hour)	200.00
Exemption Underground Utilities Ordinance	2,000.00
	Deposit
Additional staff review required by revisions to plans	150.00
	Deposit
Administrative Extension of Approved Applications	300.00
Review by Community Development Director or designee of a request not listed elsewhere in the fee schedule	400.00
Mitigation and Condition Monitoring	800.00
	Deposit

MISCELLANEOUS – continued

Front Lot Line Election	\$ 110.00
Revisions, extensions or review of any item	2,000.00 Deposit
Withdrawal of application, minimum processing fee	75.00
Meeting outside of normal business hours – Per hour – One hour minimum	100.00
Mailing Lists for public use not associated with Public Hearing noticing	100.00
El Camino Real/Downtown Specific Plan Preparation Fee Per square foot of net new development (applicable to all properties in the Specific Plan area)	1.13
Below Market Rate (BMR) Housing Commercial In-Lieu Fees	
Group A: per square foot of gross floor area for uses that are office as well as research and development (R&D)	14.92
Group B: per square foot of gross floor area that are all other commercial and industrial uses not in Group A	8.10

PUBLICATIONS – per document

Copies of General Plan, Zoning Ordinance and Zoning Map	10.00
Transcripts of Public Hearing associated with Environmental Impact Reports (pass through of direct costs) Estimate collected in advance	

PLANNING FEES

Non-residential zoning use violation – per violation	1,000.00
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COMMUNITY DEVELOPMENT - BUILDING

Administrative Fees

Fee Amount

ADMINISTRATIVE

Violation Fee	A PENALTY FEE EQUAL TO THE AMOUNT OF THE PERMIT FEE WILL BE IMPOSED ON PROJECTS UNDERTAKEN WITHOUT THE APPROPRIATE PERMITS
Building Permit Reinstatement Fee	One-half of original Building Permit Fee, with a \$50 minimum
Re-Stamp Job Plans and Documents That Have Been Replaced	\$50.00
Records Research - Per Address - Per Hour	\$114.06
Document Preparation and Storage	\$2.50 per plan sheet \$3.50 per 17 sheets, 8 1/2 X 11 or smaller. Minimum \$2.50 per Building Permit

MISCELLANEOUS PERMIT

Construction and Demolition Debris Recycling	
Construction:	
Residential Projects of 1,000 sq. ft. or greater	\$1000 minimum deposit
Single Family– less than or equal to 100 tons	\$50.00 per ton
–more than 100 tons	\$5000 maximum deposit
Multi-Family– per ton deposit	\$50.00 per ton
	No Maximum
Non-Residential Projects of 5,000 square feet or greater	\$1000 minimum deposit
	\$50.00 per ton
	No Maximum
Construction Debris Recycling Administration	
Deposit of less than \$3,000	\$200.00
Deposit between \$3,000 to \$20,000	\$330.00
Deposit greater than \$20,000	2% of deposit
Demolition:	
Residential Projects of 1,000 sq. ft. or greater	\$1000 minimum deposit
Single Family– less than or equal to 100 tons	\$50.00 per ton
–more than 100 tons	\$5000 maximum deposit
Multi-Family– per ton deposit	\$50.00 per ton
	No Maximum
Non-Residential Projects of 5,000 square feet or greater	\$1000 minimum deposit
	\$50.00 per ton
	No Maximum
Demolition Debris Recycling Administration	
Deposit of less than \$3,000	\$200.00
Deposit between \$3,000 to \$20,000	\$330.00
Deposit greater than \$20,000	2% of deposit

COMMUNITY DEVELOPMENT - BUILDING

Administrative Fees

Fee Amount

ADMINISTRATIVE

MISCELLANEOUS PLAN CHECK

Expedited Outside Plan Check Fee	50% of Plan Check Fee
Expedited Over the Counter Plan Check Fee for Commercial and Industrial Tenant Improvements	\$400.00
Supplemental Plan Check Fee (first 1/2 hour)	\$202.86
Each Additional 1/2 hour (or portion thereof)	\$78.93
Consultant Review (e.g. Geologist, Arborist, Landscape Arch.)	Fee based on cost of consultant
Administration Fee related to review by outside consultant	\$25.00
Alternate Methods:	
Category 1 (repeats and minimal complexity)	\$137.34
Category 2 (moderate complexity)	\$163.73
Category 3 (complex issues)	\$261.02
Category 4 (highly complex)	\$314.96
Alternate Materials:	
Request to Use Alternate Materials	\$137.34
Standard Fee (hourly Plan Review rate)	\$155.81

STATE MANDATED FEES

Strong Motion Fee	Residential construction: \$.10 per \$1,000.00 of valuation.
	Non-Residential construction: \$.21 per \$1,000.00 of valuation.

Fee for the Adoption and Publication of Green Building Standards	Permit Valuation	Fee
	\$1.00 - \$25,000	\$1
	\$25,001 - \$50,000	\$2
	\$50,000 - \$75,000	\$3
	\$75,001 - \$100,00	\$4
	Every \$25,000 or fraction thereof above \$100,000	\$1

COMMUNITY DEVELOPMENT - BUILDING

Miscellaneous Construction Fees

	Fee Amount	
	<u>Plan Check</u>	<u>Permit</u>
<u>ACCESSORY STRUCTURES</u>		
Retaining Wall (concrete or masonry)		
First 50 lf	\$ 191	\$ 202
Each additional 50 lf	12	36
Special Design, 3-10' high (up to 50 lf)	230	273
Each additional 50 lf	12	49
Special Design, over 10' high (up to 50 lf)	279	531
Each additional 50 lf	12	87
Deck	185	165
Fence or Freestanding Wall to 6 feet (masonry / garden)		
1st 100 lf	149	201
Each additional 100 lf	26	12
Each additional 5 feet of height	50	120
Patio Cover (includes ICC Products)	93	151
New Arbor/Trellis	162	249
Outdoor Kitchen/BBQ	188	261
Shed (up to 120 sq. ft. with no MEP)	266	249
Lighting pole (each)	225	116
Cellular/Mobile Phone, free-standing	569	180
Cellular Tower with Equipment Shelter	762	238
<u>ALTERATION FOR NON-RESIDENTIAL STRUCTURES</u>		
Close Existing Openings	36	80
Siding - Other than stucco (per story)	72	155
Stone and Brick Veneer (interior or exterior) - First 50 lf	84	155
Stone and Brick Veneer (interior or exterior) - Each Additional 50 lineal feet	-0-	12
All Other - First 50 lineal feet	84	155
All Other - Each Additional 50 lineal feet	-0-	12
Stucco Applications	47	155
Signs		
Permanent	201	155
Wall/Awning Sign, Non-Electric	85	69
Wall, Electric	139	93
Skylight (Commercial each)	125	201
Storage Racks each set of plans (Non-Residential)	126	108
Photovoltaic System	-0-	-0-
Non-Residential - First 4 Cells		
Each additional Cell	-0-	-0-

COMMUNITY DEVELOPMENT - BUILDING

Miscellaneous Construction Fees

	Fee Amount	
	<u>Plan Check</u>	<u>Permit</u>
<u>ALTERATION FOR RESIDENTIAL STRUCTURES</u>		
Remodel		
Residential Bathroom Remodel (Non-Structural, remove and replace cabinets)	\$ 162	\$ 273
Residential Kitchen Remodel (Non-Structural, remove and replace cabinets)	162	258
Non-Structural Dry Rot Repair	126	224
Seismic Upgrade (does not include foundation repair)	153	127
Siding - Other than stucco (per story)	72	155
Stone and Brick Veneer (interior or exterior) - First 50 lineal feet	84	155
Stone and Brick Veneer (interior or exterior) - Each Additional 50 lineal feet	-0-	12
All Other - First 50 lineal feet	84	155
All Other - Each Additional 50 lineal feet	-0-	12
Stucco Applications	47	155
Insulation and Sheetrock in Garage	126	151
Fireplace (masonry or pre-fab)	36	199
Photovoltaic System - Residential	0	0
Skylight (First two)	125	201
Each additional	62	100
Window or Sliding Glass Door (first 5)	137	267
Each additional	0	24
Bay Window each (Non-Structural or remove and replace)	128	177
<u>DEMOLITION</u>		
Demolition - Residential	185	165
Demolition - Multifamily	135	92
Demolition - Commercial	135	116
Demolition - Pool	135	92
<u>GRADING</u>		
Grading (Cut and Fill):		
0-50 Cubic Yards (Cut and Fill)	279	301
51-100 CY	146	29
Each Add'l 100 CY or portion thereof	40	8
1,000 CY (minimum)	750	781
Each Add'l 1,000 CY or portion thereof	93	38
10,000 CY (minimum)	2,065	2,286
Each Add'l 10,000 CY or portion thereof	93	75
100,000 CY (minimum)	3,378	3,612
Each Add'l 10,000 CY or portion thereof	93	75

COMMUNITY DEVELOPMENT - BUILDING

Miscellaneous Construction Fees

	Fee Amount	
	<u>Plan Check</u>	<u>Permit</u>
<u>RE-ROOF</u>		
Re-roofing - Residential (Single and Multi Family)	\$ 47	\$ 92
Re-roofing - Commercial:		
Composition - no tear off	47	104
Other roofs (first 10 squares)	47	104
Each additional 10 squares	-0-	24
Re-roofing - Accessory	47	92
<u>SWIMMING POOLS</u>		
Swimming Pool / Spa (residential):		
Vinyl-lined / fiberglass	188	214
Gunitite (all residential pools that do not require a soils investigation.)	217	297
Gunitite (residential pools that require a soils investigation.)	236	297
Spa or Hot Tub (Residential, Pre-fabricated)	85	128
Commercial pool (up to 800 sf)	375	1,063
Each additional 800 sf	-0-	24
<u>HOURLY INSPECTION RATES</u>		
Disabled Access Compliance Inspection	-0-	186
Re-Inspection Fee and Inspection Cancellation Fee (first 1/2 hour)	-0-	120
Each Additional 1/2 hour (or portion thereof)	-0-	75
After Hours Inspection (first hour, One hour Min.)	-0-	195
Each additional hour	-0-	150
Services Beyond Standard Fee (per the Director) (Staff time @ hourly rates)	155	150

Building Plan Check Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		200		\$ 666.00	0.130	\$ 759.24	0.148	\$ 865.80	0.169	\$ 905.76	0.177	\$ 972.36	0.190
		1,000		770.00	0.524	877.80	0.597	1,001.00	0.681	1,047.20	0.713	1,124.20	0.765
A-1	Assembly Group	2,000	A	1,294.00	0.762	1,475.16	0.868	1,682.20	0.990	1,759.84	1.036	1,889.24	1.112
		5,000		3,579.00	0.487	4,080.06	0.555	4,652.70	0.633	4,867.44	0.662	5,225.34	0.711
		10,000		6,013.00	0.601	6,854.82	0.685	7,816.90	0.782	8,177.68	0.818	8,778.98	0.878
		100		\$ 912.00	0.353	\$ 1,039.68	0.402	\$ 1,185.60	0.458	\$ 1,240.32	0.479	\$ 1,331.52	0.515
		500		1,053.00	1.436	1,200.42	1.637	1,368.90	1.867	1,432.08	1.953	1,537.38	2.097
A-2	Assembly Group: Restaurants	1,000	A	1,771.00	2.085	2,018.94	2.377	2,302.30	2.710	2,408.56	2.835	2,585.66	3.044
		2,500		4,898.00	1.332	5,583.72	1.518	6,367.40	1.731	6,661.28	1.811	7,151.08	1.944
		5,000		8,227.00	1.645	9,378.78	1.876	10,695.10	2.139	11,188.72	2.238	12,011.42	2.402
		500		\$ 1,010.00	0.079	\$ 1,151.40	0.089	\$ 1,313.00	0.102	\$ 1,373.60	0.107	\$ 1,474.60	0.115
		2,500		1,167.00	0.318	1,330.38	0.362	1,517.10	0.413	1,587.12	0.432	1,703.82	0.464
A-3	Assembly Group - TI	5,000	A	1,961.00	0.462	2,235.54	0.526	2,549.30	0.600	2,666.96	0.628	2,863.06	0.674
		12,500		5,424.00	0.295	6,183.36	0.336	7,051.20	0.383	7,376.64	0.401	7,919.04	0.431
		25,000		9,111.00	0.364	10,386.54	0.415	11,844.30	0.474	12,390.96	0.496	13,302.06	0.532
		500		\$ 1,024.00	0.080	\$ 1,167.36	0.091	\$ 1,331.20	0.104	\$ 1,392.64	0.109	\$ 1,495.04	0.117
		2,500		1,184.00	0.322	1,349.76	0.368	1,539.20	0.419	1,610.24	0.438	1,728.64	0.471
A-3	Church and Religious Bldg - TI	5,000	A	1,990.00	0.469	2,268.60	0.534	2,587.00	0.609	2,706.40	0.637	2,905.40	0.684
		12,500		5,504.00	0.299	6,274.56	0.341	7,155.20	0.389	7,485.44	0.407	8,035.84	0.437
		25,000		9,246.00	0.370	10,540.44	0.422	12,019.80	0.481	12,574.56	0.503	13,499.16	0.540
		500		\$ 3,608.00	0.281	\$ 4,113.12	0.320	\$ 4,690.40	0.365	\$ 4,906.88	0.382	\$ 5,267.68	0.410
		2,500		4,170.00	1.136	4,753.80	1.295	5,421.00	1.477	5,671.20	1.545	6,088.20	1.659
B	Restaurant - Complete	5,000	A	7,010.00	1.650	7,991.40	1.881	9,113.00	2.145	9,533.60	2.244	10,234.60	2.409
		12,500		19,387.00	1.054	22,101.18	1.202	25,203.10	1.371	26,366.32	1.434	28,305.02	1.539
		25,000		32,565.00	1.303	37,124.10	1.485	42,334.50	1.693	44,288.40	1.772	47,544.90	1.902
		500		\$ 2,791.00	0.217	\$ 3,181.74	0.247	\$ 3,628.30	0.282	\$ 3,795.76	0.295	\$ 4,074.86	0.317
		2,500		3,225.00	0.879	3,676.50	1.002	4,192.50	1.142	4,386.00	1.195	4,708.50	1.283
B	Restaurant - Shell	5,000	A	5,422.00	1.276	6,181.08	1.455	7,048.60	1.659	7,373.92	1.736	7,916.12	1.864
		12,500		14,995.00	0.815	17,094.30	0.930	19,493.50	1.060	20,393.20	1.109	21,892.70	1.190
		25,000		25,187.00	1.007	28,713.18	1.149	32,743.10	1.310	34,254.32	1.370	36,773.02	1.471
		250		\$ 1,526.00	0.238	\$ 1,739.64	0.271	\$ 1,983.80	0.309	\$ 2,075.36	0.324	\$ 2,227.96	0.347
		1,250		1,764.00	0.962	2,010.96	1.096	2,293.20	1.250	2,399.04	1.308	2,575.44	1.404
B	Restaurant - TI	2,500	A	2,966.00	1.396	3,381.24	1.591	3,855.80	1.815	4,033.76	1.899	4,330.36	2.038
		6,250		8,201.00	0.892	9,349.14	1.017	10,661.30	1.160	11,153.36	1.213	11,973.46	1.302
		12,500		13,776.00	1.102	15,704.64	1.256	17,908.80	1.433	18,735.36	1.499	20,112.96	1.609
		1,000		\$ 5,647.00	0.220	\$ 6,437.58	0.251	\$ 7,341.10	0.286	\$ 7,679.92	0.299	\$ 8,244.62	0.321
		5,000		6,527.00	0.889	7,440.78	1.013	8,485.10	1.156	8,876.72	1.209	9,529.42	1.298
B	Offices, etc. - Complete	10,000	A	10,972.00	1.291	12,508.08	1.472	14,263.60	1.679	14,921.92	1.756	16,019.12	1.885
		25,000		30,343.00	0.825	34,591.02	0.940	39,445.90	1.072	41,266.48	1.122	44,300.78	1.204
		50,000		50,967.00	1.019	58,102.38	1.162	66,257.10	1.325	69,315.12	1.386	74,411.82	1.488
		1,000		\$ 4,750.00	0.185	\$ 5,415.00	0.211	\$ 6,175.00	0.241	\$ 6,460.00	0.252	\$ 6,935.00	0.270
		5,000		5,490.00	0.748	6,258.60	0.852	7,137.00	0.972	7,466.40	1.017	8,015.40	1.092
B	Offices, etc. - Shell	10,000	A	9,229.00	1.086	10,521.06	1.238	11,997.70	1.412	12,551.44	1.477	13,474.34	1.586
		25,000		25,522.00	0.694	29,095.08	0.791	33,178.60	0.902	34,709.92	0.944	37,262.12	1.013
		50,000		42,870.00	0.857	48,871.80	0.977	55,731.00	1.115	58,303.20	1.166	62,590.20	1.252
		500		\$ 4,330.00	0.338	\$ 4,936.20	0.385	\$ 5,629.00	0.439	\$ 5,888.80	0.459	\$ 6,321.80	0.493
		2,500		5,005.00	1.363	5,705.70	1.554	6,506.50	1.772	6,806.80	1.854	7,307.30	1.990
B	Commercial Building - Addition	5,000	A	8,413.00	1.981	9,590.82	2.258	10,936.90	2.575	11,441.68	2.694	12,282.98	2.892
		12,500		23,267.00	1.265	26,524.38	1.442	30,247.10	1.645	31,643.12	1.721	33,969.82	1.847
		25,000		39,082.00	1.563	44,553.48	1.782	50,806.60	2.032	53,151.52	2.126	57,059.72	2.282

Building Plan Check Fee Schedule New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		500		\$ 1,043.00	\$ 0.082	\$ 1,189.02	\$ 0.093	\$ 1,355.90	\$ 0.106	\$ 1,418.48	\$ 0.111	\$ 1,522.78	\$ 0.119
		2,500		1,206.00	0.328	1,374.84	0.374	1,567.80	0.427	1,640.16	0.447	1,760.76	0.479
B	Offices, etc. - Non-Medical TI	5,000	A	2,027.00	0.477	2,310.78	0.544	2,635.10	0.620	2,756.72	0.649	2,959.42	0.696
		12,500		5,604.00	0.305	6,388.56	0.347	7,285.20	0.396	7,621.44	0.415	8,181.84	0.445
		25,000		9,414.00	0.377	10,731.96	0.429	12,238.20	0.490	12,803.04	0.512	13,744.44	0.550
		1,000		\$ 6,265.00	\$ 0.244	\$ 7,142.10	\$ 0.278	\$ 8,144.50	\$ 0.317	\$ 8,520.40	\$ 0.332	\$ 9,146.90	\$ 0.356
		5,000		7,240.00	0.986	8,253.60	1.124	9,412.00	1.282	9,846.40	1.341	10,570.40	1.440
B	Medical Offices - Complete	10,000	A	12,171.00	1.433	13,874.94	1.633	15,822.30	1.862	16,552.56	1.948	17,769.66	2.091
		25,000		33,659.00	0.915	38,371.26	1.043	43,756.70	1.190	45,776.24	1.245	49,142.14	1.336
		50,000		56,538.00	1.131	64,453.32	1.289	73,499.40	1.470	76,891.68	1.538	82,545.48	1.651
		1,000		\$ 4,383.00	\$ 0.171	\$ 4,996.62	\$ 0.194	\$ 5,697.90	\$ 0.222	\$ 5,960.88	\$ 0.232	\$ 6,399.18	\$ 0.249
		5,000		5,065.00	0.690	5,774.10	0.787	6,584.50	0.897	6,888.40	0.938	7,394.90	1.007
B	Medical Offices - Shell	10,000	A	8,515.00	1.002	9,707.10	1.143	11,069.50	1.303	11,580.40	1.363	12,431.90	1.463
		25,000		23,548.00	0.640	26,844.72	0.730	30,612.40	0.832	32,025.28	0.871	34,380.08	0.935
		50,000		39,555.00	0.791	45,092.70	0.902	51,421.50	1.028	53,794.80	1.076	57,750.30	1.155
		500		\$ 2,221.00	\$ 0.173	\$ 2,531.94	\$ 0.197	\$ 2,887.30	\$ 0.225	\$ 3,020.56	\$ 0.235	\$ 3,242.66	\$ 0.253
		2,500		2,567.00	0.699	2,926.38	0.797	3,337.10	0.909	3,491.12	0.951	3,747.82	1.021
B	Medical Offices - TI	5,000	A	4,315.00	1.016	4,919.10	1.158	5,609.50	1.320	5,868.40	1.381	6,299.90	1.483
		12,500		11,933.00	0.649	13,603.62	0.740	15,512.90	0.844	16,228.88	0.882	17,422.18	0.947
		25,000		20,044.00	0.802	22,850.16	0.914	26,057.20	1.042	27,259.84	1.090	29,264.24	1.171
		100		\$ 1,759.00	\$ 0.685	\$ 2,005.26	\$ 0.781	\$ 2,286.70	\$ 0.891	\$ 2,392.24	\$ 0.932	\$ 2,568.14	\$ 1.000
		500		2,033.00	2.770	2,317.62	3.158	2,642.90	3.601	2,764.88	3.767	2,968.18	4.044
E	Shell	1,000	A	3,418.00	4.022	3,896.52	4.585	4,443.40	5.229	4,648.48	5.470	4,990.28	5.872
		2,500		9,451.00	2.570	10,774.14	2.929	12,286.30	3.340	12,853.36	3.495	13,798.46	3.752
		5,000		15,875.00	3.175	18,097.50	3.620	20,637.50	4.128	21,590.00	4.318	23,177.50	4.636
		150		\$ 984.00	\$ 0.255	\$ 1,121.76	\$ 0.291	\$ 1,279.20	\$ 0.332	\$ 1,338.24	\$ 0.347	\$ 1,436.64	\$ 0.372
		750		1,137.00	1.033	1,296.18	1.178	1,478.10	1.343	1,546.32	1.405	1,660.02	1.509
E	Educational Building - TI	1,500	A	1,912.00	1.500	2,179.68	1.711	2,485.60	1.951	2,600.32	2.041	2,791.52	2.191
		3,750		5,288.00	0.958	6,028.32	1.093	6,874.40	1.246	7,191.68	1.303	7,720.48	1.399
		7,500		8,882.00	1.184	10,125.48	1.350	11,546.60	1.540	12,079.52	1.611	12,967.72	1.729
		500		\$ 3,872.00	\$ 0.302	\$ 4,414.08	\$ 0.344	\$ 5,033.60	\$ 0.392	\$ 5,265.92	\$ 0.410	\$ 5,653.12	\$ 0.440
		2,500		4,475.00	1.219	5,101.50	1.390	5,817.50	1.585	6,086.00	1.658	6,533.50	1.780
F-1	Industrial Building - Shell	5,000	A	7,523.00	1.771	8,576.22	2.019	9,779.90	2.302	10,231.28	2.409	10,983.58	2.586
		12,500		20,806.00	1.131	23,718.84	1.290	27,047.80	1.471	28,296.16	1.539	30,376.76	1.652
		25,000		34,948.00	1.398	39,840.72	1.594	45,432.40	1.817	47,529.28	1.901	51,024.08	2.041
		500		\$ 1,061.00	\$ 0.083	\$ 1,209.54	\$ 0.095	\$ 1,379.30	\$ 0.108	\$ 1,442.96	\$ 0.113	\$ 1,549.06	\$ 0.121
		2,500		1,227.00	0.334	1,398.78	0.381	1,595.10	0.434	1,668.72	0.454	1,791.42	0.488
F-1	Industrial Building - TI	5,000	A	2,062.00	0.485	2,350.68	0.553	2,680.60	0.631	2,804.32	0.660	3,010.52	0.709
		12,500		5,703.00	0.310	6,501.42	0.354	7,413.90	0.403	7,756.08	0.422	8,326.38	0.453
		25,000		9,580.00	0.383	10,921.20	0.437	12,454.00	0.498	13,028.80	0.521	13,986.80	0.559
		500		\$ 2,925.00	\$ 0.228	\$ 3,334.50	\$ 0.259	\$ 3,802.50	\$ 0.296	\$ 3,978.00	\$ 0.309	\$ 4,270.50	\$ 0.332
		2,500		3,380.00	0.921	3,853.20	1.050	4,394.00	1.197	4,596.80	1.252	4,934.80	1.344
H	Hazardous H- Complete	5,000	A	5,682.00	1.338	6,477.48	1.525	7,386.60	1.739	7,727.52	1.819	8,295.72	1.953
		12,500		15,714.00	0.855	17,913.96	0.974	20,428.20	1.111	21,371.04	1.162	22,942.44	1.248
		25,000		26,396.00	1.056	30,091.44	1.204	34,314.80	1.373	35,898.56	1.436	38,538.16	1.542
		500		\$ 1,408.00	\$ 0.110	\$ 1,605.12	\$ 0.125	\$ 1,830.40	\$ 0.143	\$ 1,914.88	\$ 0.150	\$ 2,055.68	\$ 0.161
		2,500		1,628.00	0.443	1,855.92	0.505	2,116.40	0.576	2,214.08	0.603	2,376.88	0.647
H	Hazardous H- Shell	5,000	A	2,736.00	0.644	3,119.04	0.734	3,556.80	0.837	3,720.96	0.876	3,994.56	0.940
		12,500		7,566.00	0.411	8,625.24	0.469	9,835.80	0.535	10,289.76	0.560	11,046.36	0.601
		25,000		12,709.00	0.508	14,488.26	0.580	16,521.70	0.661	17,284.24	0.691	18,555.14	0.742

Building Plan Check Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		500		\$ 2,131.00	\$ 0.166	\$ 2,429.34	\$ 0.189	\$ 2,770.30	\$ 0.216	\$ 2,898.16	\$ 0.226	\$ 3,111.26	\$ 0.242
		2,500		2,463.00	0.671	2,807.82	0.765	3,201.90	0.873	3,349.68	0.913	3,595.98	0.980
H	Hazardous H- T I	5,000	A	4,141.00	0.975	4,720.74	1.111	5,383.30	1.267	5,631.76	1.326	6,045.86	1.423
		12,500		11,452.00	0.623	13,055.28	0.710	14,887.60	0.809	15,574.72	0.847	16,719.92	0.909
		25,000		19,235.00	0.769	21,927.90	0.877	25,005.50	1.000	26,159.60	1.046	28,083.10	1.123
		250		\$ 5,428.00	\$ 0.845	\$ 6,187.92	\$ 0.963	\$ 7,056.40	\$ 1.099	\$ 7,382.08	\$ 1.149	\$ 7,924.88	\$ 1.234
		1,250		6,273.00	3.418	7,151.22	3.897	8,154.90	4.444	8,531.28	4.649	9,158.58	4.991
I-1	Medical/24 Hour Care - Complete	2,500	A	10,546.00	4.965	12,022.44	5.660	13,709.80	6.454	14,342.56	6.752	15,397.16	7.249
		6,250		29,164.00	3.172	33,246.96	3.616	37,913.20	4.123	39,663.04	4.313	42,579.44	4.631
		12,500		48,987.00	3.919	55,845.18	4.468	63,683.10	5.095	66,622.32	5.330	71,521.02	5.722
		250		\$ 3,897.00	\$ 0.607	\$ 4,442.58	\$ 0.692	\$ 5,066.10	\$ 0.789	\$ 5,299.92	\$ 0.826	\$ 5,689.62	\$ 0.886
		1,250		4,504.00	2.454	5,134.56	2.797	5,855.20	3.190	6,125.44	3.337	6,575.84	3.582
I-1	Medical/24 Hour Care - Shell	2,500	A	7,571.00	3.565	8,630.94	4.064	9,842.30	4.634	10,296.56	4.848	11,053.66	5.204
		6,250		20,938.00	2.277	23,869.32	2.596	27,219.40	2.960	28,475.68	3.097	30,569.48	3.325
		12,500		35,170.00	2.814	40,093.80	3.208	45,721.00	3.658	47,831.20	3.826	51,348.20	4.108
		250		\$ 1,700.00	\$ 0.265	\$ 1,938.00	\$ 0.302	\$ 2,210.00	\$ 0.345	\$ 2,312.00	\$ 0.360	\$ 2,482.00	\$ 0.387
		1,250		1,965.00	1.071	2,240.10	1.221	2,554.50	1.393	2,672.40	1.457	2,868.90	1.564
I-1	Medical/24 Hour Care - TI	2,500	A	3,304.00	1.555	3,766.56	1.773	4,295.20	2.022	4,493.44	2.115	4,823.84	2.271
		6,250		9,136.00	0.994	10,415.04	1.133	11,876.80	1.292	12,424.96	1.352	13,338.56	1.451
		12,500		15,347.00	1.228	17,495.58	1.400	19,951.10	1.596	20,871.92	1.670	22,406.62	1.793
		250		\$ 4,386.00	\$ 0.683	\$ 5,000.04	\$ 0.779	\$ 5,701.80	\$ 0.888	\$ 5,964.96	\$ 0.929	\$ 6,403.56	\$ 0.997
		1,250		5,069.00	2.762	5,778.66	3.149	6,589.70	3.591	6,893.84	3.757	7,400.74	4.033
I-4	Day Care Facility - Complete	2,500	A	8,522.00	4.012	9,715.08	4.574	11,078.60	5.216	11,589.92	5.456	12,442.12	5.858
		6,250		23,567.00	2.563	26,866.38	2.922	30,637.10	3.332	32,051.12	3.486	34,407.82	3.742
		12,500		39,586.00	3.167	45,128.04	3.610	51,461.80	4.117	53,836.96	4.307	57,795.56	4.624
		100		\$ 1,023.00	\$ 0.398	\$ 1,166.22	\$ 0.453	\$ 1,329.90	\$ 0.517	\$ 1,391.28	\$ 0.541	\$ 1,493.58	\$ 0.580
		500		1,182.00	1.610	1,347.48	1.835	1,536.60	2.093	1,607.52	2.190	1,725.72	2.351
I-4	Day Care Facility - TI	1,000	A	1,987.00	2.339	2,265.18	2.667	2,583.10	3.041	2,702.32	3.181	2,901.02	3.415
		2,500		5,496.00	1.494	6,265.44	1.704	7,144.80	1.943	7,474.56	2.032	8,024.16	2.182
		5,000		9,232.00	1.846	10,524.48	2.105	12,001.60	2.400	12,555.52	2.511	13,478.72	2.696
		1,000		\$ 4,583.00	\$ 0.178	\$ 5,224.62	\$ 0.203	\$ 5,957.90	\$ 0.232	\$ 6,232.88	\$ 0.242	\$ 6,691.18	\$ 0.260
		5,000		5,296.00	0.721	6,037.44	0.822	6,884.80	0.938	7,202.56	0.981	7,732.16	1.053
M	Retail Sales - Complete	10,000	A	8,903.00	1.048	10,149.42	1.195	11,573.90	1.362	12,108.08	1.425	12,998.38	1.530
		25,000		24,622.00	0.669	28,069.08	0.763	32,008.60	0.870	33,485.92	0.910	35,948.12	0.977
		50,000		41,359.00	0.827	47,149.26	0.943	53,766.70	1.075	56,248.24	1.125	60,384.14	1.208
		1,000		\$ 3,620.00	\$ 0.141	\$ 4,126.80	\$ 0.161	\$ 4,706.00	\$ 0.183	\$ 4,923.20	\$ 0.192	\$ 5,285.20	\$ 0.206
		5,000		4,184.00	0.570	4,769.76	0.650	5,439.20	0.741	5,690.24	0.775	6,108.64	0.832
M	Retail Sales - Shell	10,000	A	7,034.00	0.828	8,018.76	0.944	9,144.20	1.076	9,566.24	1.126	10,269.64	1.209
		25,000		19,452.00	0.529	22,175.28	0.603	25,287.60	0.688	26,454.72	0.719	28,399.92	0.772
		50,000		32,674.00	0.653	37,248.36	0.745	42,476.20	0.850	44,436.64	0.889	47,704.04	0.954
		1,000		\$ 1,320.00	\$ 0.052	\$ 1,504.80	\$ 0.059	\$ 1,716.00	\$ 0.067	\$ 1,795.20	\$ 0.070	\$ 1,927.20	\$ 0.075
		5,000		1,526.00	0.208	1,739.64	0.237	1,983.80	0.270	2,075.36	0.283	2,227.96	0.303
M	Retail Sales - TI	10,000	A	2,565.00	0.302	2,924.10	0.344	3,334.50	0.392	3,488.40	0.411	3,744.90	0.441
		25,000		7,093.00	0.193	8,086.02	0.220	9,220.90	0.251	9,646.48	0.262	10,355.78	0.282
		50,000		11,914.00	0.238	13,581.96	0.272	15,488.20	0.310	16,203.04	0.324	17,394.44	0.348
		2,500		\$ 15,910.00	\$ 0.248	\$ 18,137.40	\$ 0.282	\$ 20,683.00	\$ 0.322	\$ 21,637.60	\$ 0.337	\$ 23,228.60	\$ 0.362
		12,500		18,387.00	1.002	20,961.18	1.142	23,903.10	1.302	25,006.32	1.363	26,845.02	1.463
R-1	Hotel Low/Mid Rise - Complete	25,000	A	30,911.00	1.455	35,238.54	1.659	40,184.30	1.892	42,038.96	1.979	45,130.06	2.125
		62,500		85,483.00	0.930	97,450.62	1.060	111,127.90	1.209	116,256.88	1.264	124,805.18	1.357
		125,000		143,587.00	1.149	163,689.18	1.310	186,663.10	1.493	195,278.32	1.562	209,637.02	1.677

Building Plan Check Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		2,500		\$ 12,905.00	\$ 0.201	\$ 14,711.70	\$ 0.229	\$ 16,776.50	\$ 0.261	\$ 17,550.80	\$ 0.273	\$ 18,841.30	\$ 0.293
		12,500		14,915.00	0.813	17,003.10	0.926	19,389.50	1.056	20,284.40	1.105	21,775.90	1.186
R-1	Hotel Low/Mid Rise - Shell	25,000	A	25,073.00	1.180	28,583.22	1.346	32,594.90	1.535	34,099.28	1.605	36,606.58	1.723
		62,500		69,338.00	0.754	79,045.32	0.860	90,139.40	0.980	94,299.68	1.026	101,233.48	1.101
		125,000		116,469.00	0.932	132,774.66	1.062	151,409.70	1.211	158,397.84	1.267	170,044.74	1.360
		2,500		\$ 8,310.00	\$ 0.129	\$ 9,473.40	\$ 0.148	\$ 10,803.00	\$ 0.168	\$ 11,301.60	\$ 0.176	\$ 12,132.60	\$ 0.189
		12,500		9,604.00	0.523	10,948.56	0.597	12,485.20	0.680	13,061.44	0.712	14,021.84	0.764
R-1	Hotel Low/Mid Rise - TI	25,000	A	16,146.00	0.760	18,406.44	0.867	20,989.80	0.988	21,958.56	1.034	23,573.16	1.110
		62,500		44,651.00	0.486	50,902.14	0.554	58,046.30	0.631	60,725.36	0.660	65,190.46	0.709
		125,000		75,001.00	0.600	85,501.14	0.684	97,501.30	0.780	102,001.36	0.816	109,501.46	0.876
		1,667		\$ 3,855.00	\$ 1.075	\$ 4,394.70	\$ 1.226	\$ 5,011.50	\$ 1.398	\$ 5,242.80	\$ 1.462	\$ 5,628.30	\$ 1.570
		3,333		5,647.00	1.265	6,437.58	1.443	7,341.10	1.645	7,679.92	1.721	8,244.62	1.847
R-2	Multi-family Residential - New	5,000	A	7,756.00	1.403	8,841.84	1.600	10,082.80	1.824	10,548.16	1.909	11,323.76	2.049
		8,333		12,434.00	0.887	14,174.76	1.011	16,164.20	1.153	16,910.24	1.206	18,153.64	1.295
		12,500		16,129.00	1.290	18,387.06	1.471	20,967.70	1.677	21,935.44	1.755	23,548.34	1.884
		667		\$ 1,498.00	\$ 1.044	\$ 1,707.72	\$ 1.190	\$ 1,947.40	\$ 1.357	\$ 2,037.28	\$ 1.420	\$ 2,187.08	\$ 1.524
		1,333		2,194.00	1.229	2,501.16	1.400	2,852.20	1.597	2,983.84	1.671	3,203.24	1.794
R-2	Multi-Family Residential - Addition	2,000	A	3,013.00	1.363	3,434.82	1.554	3,916.90	1.772	4,097.68	1.853	4,398.98	1.990
		3,333		4,830.00	0.861	5,506.20	0.982	6,279.00	1.119	6,568.80	1.171	7,051.80	1.257
		5,000		6,265.00	1.253	7,142.10	1.428	8,144.50	1.629	8,520.40	1.704	9,146.90	1.829
		667		\$ 1,486.00	\$ 1.037	\$ 1,694.04	\$ 1.182	\$ 1,931.80	\$ 1.347	\$ 2,020.96	\$ 1.410	\$ 2,169.56	\$ 1.513
		1,333		2,177.00	1.220	2,481.78	1.390	2,830.10	1.585	2,960.72	1.659	3,178.42	1.780
R-2	Multi-Family Residential - Alteration	2,000	A	2,990.00	1.352	3,408.60	1.542	3,887.00	1.758	4,066.40	1.839	4,365.40	1.974
		3,333		4,793.00	0.855	5,464.02	0.975	6,230.90	1.112	6,518.48	1.163	6,997.78	1.248
		5,000		6,218.00	1.244	7,088.52	1.418	8,083.40	1.617	8,456.48	1.691	9,078.28	1.816
		1,000		\$ 1,975.00	\$ 0.918	\$ 2,251.50	\$ 1.047	\$ 2,567.50	\$ 1.193	\$ 2,686.00	\$ 1.248	\$ 2,883.50	\$ 1.340
		2,000		2,893.00	1.081	3,298.02	1.232	3,760.90	1.405	3,934.48	1.470	4,223.78	1.578
R-3	Single-Family (custom or model)	3,000	A	3,974.00	1.198	4,530.36	1.366	5,166.20	1.557	5,404.64	1.629	5,802.04	1.749
		5,000		6,370.00	0.758	7,261.80	0.864	8,281.00	0.985	8,663.20	1.030	9,300.20	1.106
		7,500		8,264.00	1.102	9,420.96	1.256	10,743.20	1.432	11,239.04	1.499	12,065.44	1.609
		667		\$ 632.00	\$ 0.440	\$ 720.48	\$ 0.501	\$ 821.60	\$ 0.571	\$ 859.52	\$ 0.598	\$ 922.72	\$ 0.642
		1,333		925.00	0.518	1,054.50	0.590	1,202.50	0.673	1,258.00	0.704	1,350.50	0.756
R-3	Single-Family - Production / Repeat	2,000	A	1,270.00	0.575	1,447.80	0.656	1,651.00	0.748	1,727.20	0.782	1,854.20	0.840
		3,333		2,037.00	0.363	2,322.18	0.414	2,648.10	0.472	2,770.32	0.494	2,974.02	0.530
		5,000		2,642.00	0.528	3,011.88	0.602	3,434.60	0.687	3,593.12	0.719	3,857.32	0.771
		250		\$ 761.00	\$ 1.060	\$ 867.00	\$ 1.210	\$ 989.30	\$ 1.380	\$ 1,034.96	\$ 1.440	\$ 1,111.06	\$ 1.550
		1,000		1,557.00	1.164	1,774.98	1.327	2,024.10	1.513	2,117.52	1.583	2,273.22	1.699
R-3	Single-Family Residential - Addition	1,500	A	2,139.00	1.290	2,438.46	1.471	2,780.70	1.677	2,909.04	1.754	3,122.94	1.883
		2,500		3,429.00	0.815	3,909.06	0.929	4,457.70	1.060	4,663.44	1.109	5,006.34	1.190
		3,750		4,448.00	1.186	5,070.72	1.352	5,782.40	1.542	6,049.28	1.613	6,494.08	1.732
		250		\$ 648.00	\$ 1.096	\$ 738.72	\$ 1.230	\$ 842.40	\$ 1.420	\$ 881.28	\$ 1.490	\$ 946.08	\$ 1.600
		1,000		1,470.00	1.100	1,675.80	1.254	1,911.00	1.430	1,999.20	1.496	2,146.20	1.606
R-3	Single-Family Residential - Alteration	1,500	A	2,020.00	1.218	2,302.80	1.389	2,626.00	1.583	2,747.20	1.656	2,949.20	1.778
		2,500		3,238.00	0.770	3,691.32	0.877	4,209.40	1.000	4,403.68	1.047	4,727.48	1.124
		3,750		4,200.00	1.120	4,788.00	1.277	5,460.00	1.456	5,712.00	1.523	6,132.00	1.635
		667		\$ 766.00	\$ 0.534	\$ 873.24	\$ 0.609	\$ 995.80	\$ 0.694	\$ 1,041.76	\$ 0.726	\$ 1,118.36	\$ 0.780
		1,333		1,122.00	0.630	1,279.08	0.718	1,458.60	0.819	1,525.92	0.857	1,638.12	0.920
R-3	Manufactured Home - Complete	2,000	A	1,542.00	0.697	1,757.88	0.794	2,004.60	0.906	2,097.12	0.948	2,251.32	1.017
		3,333		2,471.00	0.441	2,816.94	0.503	3,212.30	0.573	3,360.56	0.600	3,607.66	0.644
		5,000		3,206.00	0.641	3,654.84	0.731	4,167.80	0.834	4,360.16	0.872	4,680.76	0.936

**Building Plan Check Fee Schedule
New Construction, Additions, and Alterations**

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		333		\$ 766.00	\$ 1.068	\$ 873.24	\$ 1.218	\$ 995.80	\$ 1.388	\$ 1,041.76	\$ 1.452	\$ 1,118.36	\$ 1.559
		667		1,122.00	1.260	1,279.08	1.436	1,458.60	1.638	1,525.92	1.714	1,638.12	1.840
R-3	Prefabricated Dwelling - Complete	1,000	A	1,542.00	1.394	1,757.88	1.589	2,004.60	1.812	2,097.12	1.895	2,251.32	2.035
		1,667		2,471.00	0.882	2,816.94	1.005	3,212.30	1.147	3,360.56	1.200	3,607.66	1.288
		2,500		3,206.00	1.282	3,654.84	1.462	4,167.80	1.667	4,360.16	1.744	4,680.76	1.872
		250		\$ 1,628.00	\$ 0.253	\$ 1,855.92	\$ 0.288	\$ 2,116.40	\$ 0.329	\$ 2,214.08	\$ 0.344	\$ 2,376.88	\$ 0.369
		1,250		1,881.00	1.026	2,144.34	1.169	2,445.30	1.333	2,558.16	1.395	2,746.26	1.497
	Modular Building - Complete	2,500	A	3,163.00	1.489	3,605.82	1.698	4,111.90	1.936	4,301.68	2.025	4,617.98	2.174
		6,250		8,747.00	0.951	9,971.58	1.084	11,371.10	1.237	11,895.92	1.294	12,770.62	1.389
		12,500		14,692.00	1.175	16,748.88	1.340	19,099.60	1.528	19,981.12	1.598	21,450.32	1.716
		250		\$ 181.00	\$ 0.029	\$ 206.34	\$ 0.033	\$ 235.30	\$ 0.038	\$ 246.16	\$ 0.039	\$ 264.26	\$ 0.042
		1,250		210.00	0.114	239.40	0.130	273.00	0.148	285.60	0.154	306.60	0.166
	Manufactured Building - Fnd	2,500	A	352.00	0.166	401.28	0.189	457.60	0.216	478.72	0.226	513.92	0.242
		6,250		974.00	0.106	1,110.36	0.121	1,266.20	0.138	1,324.64	0.144	1,422.04	0.155
		12,500		1,637.00	0.131	1,866.18	0.149	2,128.10	0.170	2,226.32	0.178	2,390.02	0.191
		1,000		\$ 4,234.00	\$ 0.165	\$ 4,826.76	\$ 0.188	\$ 5,504.20	\$ 0.215	\$ 5,758.24	\$ 0.224	\$ 6,181.64	\$ 0.241
		5,000		4,894.00	0.666	5,579.16	0.760	6,362.20	0.866	6,655.84	0.906	7,145.24	0.973
S-1/S-2	Warehouse - Complete	10,000	A	8,226.00	0.968	9,377.64	1.104	10,693.80	1.259	11,187.36	1.317	12,009.96	1.414
		25,000		22,750.00	0.619	25,935.00	0.705	29,575.00	0.804	30,940.00	0.841	33,215.00	0.903
		50,000		38,214.00	0.764	43,563.96	0.871	49,678.20	0.994	51,971.04	1.039	55,792.44	1.116
		500		\$ 2,042.00	\$ 0.159	\$ 2,327.88	\$ 0.181	\$ 2,654.60	\$ 0.207	\$ 2,777.12	\$ 0.216	\$ 2,981.32	\$ 0.232
		2,500		2,360.00	0.643	2,690.40	0.733	3,068.00	0.836	3,209.60	0.875	3,445.60	0.939
S-1	Repair Garage & Service St - Complete	5,000	A	3,968.00	0.934	4,523.52	1.065	5,158.40	1.214	5,396.48	1.270	5,793.28	1.363
		12,500		10,972.00	0.597	12,508.08	0.680	14,263.60	0.776	14,921.92	0.811	16,019.12	0.871
		25,000		18,430.00	0.737	21,010.20	0.840	23,959.00	0.958	25,064.80	1.003	26,907.80	1.076
		500		\$ 1,703.00	\$ 0.133	\$ 1,941.42	\$ 0.151	\$ 2,213.90	\$ 0.172	\$ 2,316.08	\$ 0.180	\$ 2,486.38	\$ 0.193
		2,500		1,968.00	0.536	2,243.52	0.611	2,558.40	0.697	2,676.48	0.729	2,873.28	0.783
S-1	Repair Garage & Service St - Shell	5,000	A	3,308.00	0.779	3,771.12	0.888	4,300.40	1.012	4,498.88	1.059	4,829.68	1.137
		12,500		9,149.00	0.497	10,429.86	0.567	11,893.70	0.647	12,442.64	0.677	13,357.54	0.726
		25,000		15,367.00	0.615	17,518.38	0.701	19,977.10	0.799	20,899.12	0.836	22,435.82	0.897
		500		\$ 1,143.00	\$ 0.089	\$ 1,303.02	\$ 0.101	\$ 1,485.90	\$ 0.116	\$ 1,554.48	\$ 0.121	\$ 1,668.78	\$ 0.130
		2,500		1,321.00	0.360	1,505.94	0.410	1,717.30	0.467	1,796.56	0.489	1,928.66	0.525
S-1	Repair Garage & Service St - TI	5,000	A	2,220.00	0.523	2,530.80	0.596	2,886.00	0.679	3,019.20	0.711	3,241.20	0.763
		12,500		6,140.00	0.334	6,999.60	0.381	7,982.00	0.434	8,350.40	0.454	8,964.40	0.487
		25,000		10,313.00	0.413	11,756.82	0.470	13,406.90	0.536	14,025.68	0.561	15,056.98	0.602
		1,000		\$ 3,481.00	\$ 0.136	\$ 3,968.34	\$ 0.154	\$ 4,525.30	\$ 0.176	\$ 4,734.16	\$ 0.184	\$ 5,082.26	\$ 0.198
		5,000		4,023.00	0.548	4,586.22	0.625	5,229.90	0.712	5,471.28	0.745	5,873.58	0.800
S-2	Parking Garage - Complete	10,000	A	6,763.00	0.796	7,709.82	0.908	8,791.90	1.035	9,197.68	1.083	9,873.98	1.162
		25,000		18,704.00	0.509	21,322.56	0.580	24,315.20	0.661	25,437.44	0.692	27,307.84	0.742
		50,000		31,418.00	0.628	35,816.52	0.716	40,843.40	0.817	42,728.48	0.855	45,870.28	0.917
		250		\$ 1,113.00	\$ 0.173	\$ 1,268.82	\$ 0.197	\$ 1,446.90	\$ 0.225	\$ 1,513.68	\$ 0.235	\$ 1,624.98	\$ 0.253
		1,250		1,286.00	0.702	1,466.04	0.800	1,671.80	0.912	1,748.96	0.954	1,877.56	1.024
S-2	Commercial Carport	2,500	A	2,163.00	1.018	2,465.82	1.161	2,811.90	1.324	2,941.68	1.385	3,157.98	1.486
		6,250		5,981.00	0.650	6,818.34	0.741	7,775.30	0.846	8,134.16	0.885	8,732.26	0.950
		12,500		10,046.00	0.804	11,452.44	0.916	13,059.80	1.045	13,662.56	1.093	14,667.16	1.173
		100		\$ 971.00	\$ 0.378	\$ 1,106.94	\$ 0.430	\$ 1,262.30	\$ 0.491	\$ 1,320.56	\$ 0.513	\$ 1,417.66	\$ 0.551
		500		1,122.00	1.528	1,279.08	1.742	1,458.60	1.986	1,525.92	2.078	1,638.12	2.231
U	Accessory Building - Commercial	1,000	A	1,886.00	2.219	2,150.04	2.529	2,451.80	2.884	2,564.96	3.017	2,753.56	3.239
		2,500		5,214.00	1.418	5,943.96	1.617	6,778.20	1.843	7,091.04	1.928	7,612.44	2.070
		5,000		8,759.00	1.752	9,985.26	1.997	11,386.70	2.277	11,912.24	2.382	12,788.14	2.558

Building Plan Check Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		167		\$ 507.00	\$ 1.410	\$ 577.98	\$ 1.607	\$ 659.10	\$ 1.833	\$ 689.52	\$ 1.918	\$ 740.22	\$ 2.059
		333		742.00	1.668	845.88	1.902	964.60	2.168	1,009.12	2.268	1,083.32	2.435
U	Accessory Building - Residential	500	A	1,020.00	1.842	1,162.80	2.100	1,326.00	2.395	1,387.20	2.505	1,489.20	2.689
	Such as pool houses, recreation rooms, art studios and sheds	833		1,634.00	1.166	1,862.76	1.330	2,124.20	1.516	2,222.24	1.586	2,385.64	1.703
		1,250		2,120.00	1.696	2,416.80	1.933	2,756.00	2.205	2,883.20	2.307	3,095.20	2.476
		167		\$ 642.00	\$ 1.788	\$ 731.88	\$ 2.038	\$ 834.60	\$ 2.324	\$ 873.12	\$ 2.432	\$ 937.32	\$ 2.610
		333		940.00	2.112	1,071.60	2.408	1,222.00	2.746	1,278.40	2.872	1,372.40	3.084
U	Residential Garage	500	A	1,292.00	2.334	1,472.88	2.661	1,679.60	3.034	1,757.12	3.174	1,886.32	3.408
		833		2,070.00	1.478	2,359.80	1.685	2,691.00	1.922	2,815.20	2.011	3,022.20	2.158
		1,250		2,686.00	2.149	3,062.04	2.450	3,491.80	2.793	3,652.96	2.922	3,921.56	3.137
		167		\$ 390.00	\$ 1.086	\$ 444.60	\$ 1.238	\$ 507.00	\$ 1.412	\$ 530.40	\$ 1.477	\$ 569.40	\$ 1.586
		333		571.00	1.284	650.94	1.464	742.30	1.669	776.56	1.746	833.66	1.875
U	Residential Carport	500	A	785.00	1.419	894.90	1.618	1,020.50	1.845	1,067.60	1.930	1,146.10	2.072
		833		1,258.00	0.898	1,434.12	1.023	1,635.40	1.167	1,710.88	1.221	1,836.68	1.310
		1,250		1,632.00	1.306	1,860.48	1.488	2,121.60	1.697	2,219.52	1.776	2,382.72	1.906
		333		\$ 353.00	\$ 0.492	\$ 402.42	\$ 0.561	\$ 458.90	\$ 0.640	\$ 480.08	\$ 0.669	\$ 515.38	\$ 0.718
		667		517.00	0.579	589.38	0.660	672.10	0.753	703.12	0.787	754.82	0.845
	Residential Patio Cover	1,000	A	710.00	0.644	809.40	0.734	923.00	0.837	965.60	0.875	1,036.60	0.940
		1,667		1,139.00	0.406	1,298.46	0.462	1,480.70	0.527	1,549.04	0.552	1,662.94	0.592
		2,500		1,477.00	0.591	1,683.78	0.674	1,920.10	0.768	2,008.72	0.803	2,156.42	0.863
		333		\$ 393.00	\$ 0.546	\$ 448.02	\$ 0.622	\$ 510.90	\$ 0.710	\$ 534.48	\$ 0.743	\$ 573.78	\$ 0.797
		667		575.00	0.645	655.50	0.735	747.50	0.839	782.00	0.877	839.50	0.942
R-3	Residential Patio Enclosure	1,000	A	790.00	0.716	900.60	0.816	1,027.00	0.930	1,074.40	0.973	1,153.40	1.045
		1,667		1,267.00	0.451	1,444.38	0.514	1,647.10	0.587	1,723.12	0.614	1,849.82	0.659
		2,500		1,643.00	0.657	1,873.02	0.749	2,135.90	0.854	2,234.48	0.894	2,398.78	0.960

Building Permit Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		200		\$ 1,139.00	\$ 0.469	\$ 1,298.46	\$ 0.534	\$ 1,480.70	\$ 0.609	\$ 1,549.04	\$ 0.638	\$ 1,662.94	\$ 0.684
		1,000		1,514.00	0.351	1,725.96	0.400	1,968.20	0.456	2,059.04	0.477	2,210.44	0.512
A-1	Assembly Group	2,000	A	1,865.00	0.173	2,126.10	0.197	2,424.50	0.225	2,536.40	0.235	2,722.90	0.253
		5,000		2,384.00	0.111	2,717.76	0.126	3,099.20	0.144	3,242.24	0.151	3,480.64	0.162
		10,000		2,938.00	0.294	3,349.32	0.335	3,819.40	0.382	3,995.68	0.400	4,289.48	0.429
		100		\$ 1,139.00	\$ 0.938	\$ 1,298.46	\$ 1.069	\$ 1,480.70	\$ 1.219	\$ 1,549.04	\$ 1.275	\$ 1,662.94	\$ 1.369
		500		1,514.00	0.702	1,725.96	0.800	1,968.20	0.913	2,059.04	0.955	2,210.44	1.025
A-2	Assembly Group: Restaurants	1,000	A	1,865.00	0.346	2,126.10	0.394	2,424.50	0.450	2,536.40	0.471	2,722.90	0.505
		2,500		2,384.00	0.222	2,717.76	0.253	3,099.20	0.288	3,242.24	0.301	3,480.64	0.324
		5,000		2,938.00	0.588	3,349.32	0.670	3,819.40	0.764	3,995.68	0.799	4,289.48	0.858
		500		\$ 620.00	\$ 0.102	\$ 706.80	\$ 0.116	\$ 806.00	\$ 0.133	\$ 843.20	\$ 0.139	\$ 905.20	\$ 0.149
		2,500		824.00	0.076	939.36	0.087	1,071.20	0.099	1,120.64	0.104	1,203.04	0.112
A-3	Assembly Group - TI	5,000	A	1,015.00	0.038	1,157.10	0.043	1,319.50	0.049	1,380.40	0.051	1,481.90	0.055
		12,500		1,298.00	0.024	1,479.72	0.027	1,687.40	0.031	1,765.28	0.033	1,895.08	0.035
		25,000		1,599.00	0.064	1,822.86	0.073	2,078.70	0.083	2,174.64	0.087	2,334.54	0.093
		500		\$ 632.00	\$ 0.104	\$ 720.48	\$ 0.118	\$ 821.60	\$ 0.135	\$ 859.52	\$ 0.141	\$ 922.72	\$ 0.151
		2,500		839.00	0.078	956.46	0.089	1,090.70	0.101	1,141.04	0.106	1,224.94	0.114
A-3	Church and Religious Bldg - TI	5,000	A	1,034.00	0.038	1,178.76	0.044	1,344.20	0.050	1,406.24	0.052	1,509.64	0.056
		12,500		1,322.00	0.025	1,507.08	0.028	1,718.60	0.032	1,797.92	0.033	1,930.12	0.036
		25,000		1,629.00	0.065	1,857.06	0.074	2,117.70	0.085	2,215.44	0.089	2,378.34	0.095
		500		\$ 2,431.00	\$ 0.400	\$ 2,771.34	\$ 0.456	\$ 3,160.30	\$ 0.520	\$ 3,306.16	\$ 0.544	\$ 3,549.26	\$ 0.584
		2,500		3,231.00	0.299	3,683.34	0.341	4,200.30	0.389	4,394.16	0.407	4,717.26	0.437
B	Restaurant - Complete	5,000	A	3,979.00	0.148	4,536.06	0.169	5,172.70	0.192	5,411.44	0.201	5,809.34	0.216
		12,500		5,088.00	0.094	5,800.32	0.108	6,614.40	0.123	6,919.68	0.128	7,428.48	0.138
		25,000		6,269.00	0.251	7,146.66	0.286	8,149.70	0.326	8,525.84	0.341	9,152.74	0.366
		500		\$ 2,047.00	\$ 0.337	\$ 2,333.58	\$ 0.384	\$ 2,661.10	\$ 0.437	\$ 2,783.92	\$ 0.458	\$ 2,988.62	\$ 0.491
		2,500		2,720.00	0.252	3,100.80	0.287	3,536.00	0.328	3,699.20	0.343	3,971.20	0.368
B	Restaurant - Shell	5,000	A	3,350.00	0.124	3,819.00	0.142	4,355.00	0.162	4,556.00	0.169	4,891.00	0.182
		12,500		4,283.00	0.080	4,882.62	0.091	5,567.90	0.103	5,824.88	0.108	6,253.18	0.116
		25,000		5,278.00	0.211	6,016.92	0.241	6,861.40	0.274	7,178.08	0.287	7,705.88	0.308
		250		\$ 614.00	\$ 0.203	\$ 699.96	\$ 0.231	\$ 798.20	\$ 0.264	\$ 835.04	\$ 0.276	\$ 896.44	\$ 0.296
		1,250		817.00	0.151	931.38	0.172	1,062.10	0.197	1,111.12	0.206	1,192.82	0.221
B	Restaurant - TI	2,500	A	1,006.00	0.075	1,146.84	0.085	1,307.80	0.097	1,368.16	0.102	1,468.76	0.109
		6,250		1,286.00	0.048	1,466.04	0.055	1,671.80	0.062	1,748.96	0.065	1,877.56	0.070
		12,500		1,585.00	0.127	1,806.90	0.145	2,060.50	0.165	2,155.60	0.172	2,314.10	0.185
		1,000		\$ 2,798.00	\$ 0.230	\$ 3,189.72	\$ 0.262	\$ 3,637.40	\$ 0.299	\$ 3,805.28	\$ 0.313	\$ 4,085.08	\$ 0.336
		5,000		3,719.00	0.172	4,239.66	0.196	4,834.70	0.224	5,057.84	0.234	5,429.74	0.251
B	Offices, etc. - Complete	10,000	A	4,580.00	0.085	5,221.20	0.097	5,954.00	0.111	6,228.80	0.116	6,686.80	0.124
		25,000		5,856.00	0.054	6,675.84	0.062	7,612.80	0.071	7,964.16	0.074	8,549.76	0.079
		50,000		7,216.00	0.144	8,226.24	0.165	9,380.80	0.188	9,813.76	0.196	10,535.36	0.211
		1,000		\$ 1,875.00	\$ 0.154	\$ 2,137.50	\$ 0.176	\$ 2,437.50	\$ 0.201	\$ 2,550.00	\$ 0.210	\$ 2,737.50	\$ 0.225
		5,000		2,492.00	0.116	2,840.88	0.132	3,239.60	0.150	3,389.12	0.157	3,638.32	0.169
B	Offices, etc. - Shell	10,000	A	3,070.00	0.057	3,499.80	0.065	3,991.00	0.074	4,175.20	0.078	4,482.20	0.083
		25,000		3,925.00	0.036	4,474.50	0.042	5,102.50	0.047	5,338.00	0.050	5,730.50	0.053
		50,000		4,836.00	0.097	5,513.04	0.110	6,286.80	0.126	6,576.96	0.132	7,060.56	0.141
		500		\$ 1,801.00	\$ 0.296	\$ 2,053.14	\$ 0.337	\$ 2,341.30	\$ 0.385	\$ 2,449.36	\$ 0.403	\$ 2,629.46	\$ 0.432
		2,500		2,393.00	0.222	2,728.02	0.253	3,110.90	0.288	3,254.48	0.301	3,493.78	0.324
B	Commercial Building - Addition	5,000	A	2,947.00	0.109	3,359.58	0.125	3,831.10	0.142	4,007.92	0.149	4,302.62	0.160
		12,500		3,768.00	0.070	4,295.52	0.080	4,898.40	0.091	5,124.48	0.095	5,501.28	0.102
		25,000		4,643.00	0.186	5,293.02	0.212	6,035.90	0.241	6,314.48	0.253	6,778.78	0.271

Building Permit Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
			V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B		
			Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		
			1.00		1.14		1.30		1.36		1.46		
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		500		\$ 517.00	\$ 0.085	\$ 589.38	\$ 0.097	\$ 672.10	\$ 0.111	\$ 703.12	\$ 0.116	\$ 754.82	\$ 0.124
		2,500		687.00	0.064	783.18	0.073	893.10	0.083	934.32	0.086	1,003.02	0.093
B	Offices, etc. - Non-Medical TI	5,000	A	846.00	0.031	964.44	0.036	1,099.80	0.041	1,150.56	0.043	1,235.16	0.046
		12,500		1,081.00	0.020	1,232.34	0.023	1,405.30	0.026	1,470.16	0.027	1,578.26	0.029
		25,000		1,332.00	0.053	1,518.48	0.061	1,731.60	0.069	1,811.52	0.072	1,944.72	0.078
		1,000		\$ 2,409.00	\$ 0.198	\$ 2,746.26	\$ 0.226	\$ 3,131.70	\$ 0.258	\$ 3,276.24	\$ 0.270	\$ 3,517.14	\$ 0.289
		5,000		3,202.00	0.148	3,650.28	0.169	4,162.60	0.193	4,354.72	0.202	4,674.92	0.216
B	Medical Offices - Complete	10,000	A	3,943.00	0.073	4,495.02	0.084	5,125.90	0.095	5,362.48	0.100	5,756.78	0.107
		25,000		5,042.00	0.047	5,747.88	0.053	6,554.60	0.061	6,857.12	0.064	7,361.32	0.068
		50,000		6,213.00	0.124	7,082.82	0.142	8,076.90	0.162	8,449.68	0.169	9,070.98	0.181
		1,000		\$ 1,882.00	\$ 0.155	\$ 2,145.48	\$ 0.176	\$ 2,446.60	\$ 0.201	\$ 2,559.52	\$ 0.210	\$ 2,747.72	\$ 0.226
		5,000		2,501.00	0.116	2,851.14	0.132	3,251.30	0.151	3,401.36	0.157	3,651.46	0.169
B	Medical Offices - Shell	10,000	A	3,080.00	0.057	3,511.20	0.065	4,004.00	0.074	4,188.80	0.078	4,496.80	0.084
		25,000		3,938.00	0.037	4,489.32	0.042	5,119.40	0.048	5,355.68	0.050	5,749.48	0.053
		50,000		4,852.00	0.097	5,531.28	0.111	6,307.60	0.126	6,598.72	0.132	7,083.92	0.142
		500		\$ 712.00	\$ 0.117	\$ 811.68	\$ 0.133	\$ 925.60	\$ 0.152	\$ 968.32	\$ 0.159	\$ 1,039.52	\$ 0.171
		2,500		946.00	0.088	1,078.44	0.100	1,229.80	0.114	1,286.56	0.119	1,381.16	0.128
B	Medical Offices - TI	5,000	A	1,165.00	0.043	1,328.10	0.049	1,514.50	0.056	1,584.40	0.059	1,700.90	0.063
		12,500		1,490.00	0.028	1,698.60	0.032	1,937.00	0.036	2,026.40	0.038	2,175.40	0.040
		25,000		1,836.00	0.073	2,093.04	0.084	2,386.80	0.095	2,496.96	0.100	2,680.56	0.107
		100		\$ 1,146.00	\$ 0.945	\$ 1,306.44	\$ 1.077	\$ 1,489.80	\$ 1.229	\$ 1,558.56	\$ 1.285	\$ 1,673.16	\$ 1.380
		500		1,524.00	0.706	1,737.36	0.805	1,981.20	0.918	2,072.64	0.960	2,225.04	1.031
E	Shell	1,000	A	1,877.00	0.348	2,139.78	0.397	2,440.10	0.452	2,552.72	0.473	2,740.42	0.508
		2,500		2,399.00	0.223	2,734.86	0.254	3,118.70	0.290	3,262.64	0.303	3,502.54	0.325
		5,000		2,956.00	0.591	3,369.84	0.674	3,842.80	0.769	4,020.16	0.804	4,315.76	0.863
		150		\$ 660.00	\$ 0.362	\$ 752.40	\$ 0.412	\$ 858.00	\$ 0.470	\$ 897.60	\$ 0.492	\$ 963.60	\$ 0.528
		750		877.00	0.271	999.78	0.309	1,140.10	0.352	1,192.72	0.368	1,280.42	0.395
E	Educational Building - TI	1,500	A	1,080.00	0.134	1,231.20	0.153	1,404.00	0.174	1,468.80	0.182	1,576.80	0.195
		3,750		1,381.00	0.086	1,574.34	0.098	1,795.30	0.111	1,878.16	0.116	2,016.26	0.125
		7,500		1,702.00	0.227	1,940.28	0.259	2,212.60	0.295	2,314.72	0.309	2,484.92	0.331
		500		\$ 1,922.00	\$ 0.316	\$ 2,191.08	\$ 0.360	\$ 2,498.60	\$ 0.411	\$ 2,613.92	\$ 0.430	\$ 2,806.12	\$ 0.461
		2,500		2,554.00	0.237	2,911.56	0.270	3,320.20	0.308	3,473.44	0.322	3,728.84	0.346
F-1	Industrial Building - Shell	5,000	A	3,146.00	0.117	3,586.44	0.133	4,089.80	0.152	4,278.56	0.159	4,593.16	0.171
		12,500		4,022.00	0.075	4,585.08	0.085	5,228.60	0.097	5,469.92	0.102	5,872.12	0.109
		25,000		4,956.00	0.198	5,649.84	0.226	6,442.80	0.258	6,740.16	0.270	7,235.76	0.289
		500		\$ 591.00	\$ 0.098	\$ 673.74	\$ 0.111	\$ 768.30	\$ 0.127	\$ 803.76	\$ 0.133	\$ 862.86	\$ 0.142
		2,500		786.00	0.073	896.04	0.083	1,021.80	0.095	1,068.96	0.099	1,147.56	0.106
F-1	Industrial Building - TI	5,000	A	968.00	0.036	1,103.52	0.041	1,258.40	0.047	1,316.48	0.049	1,413.28	0.053
		12,500		1,238.00	0.023	1,411.32	0.026	1,609.40	0.030	1,683.68	0.031	1,807.48	0.034
		25,000		1,525.00	0.061	1,738.50	0.070	1,982.50	0.079	2,074.00	0.083	2,226.50	0.089
		500		\$ 2,046.00	\$ 0.336	\$ 2,332.44	\$ 0.383	\$ 2,659.80	\$ 0.437	\$ 2,782.56	\$ 0.457	\$ 2,987.16	\$ 0.491
		2,500		2,718.00	0.252	3,098.52	0.287	3,533.40	0.328	3,696.48	0.343	3,968.28	0.368
H	Hazardous H- Complete	5,000	A	3,348.00	0.124	3,816.72	0.142	4,352.40	0.162	4,553.28	0.169	4,888.08	0.182
		12,500		4,281.00	0.080	4,880.34	0.091	5,565.30	0.103	5,822.16	0.108	6,250.26	0.116
		25,000		5,275.00	0.211	6,013.50	0.241	6,857.50	0.274	7,174.00	0.287	7,701.50	0.308
		500		\$ 1,530.00	\$ 0.252	\$ 1,744.20	\$ 0.287	\$ 1,989.00	\$ 0.327	\$ 2,080.80	\$ 0.342	\$ 2,233.80	\$ 0.367
		2,500		2,033.00	0.188	2,317.62	0.215	2,642.90	0.245	2,764.88	0.256	2,968.18	0.275
H	Hazardous H- Shell	5,000	A	2,504.00	0.093	2,854.56	0.106	3,255.20	0.121	3,405.44	0.127	3,655.84	0.136
		12,500		3,202.00	0.060	3,650.28	0.068	4,162.60	0.077	4,354.72	0.081	4,674.92	0.087
		25,000		3,946.00	0.158	4,498.44	0.180	5,129.80	0.205	5,366.56	0.215	5,761.16	0.230

Building Permit Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	1.00		1.14		1.30		1.36		1.46	
				Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		500		\$ 999.00	\$ 0.164	\$ 1,138.86	\$ 0.187	\$ 1,298.70	\$ 0.213	\$ 1,358.64	\$ 0.223	\$ 1,458.54	\$ 0.239
		2,500		1,327.00	0.123	1,512.78	0.140	1,725.10	0.160	1,804.72	0.168	1,937.42	0.180
H	Hazardous H- T I	5,000	A	1,635.00	0.061	1,863.90	0.069	2,125.50	0.079	2,223.60	0.083	2,387.10	0.089
		12,500		2,090.00	0.039	2,382.60	0.044	2,717.00	0.050	2,842.40	0.053	3,051.40	0.057
		25,000		2,575.00	0.103	2,935.50	0.117	3,347.50	0.134	3,502.00	0.140	3,759.50	0.150
		250		\$ 2,030.00	\$ 0.668	\$ 2,314.20	\$ 0.762	\$ 2,639.00	\$ 0.868	\$ 2,760.80	\$ 0.908	\$ 2,963.80	\$ 0.975
		1,250		2,698.00	0.500	3,075.72	0.570	3,507.40	0.650	3,669.28	0.680	3,939.08	0.730
I-1	Medical/24 Hour Care - Complete	2,500	A	3,323.00	0.247	3,788.22	0.282	4,319.90	0.321	4,519.28	0.336	4,851.58	0.361
		6,250		4,249.00	0.158	4,843.86	0.180	5,523.70	0.205	5,778.64	0.215	6,203.54	0.230
		12,500		5,235.00	0.419	5,967.90	0.477	6,805.50	0.544	7,119.60	0.570	7,643.10	0.611
		250		\$ 1,943.00	\$ 0.639	\$ 2,215.02	\$ 0.728	\$ 2,525.90	\$ 0.831	\$ 2,642.48	\$ 0.869	\$ 2,836.78	\$ 0.933
		1,250		2,582.00	0.479	2,943.48	0.546	3,356.60	0.623	3,511.52	0.652	3,769.72	0.700
I-1	Medical/24 Hour Care - Shell	2,500	A	3,181.00	0.236	3,626.34	0.269	4,135.30	0.307	4,326.16	0.321	4,644.26	0.345
		6,250		4,067.00	0.151	4,636.38	0.172	5,287.10	0.196	5,531.12	0.205	5,937.82	0.221
		12,500		5,011.00	0.401	5,712.54	0.457	6,514.30	0.521	6,814.96	0.545	7,316.06	0.585
		250		\$ 608.00	\$ 0.200	\$ 693.12	\$ 0.228	\$ 790.40	\$ 0.260	\$ 826.88	\$ 0.272	\$ 887.68	\$ 0.292
		1,250		808.00	0.150	921.12	0.171	1,050.40	0.196	1,098.88	0.205	1,179.68	0.220
I-1	Medical/24Hour Care - TI	2,500	A	996.00	0.074	1,135.44	0.084	1,294.80	0.096	1,354.56	0.100	1,454.16	0.108
		6,250		1,273.00	0.047	1,451.22	0.054	1,654.90	0.061	1,731.28	0.064	1,858.58	0.069
		12,500		1,568.00	0.125	1,787.52	0.143	2,038.40	0.163	2,132.48	0.171	2,289.28	0.183
		250		\$ 1,679.00	\$ 0.553	\$ 1,914.06	\$ 0.630	\$ 2,182.70	\$ 0.719	\$ 2,283.44	\$ 0.752	\$ 2,451.34	\$ 0.807
		1,250		2,232.00	0.414	2,544.48	0.472	2,901.60	0.538	3,035.52	0.562	3,258.72	0.604
I-4	Day Care Facility - Complete	2,500	A	2,749.00	0.204	3,133.86	0.233	3,573.70	0.266	3,738.64	0.278	4,013.54	0.298
		6,250		3,515.00	0.131	4,007.10	0.149	4,569.50	0.170	4,780.40	0.178	5,131.90	0.191
		12,500		4,331.00	0.346	4,937.34	0.395	5,630.30	0.450	5,890.16	0.471	6,323.26	0.506
		100		\$ 631.00	\$ 0.520	\$ 719.34	\$ 0.593	\$ 820.30	\$ 0.676	\$ 858.16	\$ 0.707	\$ 921.26	\$ 0.759
		500		839.00	0.388	956.46	0.442	1,090.70	0.504	1,141.04	0.528	1,224.94	0.566
I-4	Day Care Facility - TI	1,000	A	1,033.00	0.192	1,177.62	0.219	1,342.90	0.250	1,404.88	0.261	1,508.18	0.280
		2,500		1,321.00	0.122	1,505.94	0.140	1,717.30	0.159	1,796.56	0.166	1,928.66	0.179
		5,000		1,627.00	0.325	1,854.78	0.371	2,115.10	0.423	2,212.72	0.443	2,375.42	0.475
		1,000		\$ 2,111.00	\$ 0.174	\$ 2,406.54	\$ 0.198	\$ 2,744.30	\$ 0.226	\$ 2,870.96	\$ 0.236	\$ 3,082.06	\$ 0.253
		5,000		2,805.00	0.130	3,197.70	0.148	3,646.50	0.169	3,814.80	0.177	4,095.30	0.190
M	Retail Sales - Complete	10,000	A	3,455.00	0.064	3,938.70	0.073	4,491.50	0.083	4,698.80	0.087	5,044.30	0.094
		25,000		4,417.00	0.041	5,035.38	0.047	5,742.10	0.053	6,007.12	0.056	6,448.82	0.060
		50,000		5,443.00	0.109	6,205.02	0.124	7,075.90	0.142	7,402.48	0.148	7,946.78	0.159
		1,000		\$ 1,807.00	\$ 0.149	\$ 2,059.98	\$ 0.169	\$ 2,349.10	\$ 0.193	\$ 2,457.52	\$ 0.202	\$ 2,638.22	\$ 0.217
		5,000		2,401.00	0.111	2,737.14	0.127	3,121.30	0.145	3,265.36	0.151	3,505.46	0.162
M	Retail Sales - Shell	10,000	A	2,957.00	0.055	3,370.98	0.063	3,844.10	0.071	4,021.52	0.075	4,317.22	0.080
		25,000		3,781.00	0.035	4,310.34	0.040	4,915.30	0.046	5,142.16	0.048	5,520.26	0.051
		50,000		4,659.00	0.093	5,311.26	0.106	6,056.70	0.121	6,336.24	0.127	6,802.14	0.136
		1,000		\$ 625.00	\$ 0.051	\$ 712.50	\$ 0.058	\$ 812.50	\$ 0.067	\$ 850.00	\$ 0.070	\$ 912.50	\$ 0.075
		5,000		830.00	0.039	946.20	0.044	1,079.00	0.050	1,128.80	0.052	1,211.80	0.056
M	Retail Sales - TI	10,000	A	1,023.00	0.019	1,166.22	0.022	1,329.90	0.025	1,391.28	0.026	1,493.58	0.028
		25,000		1,307.00	0.012	1,489.98	0.014	1,699.10	0.016	1,777.52	0.017	1,908.22	0.018
		50,000		1,611.00	0.032	1,836.54	0.037	2,094.30	0.042	2,190.96	0.044	2,352.06	0.047
		2,500		\$ 4,768.00	\$ 0.157	\$ 5,435.52	\$ 0.179	\$ 6,198.40	\$ 0.204	\$ 6,484.48	\$ 0.213	\$ 6,961.28	\$ 0.229
		12,500		6,337.00	0.117	7,224.18	0.134	8,238.10	0.153	8,618.32	0.160	9,252.02	0.171
R-1	Hotel Low/Mid Rise - Complete	25,000	A	7,805.00	0.058	8,897.70	0.066	10,146.50	0.075	10,614.80	0.079	11,395.30	0.085
		62,500		9,980.00	0.037	11,377.20	0.042	12,974.00	0.048	13,572.80	0.050	14,570.80	0.054
		125,000		12,296.00	0.098	14,017.44	0.112	15,984.80	0.128	16,722.56	0.134	17,952.16	0.144

Building Permit Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		2,500		\$ 4,149.00	\$ 0.137	\$ 4,729.86	\$ 0.156	\$ 5,393.70	\$ 0.177	\$ 5,642.64	\$ 0.186	\$ 6,057.54	\$ 0.199
		12,500		5,514.00	0.102	6,285.96	0.117	7,168.20	0.133	7,499.04	0.139	8,050.44	0.149
R-1	Hotel Low/Mid Rise - Shell	25,000	A	6,792.00	0.050	7,742.88	0.058	8,829.60	0.066	9,237.12	0.069	9,916.32	0.074
		62,500		8,684.00	0.032	9,899.76	0.037	11,289.20	0.042	11,810.24	0.044	12,678.64	0.047
		125,000		10,700.00	0.086	12,198.00	0.098	13,910.00	0.111	14,552.00	0.116	15,622.00	0.125
		2,500		\$ 2,264.00	\$ 0.075	\$ 2,580.96	\$ 0.085	\$ 2,943.20	\$ 0.097	\$ 3,079.04	\$ 0.101	\$ 3,305.44	\$ 0.109
		12,500		3,009.00	0.056	3,430.26	0.064	3,911.70	0.072	4,092.24	0.076	4,393.14	0.081
R-1	Hotel Low/Mid Rise - TI	25,000	A	3,706.00	0.028	4,224.84	0.031	4,817.80	0.036	5,040.16	0.037	5,410.76	0.040
		62,500		4,739.00	0.018	5,402.46	0.020	6,160.70	0.023	6,445.04	0.024	6,918.94	0.026
		125,000		5,839.00	0.047	6,656.46	0.053	7,590.70	0.061	7,941.04	0.064	8,524.94	0.068
		1,667		\$ 2,832.00	\$ 0.359	\$ 3,228.48	\$ 0.409	\$ 3,681.60	\$ 0.466	\$ 3,851.52	\$ 0.488	\$ 4,134.72	\$ 0.524
		3,333		3,430.00	0.239	3,910.20	0.272	4,459.00	0.310	4,664.80	0.325	5,007.80	0.349
R-2	Multi-family Residential - New	5,000	A	3,828.00	0.205	4,363.92	0.234	4,976.40	0.266	5,206.08	0.279	5,588.88	0.299
		8,333		4,511.00	0.130	5,142.54	0.148	5,864.30	0.169	6,134.96	0.177	6,586.06	0.190
		12,500		5,052.00	0.404	5,759.28	0.461	6,567.60	0.525	6,870.72	0.550	7,375.92	0.590
		667		\$ 1,340.00	\$ 0.425	\$ 1,527.60	\$ 0.484	\$ 1,742.00	\$ 0.552	\$ 1,822.40	\$ 0.577	\$ 1,956.40	\$ 0.620
		1,333		1,623.00	0.282	1,850.22	0.321	2,109.90	0.367	2,207.28	0.384	2,369.58	0.412
R-2	Multi-Family Residential - Addition	2,000	A	1,811.00	0.242	2,064.54	0.275	2,354.30	0.314	2,462.96	0.328	2,644.06	0.353
		3,333		2,133.00	0.154	2,431.62	0.176	2,772.90	0.200	2,900.88	0.210	3,114.18	0.225
		5,000		2,390.00	0.478	2,724.60	0.545	3,107.00	0.621	3,250.40	0.650	3,489.40	0.698
		667		\$ 1,034.00	\$ 0.329	\$ 1,178.76	\$ 0.374	\$ 1,344.20	\$ 0.427	\$ 1,406.24	\$ 0.447	\$ 1,509.64	\$ 0.480
		1,333		1,253.00	0.218	1,428.42	0.248	1,628.90	0.283	1,704.08	0.296	1,829.38	0.318
R-2	Multi-Family Residential - Alteration	2,000	A	1,398.00	0.187	1,593.72	0.213	1,817.40	0.243	1,901.28	0.254	2,041.08	0.273
		3,333		1,647.00	0.119	1,877.58	0.135	2,141.10	0.154	2,239.92	0.162	2,404.62	0.173
		5,000		1,845.00	0.369	2,103.30	0.421	2,398.50	0.480	2,509.20	0.502	2,693.70	0.539
		1,000		\$ 1,867.00	\$ 0.394	\$ 2,128.38	\$ 0.449	\$ 2,427.10	\$ 0.512	\$ 2,539.12	\$ 0.536	\$ 2,725.82	\$ 0.575
		2,000		2,261.00	0.262	2,577.54	0.299	2,939.30	0.341	3,074.96	0.356	3,301.06	0.383
R-3	Single-Family (custom or model)	3,000	A	2,523.00	0.225	2,876.22	0.257	3,279.90	0.293	3,431.28	0.306	3,683.58	0.329
		5,000		2,973.00	0.142	3,389.22	0.162	3,864.90	0.185	4,043.28	0.194	4,340.58	0.208
		7,500		3,329.00	0.444	3,795.06	0.506	4,327.70	0.577	4,527.44	0.604	4,860.34	0.648
		667		\$ 1,256.00	\$ 0.398	\$ 1,431.84	\$ 0.453	\$ 1,632.80	\$ 0.517	\$ 1,708.16	\$ 0.541	\$ 1,833.76	\$ 0.580
		1,333		1,521.00	0.264	1,733.94	0.301	1,977.30	0.343	2,068.56	0.359	2,220.66	0.385
R-3	Single-Family - Production / Repeat	2,000	A	1,697.00	0.227	1,934.58	0.259	2,206.10	0.295	2,307.92	0.309	2,477.62	0.332
		3,333		2,000.00	0.144	2,280.00	0.164	2,600.00	0.187	2,720.00	0.196	2,920.00	0.210
		5,000		2,240.00	0.448	2,553.60	0.511	2,912.00	0.582	3,046.40	0.609	3,270.40	0.654
		250		\$ 862.00	\$ 0.701	\$ 982.68	\$ 0.799	\$ 1,120.60	\$ 0.912	\$ 1,172.32	\$ 0.954	\$ 1,258.52	\$ 1.020
		1,000		1,388.00	0.322	1,582.32	0.367	1,804.40	0.419	1,887.68	0.438	2,026.48	0.470
R-3	Single-Family Residential - Addition	1,500	A	1,549.00	0.276	1,765.86	0.315	2,013.70	0.359	2,106.64	0.375	2,261.54	0.403
		2,500		1,825.00	0.175	2,080.50	0.200	2,372.50	0.228	2,482.00	0.238	2,664.50	0.256
		3,750		2,044.00	0.545	2,330.16	0.621	2,657.20	0.709	2,779.84	0.741	2,984.24	0.796
		250		\$ 691.60	\$ 0.376	\$ 788.88	\$ 0.428	\$ 899.60	\$ 0.488	\$ 941.12	\$ 0.510	\$ 1,010.32	\$ 0.548
		1,000		974.00	0.226	1,110.36	0.258	1,266.20	0.294	1,324.64	0.307	1,422.04	0.330
R-3	Single-Family Residential - Alteration	1,500	A	1,087.00	0.194	1,239.18	0.221	1,413.10	0.252	1,478.32	0.264	1,587.02	0.283
		2,500		1,281.00	0.122	1,460.34	0.140	1,665.30	0.159	1,742.16	0.166	1,870.26	0.179
		3,750		1,434.00	0.382	1,634.76	0.436	1,864.20	0.497	1,950.24	0.520	2,093.64	0.558
		667		\$ 472.00	\$ 0.150	\$ 538.08	\$ 0.171	\$ 613.60	\$ 0.195	\$ 641.92	\$ 0.204	\$ 689.12	\$ 0.219
		1,333		572.00	0.099	652.08	0.113	743.60	0.129	777.92	0.135	835.12	0.145
R-3	Manufactured Home - Complete	2,000	A	638.00	0.086	727.32	0.097	829.40	0.111	867.68	0.116	931.48	0.125
		3,333		752.00	0.054	857.28	0.062	977.60	0.070	1,022.72	0.073	1,097.92	0.079
		5,000		842.00	0.168	959.88	0.192	1,094.60	0.219	1,145.12	0.229	1,229.32	0.246

Building Permit Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		333		\$ 472.00	\$ 0.300	\$ 538.08	\$ 0.342	\$ 613.60	\$ 0.390	\$ 641.92	\$ 0.408	\$ 689.12	\$ 0.438
		667		572.00	0.198	652.08	0.226	743.60	0.257	777.92	0.269	835.12	0.289
R-3	Prefabricated Dwelling - Complete	1,000	A	638.00	0.171	727.32	0.195	829.40	0.222	867.68	0.233	931.48	0.250
		1,667		752.00	0.108	857.28	0.123	977.60	0.140	1,022.72	0.147	1,097.92	0.158
		2,500		842.00	0.337	959.88	0.384	1,094.60	0.438	1,145.12	0.458	1,229.32	0.492
		250		\$ 435.00	\$ 0.144	\$ 495.90	\$ 0.164	\$ 565.50	\$ 0.187	\$ 591.60	\$ 0.196	\$ 635.10	\$ 0.210
		1,250		579.00	0.107	660.06	0.122	752.70	0.139	787.44	0.146	845.34	0.157
	Modular Building - Complete	2,500	A	713.00	0.053	812.82	0.060	926.90	0.069	969.68	0.072	1,040.98	0.077
		6,250		911.00	0.034	1,038.54	0.039	1,184.30	0.044	1,238.96	0.046	1,330.06	0.050
		12,500		1,123.00	0.090	1,280.22	0.102	1,459.90	0.117	1,527.28	0.122	1,639.58	0.131
		250		\$ 235.00	\$ 0.077	\$ 267.90	\$ 0.088	\$ 305.50	\$ 0.100	\$ 319.60	\$ 0.105	\$ 343.10	\$ 0.112
		1,250		312.00	0.058	355.68	0.066	405.60	0.075	424.32	0.078	455.52	0.084
	Manufactured Building - Fnd	2,500	A	384.00	0.029	437.76	0.033	499.20	0.037	522.24	0.039	560.64	0.042
		6,250		491.00	0.018	559.74	0.021	638.30	0.024	667.76	0.025	716.86	0.027
		12,500		605.00	0.048	689.70	0.055	786.50	0.063	822.80	0.066	883.30	0.071
		1,000		\$ 1,784.00	\$ 0.147	\$ 2,033.76	\$ 0.167	\$ 2,319.20	\$ 0.191	\$ 2,426.24	\$ 0.200	\$ 2,604.64	\$ 0.214
		5,000		2,371.00	0.110	2,702.94	0.125	3,082.30	0.143	3,224.56	0.149	3,461.66	0.160
S-1/S-2	Warehouse - Complete	10,000	A	2,920.00	0.054	3,328.80	0.062	3,796.00	0.070	3,971.20	0.074	4,263.20	0.079
		25,000		3,733.00	0.035	4,255.62	0.040	4,852.90	0.045	5,076.88	0.047	5,450.18	0.051
		50,000		4,600.00	0.092	5,244.00	0.105	5,980.00	0.120	6,256.00	0.125	6,716.00	0.134
		500		\$ 1,910.00	\$ 0.314	\$ 2,177.40	\$ 0.358	\$ 2,483.00	\$ 0.408	\$ 2,597.60	\$ 0.427	\$ 2,788.60	\$ 0.458
		2,500		2,538.00	0.235	2,893.32	0.268	3,299.40	0.306	3,451.68	0.320	3,705.48	0.343
S-1	Repair Garage & Service St - Complete	5,000	A	3,126.00	0.116	3,563.64	0.132	4,063.80	0.151	4,251.36	0.158	4,563.96	0.170
		12,500		3,997.00	0.074	4,556.58	0.085	5,196.10	0.097	5,435.92	0.101	5,835.62	0.108
		25,000		4,925.00	0.197	5,614.50	0.225	6,402.50	0.256	6,698.00	0.268	7,190.50	0.288
		500		\$ 1,738.00	\$ 0.286	\$ 1,981.32	\$ 0.326	\$ 2,259.40	\$ 0.372	\$ 2,363.68	\$ 0.389	\$ 2,537.48	\$ 0.418
		2,500		2,310.00	0.214	2,633.40	0.244	3,003.00	0.278	3,141.60	0.291	3,372.60	0.312
S-1	Repair Garage & Service St - Shell	5,000	A	2,845.00	0.106	3,243.30	0.121	3,698.50	0.137	3,869.20	0.144	4,153.70	0.154
		12,500		3,638.00	0.068	4,147.32	0.077	4,729.40	0.088	4,947.68	0.092	5,311.48	0.099
		25,000		4,482.00	0.179	5,109.48	0.204	5,826.60	0.233	6,095.52	0.244	6,543.72	0.262
		500		\$ 591.00	\$ 0.098	\$ 673.74	\$ 0.111	\$ 768.30	\$ 0.127	\$ 803.76	\$ 0.133	\$ 862.86	\$ 0.142
		2,500		786.00	0.073	896.04	0.083	1,021.80	0.095	1,068.96	0.099	1,147.56	0.106
S-1	Repair Garage & Service St - TI	5,000	A	968.00	0.036	1,103.52	0.041	1,258.40	0.047	1,316.48	0.049	1,413.28	0.053
		12,500		1,238.00	0.023	1,411.32	0.026	1,609.40	0.030	1,683.68	0.031	1,807.48	0.034
		25,000		1,525.00	0.061	1,738.50	0.070	1,982.50	0.079	2,074.00	0.083	2,226.50	0.089
		1,000		\$ 2,932.00	\$ 0.241	\$ 3,342.48	\$ 0.275	\$ 3,811.60	\$ 0.314	\$ 3,987.52	\$ 0.328	\$ 4,280.72	\$ 0.352
		5,000		3,897.00	0.181	4,442.58	0.206	5,066.10	0.235	5,299.92	0.246	5,689.62	0.264
S-2	Parking Garage - Complete	10,000	A	4,800.00	0.089	5,472.00	0.102	6,240.00	0.116	6,528.00	0.121	7,008.00	0.130
		25,000		6,137.00	0.057	6,996.18	0.065	7,978.10	0.074	8,346.32	0.078	8,960.02	0.083
		50,000		7,562.00	0.151	8,620.68	0.172	9,830.60	0.197	10,284.32	0.206	11,040.52	0.221
		250		\$ 492.00	\$ 0.162	\$ 560.88	\$ 0.185	\$ 639.60	\$ 0.211	\$ 669.12	\$ 0.220	\$ 718.32	\$ 0.237
		1,250		654.00	0.122	745.56	0.139	850.20	0.158	889.44	0.165	954.84	0.178
S-2	Commercial Carport	2,500	A	806.00	0.060	918.84	0.068	1,047.80	0.078	1,096.16	0.081	1,176.76	0.087
		6,250		1,030.00	0.038	1,174.20	0.044	1,339.00	0.050	1,400.80	0.052	1,503.80	0.056
		12,500		1,270.00	0.102	1,447.80	0.116	1,651.00	0.132	1,727.20	0.138	1,854.20	0.148
		100		\$ 515.00	\$ 0.425	\$ 587.10	\$ 0.485	\$ 669.50	\$ 0.553	\$ 700.40	\$ 0.578	\$ 751.90	\$ 0.621
		500		685.00	0.316	780.90	0.360	890.50	0.411	931.60	0.430	1,000.10	0.461
U	Accessory Building - Commercial	1,000	A	843.00	0.157	961.02	0.179	1,095.90	0.204	1,146.48	0.213	1,230.78	0.229
		2,500		1,078.00	0.100	1,228.92	0.114	1,401.40	0.131	1,466.08	0.137	1,573.88	0.147
		5,000		1,329.00	0.266	1,515.06	0.303	1,727.70	0.346	1,807.44	0.361	1,940.34	0.388

Building Permit Fee Schedule
New Construction, Additions, and Alterations

CONSTRUCTION TYPE & RATIO OF REQUIRED EFFORT:													
				V-A / V-B		III-A / III-B		IV		II-A / II-B		I-A / I-B	
				Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:		Relative Effort Factor:	
				1.00		1.14		1.30		1.36		1.46	
ICC Use Type	Occupancy	Size Basis (square feet)	Type of Construction Category	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF	Base Cost	Each Additional SF
		167		\$ 409.00	\$ 0.516	\$ 466.26	\$ 0.588	\$ 531.70	\$ 0.671	\$ 556.24	\$ 0.702	\$ 597.14	\$ 0.753
		333		495.00	0.348	564.30	0.397	643.50	0.452	673.20	0.473	722.70	0.508
U	Accessory Building - Residential	500	A	553.00	0.294	630.42	0.335	718.90	0.382	752.08	0.400	807.38	0.429
	Such as pool houses, recreation rooms, art studios and sheds	833		651.00	0.187	742.14	0.213	846.30	0.243	885.36	0.255	950.46	0.273
		1,250		729.00	0.583	831.06	0.665	947.70	0.758	991.44	0.793	1,064.34	0.851
		167		\$ 572.00	\$ 0.726	\$ 652.08	\$ 0.828	\$ 743.60	\$ 0.944	\$ 777.92	\$ 0.987	\$ 835.12	\$ 1.060
		333		693.00	0.486	790.02	0.554	900.90	0.632	942.48	0.661	1,011.78	0.710
U	Residential Garage	500	A	774.00	0.411	882.36	0.469	1,006.20	0.534	1,052.64	0.559	1,130.04	0.600
		833		911.00	0.264	1,038.54	0.301	1,184.30	0.343	1,238.96	0.359	1,330.06	0.385
		1,250		1,021.00	0.817	1,163.94	0.931	1,327.30	1.062	1,388.56	1.111	1,490.66	1.193
		167		\$ 284.00	\$ 0.360	\$ 323.76	\$ 0.410	\$ 369.20	\$ 0.468	\$ 386.24	\$ 0.490	\$ 414.64	\$ 0.526
		333		344.00	0.240	392.16	0.274	447.20	0.312	467.84	0.326	502.24	0.350
U	Residential Carport	500	A	384.00	0.204	437.76	0.233	499.20	0.265	522.24	0.277	560.64	0.298
		833		452.00	0.132	515.28	0.150	587.60	0.172	614.72	0.180	659.92	0.193
		1,250		507.00	0.406	577.98	0.462	659.10	0.527	689.52	0.552	740.22	0.592
		333		\$ 284.00	\$ 0.180	\$ 323.76	\$ 0.205	\$ 369.20	\$ 0.234	\$ 386.24	\$ 0.245	\$ 414.64	\$ 0.263
		667		344.00	0.120	392.16	0.137	447.20	0.156	467.84	0.163	502.24	0.175
	Residential Patio Cover	1,000	A	384.00	0.102	437.76	0.116	499.20	0.133	522.24	0.139	560.64	0.149
		1,667		452.00	0.066	515.28	0.075	587.60	0.086	614.72	0.090	659.92	0.096
		2,500		507.00	0.203	577.98	0.231	659.10	0.264	689.52	0.276	740.22	0.296
		333		\$ 409.00	\$ 0.258	\$ 466.26	\$ 0.294	\$ 531.70	\$ 0.335	\$ 556.24	\$ 0.351	\$ 597.14	\$ 0.377
		667		495.00	0.174	564.30	0.198	643.50	0.226	673.20	0.237	722.70	0.254
R-3	Residential Patio Enclosure	1,000	A	553.00	0.147	630.42	0.168	718.90	0.191	752.08	0.200	807.38	0.215
		1,667		651.00	0.094	742.14	0.107	846.30	0.122	885.36	0.127	950.46	0.137
		2,500		729.00	0.292	831.06	0.332	947.70	0.379	991.44	0.397	1,064.34	0.426

COMMUNITY DEVELOPMENT - BUILDING

Mechanical Plan Check and Permit Fees

ADMINISTRATIVE

	Fee Amount
Permit Issuance	\$ 60
Supplemental Permit Issuance	279
Stand Alone Mechanical Plan Check (hourly rate)	155
Mechanical Inspections (per hour)	157

MECHANICAL PERMIT FEES

	<u>Plan Check</u>	<u>Inspection</u>
Heating		
FAU - Residential - Install new, relocate, or replace including ducts and vents up to and including 100,000 BTU (each)	38	107
FAU - Residential - Install new, relocate, or replace including attaching existing ducts and vents over 100,000 BTU (each)	38	107
FAU - Non-Residential - Install new, relocate, or replace including ducts and vents up to and including 100,000 BTU (each)	101	140
FAU - Non-Residential - Replace, including attaching existing ducts and vents over 100,000 BTU (each)	76	140
Wall or Floor Heater - Install new or relocate, including vents up to and including 100,000 BTU (each)	62	93
Wall or Floor Heater - Replace existing, including attaching existing vents over 100,000 BTU (each)	38	93
Suspended Heater - Install new, relocate, or replace including vents up to and including 100,000 BTU (each)	101	93
Suspended Heater - Install new, relocate, or replace including vents over 100,000 BTU (each)	76	93
Appliance Vent - Install or replace vent not included in an appliance permit (each)	62	71
Ducts - Install new or replace existing ducts not included in an appliance permit	50	71
Repair / Alteration / Addition to each heating appliance or each heating system including the installation of controls regulated by this code.	62	71

COMMUNITY DEVELOPMENT - BUILDING

Mechanical Plan Check and Permit Fees

Cooling

New Air conditioner to 5 tons condenser and coils (each)	\$ 76	\$ 71
Air-handling unit, new - up to 10,000 CFM, including attached ducts (each)	115	167
Air-handling unit, new - over 10,000 CFM, including attached ducts (each)	140	204
Evaporative cooler, new - other than portable type (each)	115	128
Appliance Vent - Install or replace vent not included in an appliance permit (each)	62	71
Ducts - Install new or replace existing ducts not included in an appliance permit	50	71
Repair / Alteration / Addition to each refrigeration unit, cooling unit, absorption unit, or each cooling, absorption, or evaporative cooling system, including the installation of controls regulated by this code.	62	71

Boilers and Compressors

Install/Relocate boiler or compressor, up to and including 3HP, or each absorption system up to and including 100,000 Btu/h (each)	62	71
Install/Relocate each boiler or compressor, over 3HP and up to and including 15 HP, or each absorption system over 100,000 Btu/h and up to and including 500,000 Btu/h (each)	87	116
Install/Relocate each boiler or compressor, over 15 HP and up to and including 30 HP, or each absorption system over 500,000 Btu/h and up to and including 1,000,000 Btu/h (each)	115	116
Install/Relocate each boiler or compressor, over 30 HP and up to and including 50 HP, or each absorption system over 1,000,000 Btu/h and up to and including 1,750,000 Btu/h (each)	115	141
Install/Relocate each boiler or compressor, over 50 HP, or each absorption system over 1,750,000 Btu/h (each)	140	204

COMMUNITY DEVELOPMENT - BUILDING

Mechanical Plan Check and Permit Fees

Hoods & Ventilation Fans

Ventilation fan, new - connected to a single duct (each)	\$ 62	\$ 71
Hood, served by mechanical exhaust - Installation, including ducts (each)	112	140
Each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	-0-	128

Miscellaneous

Incinerator, commercial or industrial type - Install or Relocate (each)	112	226
Domestic Type Incinerator - Install or Relocate (each)	112	108
Appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code (each)	142	128

COMMUNITY DEVELOPMENT - BUILDING

Electrical Plan Check and Permit Fees

<u>ADMINISTRATIVE</u>	<u>Fee Amount</u>	
Permit Issuance	\$	60
Supplemental Permit Issuance		279
Stand Alone Electrical Plan Check (hourly rate)		155
Electrical Inspections (per hour)		157
<u>ELECTRICAL PERMIT FEES</u>	<u>Plan Check</u>	<u>Inspection</u>
Systems		
Re-wiring of a Single/Multifamily residential homes (Gas heated)	\$0.02/sq. ft.	\$0.10/ sq.ft.
Re-wiring of a Single/Multifamily residential homes (electric heated)	\$0.035/sq. ft.	\$0.10/ sq.ft.
New Electrical Components to Existing Private Residential Swimming Pool	\$ 76	\$ 171
Services		
Services of 600 volts or less and not over 200 amperes in rating (each)	38	71
Services of 600 volts or less and over 200 amperes to 1000 amperes in rating (each)	115	71
Services over 600 volts or over 1000 amperes in rating (each)	115	132
Sub-Panels (each)	76	71
Temporary Service power pole or pedestal		71
Conduits, Conductors, Switches, Outlets, and Fixed Lighting		
Conduit/Wiring	38	71
Bus way: Trolley and plug-in-type bus ways - each 100 feet or fraction thereof	12	71
Receptacle, Switch, and Lighting Outlets - First 20 (or portion thereof)	76	71
Each Additional 10 (or portion thereof)	12	12
Lighting Fixtures, sockets, or other lamp-holding devices - First 10	101	71
Each additional 10 (or portion thereof)	12	24
Pole or platform-mounted lighting fixtures (each)	101	104
Theatrical-type lighting fixtures or assemblies (each)	138	129
Appliances: Hard wired Residential appliances and self-contained factory-wired, nonresidential appliances not included in Power Apparatus Schedule. (each)	38	71
Electrical apparatus, conduits, and conductors for which a permit is required, but for which no fee is herein set forth	66	80

COMMUNITY DEVELOPMENT - BUILDING

Electrical Plan Check and Permit Fees

Power Apparatus

Motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment, and other apparatus, as follows:

Rating in horsepower (HP), kilowatts (KW), or kilovolt-amperes (KVA), or kilovolt-amperes-reactive (KVAR):

Up to and including 1 (each)	\$	62	\$	83
Over 1 and not over 10 (each)		76		71
Over 10 and not over 50 (each)		89		71
Over 50 and not over 100 (each)		115		80
Over 100 (each)		154		80

Note #1: For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used.

Note #2: These fees include all switches, circuit breakers, contactors, thermostats, relays, and other directly related control equipment.

Signs, Outline Lighting, and Marquees

Signs, Outline Lighting, or Marquees supplied from one branch circuit (each)	62			71
Additional branch circuits within the same sign, outline lighting system, or marquee (each)	12			71

Outdoor Events

Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays, and attractions.

Each electric generator and electrically-driven rides	87			117
Mechanically-driven rides and walk-through attractions or displays having electric lighting (each)	115			117
Each system of area and booth lighting	50			104
Temporary distribution system and temporary lighting and receptacle outlets for non-construction related activities	50			83

Note #3: For permanently installed rides, booths, displays, and attractions, use the **Conduits, Conductors, Switches, Outlets, and Fixed Lighting** schedule.

COMMUNITY DEVELOPMENT - BUILDING

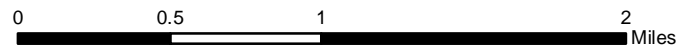
Plumbing Plan Check and Permit Fees

<u>ADMINISTRATIVE</u>	Fee Amount	
Permit Issuance	\$	60
Supplemental Permit Issuance		279
Stand Alone Plumbing Plan Check (hourly rate)		155
Plumbing Inspections (per hour)		157
<u>PLUMBING PERMIT FEES</u>	<u>Plan Check</u>	<u>Inspection</u>
Water piping - Installation, alteration, or repair (each)	62	167
Building sewer (each)	38	71
Drainage or Vent piping - repair or alteration (each fixture)	38	71
Rainwater systems (per drain) - inside building	76	69
Gas		
Gas piping - up to and including 4 outlets	50	92
Gas piping - Over 4 outlets (for each additional outlet)	50	54
Water Heaters		
Water Heater and/or vent (each)	38	69
Solar Water Heater	-0-	-0-
Traps and Interceptors		
Industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps (each)	62	167
Trap - including water, drainage piping, and backflow protection thereof (each)	62	71
Back Flow Preventers		
Backflow/Atmospheric-type vacuum breaker devices, up to and including 2 inches, not included in other fee services - each 4 units	38	71
Backflow/Atmospheric-type vacuum breaker devices, over 2 inches, not included in other fee services - each 4 units	38	71
Lawn sprinkler system - including backflow protection devices (each system)	38	71
Pool, Spas, and Hot Tubs		
Pool/Spa/Hot Tub Circulation Piping - Single Family Residential	38	80
Pool/Spa/Hot Tub Circulation Piping - Non-Single Family Residential	38	80

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CITY OF MENLO PARK AND SURROUNDING AREAS



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OFFICE OF THE CITY MANAGER

Council Meeting Date: May 5, 2015

Staff Report #: 15-071

INFORMATIONAL ITEM: Chestnut Paseo Summer Pilot Program

RECOMMENDATION

No action is necessary at this time as this is an informational report.

POLICY ISSUES

The Specific Plan identifies the conversion of Chestnut Street south of Santa Cruz Avenue into a pedestrian paseo as a near term public space improvement that would maximize community life and downtown vibrancy. The Specific Plan allows for the conversion on a trial basis before moving forward with a permanent installation.

BACKGROUND

In an effort to generate foot traffic and enhance vibrancy downtown, Staff is considering temporarily closing Chestnut Street south of Santa Cruz Avenue to vehicular traffic for the month of September, 2015, partially activating the Paseo, and programming it with events and attractions.

ANALYSIS

Similar to Los Altos' Third Street Green (Attachment A), the Chestnut Paseo will be designed as a flexible space to support passive and active uses. Prior to September, Staff will initiate a public outreach and publicity campaign to promote the Summer Paseo and garner feedback from the community regarding the types of programming they would like to see. Staff has also identified a number of attractions we will explore, including: partnering with local museums, such as the Children's Discovery Museum or the Exploratorium, to host a mobile exhibit; partnering with the Humane Society to host pet adoption days; encouraging local musicians to host concerts; renting activities, such as a bounce house or a rock wall; and allowing local businesses to host promotional events.

IMPACT ON CITY RESOURCES

There will be some cost to activate the Paseo, and Staff will explore funding sources as part of the planning process.

ENVIRONMENTAL REVIEW

This is not a project under the California Environmental Quality Act (CEQA), therefore no CEQA analysis is required.

PUBLIC NOTICE

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

ATTACHMENTS

- A. Los Altos Third Street Green

Report prepared by:
Amanda Wallace
Economic Development Specialist

Los Altos Third Street Green



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COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: May 5, 2015

Staff Report #: 15-073

INFORMATIONAL ITEM: **Update on the Proposed Priority Conservation Area (PCA) for the Bayfront Area of Menlo Park and East Palo Alto**

RECOMMENDATION

This is an informational item and no action is required.

POLICY ISSUES

The Priority Conservation Area (PCA) designations are designed to position areas for access to funding sources for enhancements to open space areas. A PCA does not carry regulatory requirements, nor does it impact a local jurisdiction's land use control.

BACKGROUND

On January 27, 2015, staff provided Council with an information item regarding the Priority Conservation Area (PCA) Program and a potential application that staff intends to pursue. The staff report is available through the following link. <http://www.menlopark.org/DocumentCenter/View/6351> More information about the PCA Program is available through the following link on the Association of Bay Area Governments (ABAG) website. <http://abag.ca.gov/priority/conservation/>

ANALYSIS

This staff report serves as a status update in preparation for the May 19, 2015 City Council meeting at which staff will present a resolution as required as part of the application material in order to meet the May 30, 2015 submittal deadline. If Council members have questions about the PCA program, staff would be happy to meet to discuss them in preparation for the upcoming Council meeting.

Initially, staff from Menlo Park, East Palo Alto, Palo Alto and the Midpeninsula Regional Open Space District discussed the potential of a joint application. Menlo Park offered to serve as the lead agency for the application since the greatest area of the PCA is within Menlo Park's jurisdiction. Ultimately, the City of Palo Alto decided to not participate. As such, the City of Menlo Park issued notification letters as required by the PCA program to the City of East Palo Alto and the Open Space District on February 19, 2015 (Attachment

A). In addition, staff has been coordinating with other property owners and stakeholders, namely the US Fish & Wildlife Service, which manages the Don Edwards San Francisco Bay National Wildlife Refuge, the South Bay Salt Pond Restoration Project, the San Francisquito Creek Joint Powers Authority (JPA), which is in the process of conducting a feasibility analysis for the SAFERBay levees, and Cargill, one of the few private property owners within the proposed boundary, in order to refine the proposed boundaries. The latest version of the proposed boundary is included as Attachment B. The primary difference between this map and the map shared with Council in January is the exclusion of the Palo Alto Baylands.

Staff anticipates receiving letters/resolutions of support from the City of East Palo Alto, the Midpeninsula Regional Open Space District, and the US Fish & Wildlife Service, which will be submitted to ABAG as part of the application.

Staff has also prepared a map showing the proposed boundary overlaid on an aerial map to help provide additional context (Attachment C). The exclusions shown on the map are lands that are owned by other agencies, namely the San Francisco Public Utilities Commission, PG&E and the City of San Jose, for which staff did not feel there was sufficient time before the application deadline to coordinate with to determine their level of interest in being included as part of the designation. In the future, the boundaries could be amended to include these lands if the respective property owner expressed interest.

In its simplest form, a Priority Conservation Area would apply to lands that are not intended to be subject to urbanization (i.e., land not intended for the development of commercial buildings or housing units). The bayfront area clearly meets this requirement given that the majority of the land is in public ownership and zoning for the land is FP (Flood Plain), which effectively does not allow new development. A Priority Conservation Area does not mean that lands would remain untouched, nor does it have any impact on the various regulatory authorities that are involved with sensitive lands near the Bay.

The Potential PCA Boundary area covers Bedwell Bayfront Park, the Ravenswood Salt Pond Restoration Area, the Don Edwards San Francisco Bay National Wildlife Refuge, the Ravenswood Open Space Preserve, and Cooley Landing. A common connector of many of these features is the existing/proposed Bay Trail. Menlo Park is already collaborating with the City of East Palo Alto and the Midpeninsula Regional Open Space District on closing a gap in the Bay Trail by connecting University Avenue to the Ravenswood Preserve. Specific to the City of Menlo Park, the PCA designation would expand funding opportunities for enhancing the current Bay Trail around Bedwell Bayfront Park and connections from the Belle Haven neighborhood to the Park, topics which have come up during the ConnectMenlo process.

The geographic area covered by the potential PCA includes a number of critical transportation facilities (e.g., Dumbarton Bridge and Dumbarton Rail), utilities (e.g., water, sewer, storm drain and electric facilities), and infrastructure issues (e.g., levees to address tidal flooding and sea level rise). Based on communication with ABAG staff, it is the City's understanding that a PCA designation would not impede any efforts to maintain, enhance

or construct these facilities. Staff intends to include recitals (or whereas statements) in the Resolution to clearly identify the fact that the proposed PCA designation should have no impact on future efforts to address infrastructure issues within the PCA boundary.

The program identifies four categories of PCAs that recognize the role of different kinds of PCAs in supporting the vitality of the region's natural systems, rural economy, and human health.

1. **Natural Landscapes** – Areas critical to the functioning of wildlife and plant habitats, aquatic ecosystems and the region's water supply and quality.
2. **Agricultural Lands** – Farmland, grazing land and timberland that support the region's agricultural economy and provide additional benefits such as habitat protection and carbon sequestration.
3. **Urban Greening** – Existing and potential green spaces in cities that increase habitat connectivity, improve community health, capture carbon emissions, and address stormwater.
4. **Regional Recreation** – Existing and potential regional parks, trails, and other publicly accessible recreation facilities.

Of these four categories, staff believes that any of them except Agricultural Lands would be applicable to the potential PCA, but Natural Landscapes and Regional Recreation would be the best candidates. Having more than one designation may increase eligibility for a broader array of future grant opportunities.

IMPACT ON CITY RESOURCES

There is no fiscal impact related to providing an informational report on the Priority Conservation Area program and application process. It will however position the City for future funding opportunities.

ENVIRONMENTAL REVIEW

This action is not a project under the California Environmental Quality Act (CEQA), and no CEQA analysis is therefore 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. Notification Letters to the City of East Palo Alto and the Midpeninsula Regional Open Space District
- B. Proposed Priority Conservation Area Map
- C. Aerial Map of Proposed Priority Conservation Area

Report prepared by:

Justin Murphy

Assistant Community Development Director



Office of the City Manager

February 19, 2015

Carlos Martinez, City Manager
City of East Palo Alto
2415 University Avenue
East Palo Alto, CA 94303

RE: Proposed Priority Conservation Area in East Palo Alto and Menlo Park

Dear Carlos:

In July 2013, the Association of Bay Area Governments (ABAG) Executive Board and the Metropolitan Transportation Commission (MTC) approved Plan Bay Area, a long-range, integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. Plan Bay Area includes the designation of Priority Conservation Areas (PCAs) to balance housing and transportation demands with the need to preserve the region's diverse farming, recreational, scenic, and natural resource lands and their many ecological values and ecosystem functions for future generations.

PCAs are intended to identify lands of conservation significance that are broadly supported by the public and local jurisdictions to be eligible for future PCA Program funding and potentially other conservation-based funding. PCA designations are strictly for grant funding purposes only, to identify lands of key open space importance that merit grant funding. PCAs are neither regulatory in nature, nor do they have any effect on local land use or zoning designations or future local land use decisions. They are, however, intended to align with and build upon local General Plan strategies for open space conservation to remain consistent with local policies and objectives.

Given the success of previous collaboration between the City of East Palo Alto, City of Menlo Park and the Midpeninsula Regional Open Space District as part of the Cooley Landing project, the City of Menlo Park is exploring a potential PCA for the Bayfront/Baylands of the two respective cities and the Ravenswood Open Space Preserve (see Attachment 1 for PCA Map). We believe the area would be a candidate for the Regional Recreation, Natural Landscapes, and Urban Greening designations.

Menlo Park is also coordinating with other partners including the San Francisquito Creek Joint Powers Authority, the US Fish & Wildlife Service, which manages the Don Edwards San Francisco Bay National Wildlife Refuge, and the South Bay Salt Pond Restoration Project. The geographic area covered by the potential PCA includes a number of critical transportation (e.g., Dumbarton Bridge and Dumbarton Rail), utility (e.g., water, sewer, storm drain and electric facilities), and infrastructure issues (e.g., levees to address tidal flooding and sea level rise). Based on communication with ABAG staff, it is our understanding that a PCA designation would

not impede any efforts to maintain, enhance or construct these facilities. Menlo Park is open to changes to the proposed PCA boundary if necessary.

The City of Menlo Park is reaching out to the City of East Palo Alto at this time to officially notify you of the proposed new PCA designation that is being considered within your jurisdiction, for which Menlo Park has already initiated conversations with your staff. Over the next three (3) months, Menlo Park will continue to work alongside your staff and partner agencies to further develop and refine these PCAs to ensure that the PCAs are aligned with the City of East Palo Alto's conservation strategies and transportation, utility and infrastructure needs. The City of Menlo Park anticipates submitting an application to ABAG by the May 30, 2015 deadline for PCA nominations. You are welcome to prepare a letter of support, but otherwise there is no specific action that you need to take.

If you have questions about the PCA Program and the proposed PCA, please do not hesitate in contacting me at (650) 330-6610 or via email at admccintyre@menlopark.org or Justin Murphy at (650) 330-6725 or via email at jicmurphy@menlopark.org

Sincerely Yours,



Alex D. McIntyre
City Manager

Attachment: Map of proposed PCA

CC: Joanna Bullock, Senior Regional Planner, Association of Bay Area Governments
Michelle Daher, Management Analyst, City of East Palo Alto
Len Materman, Executive Director, San Francisco Creek Joint Powers Authority
Anne Morkill, Refuge Manager, U.S. Fish & Wildlife Service
John Bourgeois, Executive Project Manager, South Bay Salt Pond Restoration Project



Office of the City Manager

February 19, 2015

Steve Abbors, General Manager
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94002

RE: Proposed Priority Conservation Area in East Palo Alto and Menlo Park

Dear Steve:

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PCAs are intended to identify lands of conservation significance that are broadly supported by the public and local jurisdictions to be eligible for future PCA Program funding and potentially other conservation-based funding. PCA designations are strictly for grant funding purposes only, to identify lands of key open space importance that merit grant funding. PCAs are neither regulatory in nature, nor do they have any effect on local land use or zoning designations or future local land use decisions. They are, however, intended to align with and build upon local General Plan strategies for open space conservation to remain consistent with local policies and objectives.

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Sincerely Yours,



Alex D. McIntyre
City Manager

Attachment: Map of proposed PCA

CC: Joanna Bullock, Senior Regional Planner, Association of Bay Area Governments
Jane Mark, Planning Manager, Midpeninsula Regional Open Space District
Len Materman, Executive Director, San Francisco Creek Joint Powers Authority
Anne Morkill, Refuge Manager, U.S. Fish & Wildlife Service
John Bourgeois, Executive Project Manager, South Bay Salt Pond Restoration Project

Proposed Priority Conservation Area Within Menlo Park and East Palo Alto

ATTACHMENT B

