



**CITY COUNCIL  
SPECIAL AND REGULAR MEETING AGENDA  
Tuesday, June 16, 2015 at 6:30 PM  
City Council Chambers  
701 Laurel Street, Menlo Park, CA 94025**

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**6:30 P.M. CLOSED SESSION (Administration Building, 1<sup>st</sup> Floor Conference Room)**

**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 Menlo Park Police Officers' Association (POA)

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

**7:00 P.M. REGULAR SESSION**

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

**PLEDGE OF ALLEGIANCE**

**REPORT FROM CLOSED SESSION**

**ANNOUNCEMENTS**

**A. PRESENTATIONS AND PROCLAMATIONS**

**A1.** Proclamation honoring Sue Sartor on her retirement from Las Lomas Elementary School

**B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS**

**B1.** Bicycle Commission quarterly update on the status of its 2-Year Work Plan

**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.** Authorize two updated Memorandums of Understanding with the Ravenswood City School District (*Staff Report #15-108*)
- D2.** Adopt a resolution accepting dedication of public utility easement from Sharon Heights Golf and Country Club (*Staff Report #15-101*)
- D3.** Authorize the City Manager to enter into a five-year contract with Mechanical Technologies Corporation for the preventative maintenance and repair services for HVAC within city buildings (*Staff Report #15-099*)
- D4.** Adopt a resolution supporting the US 101/Willow Road Interchange Project and submit an application to the Measure A Highway Program and authorize the City Manager to execute the necessary funding agreements (*Staff Report #15-103*)
- D5.** Approve the installation of sharrows on bicycle facilities (*Staff Report #15-098*)
- D6.** Authorize the City Manager to enter into an agreement with Golden State Flow Measurements, Inc. to provide water meters and supplies and authorize the option to renew the contract annually for up to five years (*Staff Report #15-105*)
- D7.** Adopt a resolution authorizing the City Manager to accept the SAFETEA-LU Federal Grant in the amount of \$202,400 and execute the Program Supplement Agreement No. N015 for the Willow Road Traffic Signal Modification Project Between Middlefield Road and Hamilton Avenue (*Staff Report #15-102*)
- D8.** Authorize the City Manager to execute an agreement with Jones Hall, a Professional Law Corporation, for bond counsel and disclosure counsel services, not to exceed \$150,000 total, related to refinancing the outstanding debt of the former Community Development Agency, pending review by the City Attorney (*Staff Report #15-109*)
- D9.** Approve and authorize the Mayor to executive a cultural exchange agreement with Nan Shan, China (*Staff Report #15-110*)
- D10.** Approve minutes for the Council meeting of June 2, 2015 (*Attachment*)

## **E. PUBLIC HEARING**

- E1.** Adopt a resolution overruling protests, ordering the improvements, confirming the diagram and ordering the levy and collection of assessments at the existing rate for sidewalk and tree assessments for the City of Menlo Park Landscaping Assessment District for fiscal year 2015-16 (*Staff Report #15-106*)
- E2.** Adopt a resolution to collect the regulatory fee at existing rates for the implementation of the local City of Menlo Park Storm Water Management Program for fiscal year 2015-16 (*Staff Report #15-100*)

**E3.** Adopt a resolution recommending that the San Mateo County Flood Control District impose basic charges at existing rate and increase the additional charges by 2.53 percent for funding the fiscal year 2015-16 Countywide National Pollutant Discharge Elimination System General Program (*Staff Report #15-096*)

**E4.** Adopt a resolution to abandon public right-of-way, sidewalk easements, and public utility easements within the Mid-Peninsula Housing Project at 1221-1275 Willow Road (*Staff Report #15-104*)

**F. REGULAR BUSINESS**

**F1.** Adopt resolutions: adopting the 2015-16 Budget and Capital Improvement Program; establishing the appropriations limit for 2015-16; establishing a consecutive temporary tax percentage reduction in Utility Users' Tax rates; and adopting the salary schedule for 2015-16 (*Staff Report #15-097*)

**F2.** Authorize the City Manager to 1) release the Notice of Preparation for the ConnectMenlo (General Plan & M-2 Area Zoning Update) Environmental Impact Report, 2) release the Notice of Preparation for the Facebook Campus Expansion Project Environmental Impact Report located at 300-309 Constitution Drive, and 3) amend a contract with ICF International to complete the environmental and fiscal review for the Facebook Campus Expansion Project, including future augments as necessary (*Staff Report #15-107*)

**G. CITY MANAGER'S REPORT – None**

**H. WRITTEN COMMUNICATION – None**

**I. INFORMATIONAL ITEMS – None**

**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.

**L. ADJOURNMENT**

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at <http://www.menlopark.org/AgendaCenter> and can receive e-mail notification of agenda and staff report postings by subscribing to the [Notify Me](#) service on the City's homepage at [www.menlopark.org/notifyme](http://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: 6/11/2015)

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](mailto: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.



## OFFICE OF THE CITY MANAGER

Council Meeting Date: June 16, 2015

Staff Report #: 15-108

**CONSENT CALENDAR:**                    **Authorization of Two Updated Memorandum of Understandings with the Ravenswood City School District**

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### RECOMMENDATION

Staff recommends that the City Council authorize two multi-year Memorandum of Understandings (MOUs) with the Ravenswood City School District (District) for the following purposes:

1. Continue the Community School Program
2. Collaborate on the Joint-Use Library

### POLICY ISSUES

Adoption of the proposed Community School Program MOU requires City Council authorization since the total multi-year financial obligation exceeds the City Manager's authority. Adoption of the proposed Joint-Use Library MOU does not require any additional funding but does present some changes in the overall use of the Library between the two agencies (the District and the City).

### BACKGROUND

The City of Menlo Park has partnered with the District for a number of years on both the joint-use Library and the Community School Program. During this past year the District staff and City staff have worked together to update the two MOU's to reflect the change in services. Both of the proposed MOU's are provided as Attachment A and Attachment B.

### ANALYSIS

Both of the MOU's have been updated to reflect changes in the structure of the Programs and the change in service level.

The Community Schools Program is a three year agreement including 2014-15, 2015-16, and 2016-17, with the City committing \$30,000 per year. Previously the City operated the Community Schools Program, with the District contributing \$30,000 per year. In 2013-14, the District took on the responsibility of staffing and delivery of the Community Schools Program with the City providing \$30,000 in annual funding.

The two year Joint-Use Library MOU does not commit additional funding, but does modify the existing staffing model to include a Library Instructional Media Specialist (LIMS) to be provided by the District. The District currently utilizes LIMS in all of their other school libraries to assist the students and teachers with technology and research projects, as well as textbook management. The use of the LIMS will be at the full discretion of the District to assist the Principle, the teachers and the students. The scope of the City services will not change with the inclusion of LIMS services. The City's overall goal will be to provide the students, parents and community with meaningful Library services. This MOU will give the District and the City the opportunity to further expand our working partnership and further develop relevant services to the community, particularly for the Belle Haven neighborhood.

The District and City staff worked together to prepare the MOUs. Both were still under review by the District staff at the time the agenda was distributed. The District anticipates presenting the MOU's to their Board at the June 25<sup>th</sup> meeting.

### **IMPACT ON CITY RESOURCES**

The Community Schools Program MOU commits \$30,000 in funding each year for three years. The District requested additional funding for each of the fiscal years in addition to the budgeted \$30,000. Staff is not recommending additional funding at this time since the proposed 2015-16 General Fund budget anticipates that expenditures will be greater than revenues.

The Joint-Use Library MOU does not require an exchange of funds. The Joint-Use Library in Belle Haven currently has a City budget of approximately \$300,000 annually.

### **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. Ravenswood Community School Program MOU
- B. Ravenswood City School District Joint-Use Library MOU

Report prepared by:  
*Starla Jerome-Robinson*  
*Assistant City Manager*

**Ravenswood Community School Program  
Memorandum of Understanding (MOU)  
Year 8: July 1, 2014—June 30, 2017**

**PURPOSE**

The purpose of this MOU between the City of Menlo Park (“City”) and the Ravenswood City School District (“District”) is to articulate roles and responsibilities for the successful implementation of the Community School Program (hereinafter referred to as the “Program”) in the District Schools located in the City.

The overarching goal is to support the effective implementation of the Community School approach and work toward meeting the conditions for learning outlined in the Community School model. The purpose of Community Schools is to offer an array of social support services at the school sites, offer an extended school day, apply best practices for parental involvement, and provide youth with enrichment activities that contribute towards academic achievement and positive social/emotional development. The end result is an active school community that sustains itself through public and private partnerships which positively impact students, their families and the surrounding community.

**District and City will work towards the accomplishment of the following overall objectives:**

1. Implement and operate the Program, according to an annually updated, collaboratively defined work plan which includes mutually agreed upon outcomes approved by the District and the City. Specific goals will be:
  1. Achieving grade level reading of 80% of 3<sup>rd</sup> graders or advanced levels by June 2017; and
  2. Providing more safety net opportunities and access to Program related assistance for all students and families; and
  3. Conducting an annual school needs assessment; and
  4. Increasing parental engagement capacity as decision makers and advocates for their children’s education process.
2. Representatives will meet at least quarterly to evaluate and discuss student outcomes. Evidence of success will be evaluated by behavior referrals, suspensions, attendance, parent engagement and other factors determined by both parties.
3. Annual evaluation of the successes and challenges based on the strategic work plan, demonstrating to public leadership the value of the Program.

**The District will be responsible for:**

- Hiring, supervising, and compensating the Community School Coordinator (CSC) (the classification of the position is at the discretion of District);
- Empowering each Principal to work closely with the CSC to provide services;

- Creating a partnership between the CSC and each school Principal to be collectively responsible for coordinating and managing providers and community partners and their services to each school;
- Resolving all District employment issues;
- Leading Program evaluation efforts, including identifying evaluation design, data collection, interpretation and dissemination, as appropriate;
- Making available relevant evaluation data for the Program, as appropriate;
- Participating in learning community meetings with the City and other partners to discuss progress and lessons learned, as appropriate;
- Working with community partners to accomplish the goals and objectives of the Program, and be a champion of the community schools approach;
- Sharing the outcomes of the Program; and
- Participating in District special events and collaborative partner meetings.

**The City will be responsible for:**

- Contributing \$30,000 annually to the District to support the Program in the schools within the City's boundaries;
- Collaborating with the District to evaluate progress, as appropriate; and
- Working with the District and other community partners to accomplish the goals and objectives of the Program approach.

**PAYMENT DATES**

The City shall pay the School District the annual funding obligation (\$30,000) on or before December 1<sup>st</sup> of each fiscal year and/or within 30 days of receipt of this signed MOU. The District shall generate an invoice for the City's use in processing the payment.

**TERM OF MOU**

The term of this MOU shall run from July 1, 2014 through June 30, 2017, unless any party to this MOU notifies the other parties, in writing, of its election to terminate the MOU: (a) due to lack of available funds, not less than thirty (30) days prior to the commencement of any fiscal year (i.e., prior to July 1); or (b) for any other reason, not less than sixty (60) days prior to commencement of any fiscal year. Notwithstanding the foregoing, each party hereto shall be obligated to fund its required financial contribution through the effective date of termination of this MOU.

**AMENDMENT OF MOU**

This MOU contains all of the terms and conditions agreed upon by all of the parties. No amendment or modification shall be valid unless made in writing and signed by all of the parties. No oral understanding or agreement shall be binding.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

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City of Menlo Park  
 Alex D. McIntyre  
 City Manager

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Ravenswood City School District  
 Dr. Gloria Hernandez-Goff  
 Superintendent



**Ravenswood City School District Joint-Use Library Initiative  
Memorandum of Understanding (MOU)  
July 1, 2015—June 30, 2017**

**Purpose**

The purpose of this MOU is to articulate roles and responsibilities for the successful collaboration of the Ravenswood School District's (District) Belle Haven School in Menlo Park and the City of Menlo Park (City) Branch Library. The overarching goal of this MOU is to help support the effective operation of the City Branch Library for the benefit of the Menlo Park community and the District students and parents. District and City will work toward operating, maintaining and fostering a learning environment as outlined in the shared responsibilities as defined in this MOU.

This MOU is entered into with reference to the following facts:

District owns and operates the Belle Haven School, which has a library facility and equipment located therein.

City operates and staffs a branch public library at the Belle Haven School, utilizing the District's library facility, which shall hereinafter be referred to as the "joint use library facility."

City and District collaborating to provide services at the joint use library facility at Belle Haven School is in the best interests of the citizen of Menlo Park.

District anticipates utilizing Library Instructional Media Specialist (LIMS) position(s) to assist the school site staff in the joint use library facility by:

1. implementing technology;
2. assisting students in the use of technology and media technology in the learning process;
3. assisting teachers, individuals and/or groups of students in finding and selecting appropriate resource materials, books and other library materials; and
4. promoting the use of technology and media to support learning.

**District will be responsible for:**

- Hiring, supervising and compensating the Library Instructional Media Specialist (LIMS);
- Hiring, supervising and compensating facilities (custodian and maintenance) employee(s) which the District wishes to provide in the Library;
- Resolving all personnel issues with respect to District employees;
- Providing maintenance of the buildings and grounds housing the joint-use facility, including security, janitorial service, mail, telephone service, all supplies and equipment necessary to operate a school library;
- Assigning LIMS to the City Branch Library from 8:00 to 2:00 each school day;
- Ensuring the safety, beautification and improvements of school premises and other issues, as needed;
- Locking and securing the Branch Library if not present in the Branch Library itself when Branch Library is operating as a school library;
- Storing and distributing text books from a location other than the Branch Library facility;
- Requiring all District staff working in the library to sign a non-disclosure agreement with Peninsula Library System in order to have access to the circulation/catalogue

system; and

- Requiring all District staff to comply with all Peninsula Library System circulation/cataloging regulations, consistent with City practice.

**The City will be responsible for:**

- Hiring, supervising and compensating City Library staff including salary and benefits;
- Resolving all personnel related and employment issues with respect to City employees.
- Providing personnel to staff the joint-use library facility during the public access hours of operation as determined by the City;
- Providing training of appropriate District employees of the Library's automated circulation procedures, and other applicable policies for management and operation of the joint-use facility;
- Cataloging all library materials, and additional materials subsequently purchased by either or both entities;
- Providing computer hardware and software necessary to handle circulation and patron functions, including sufficient on-line public access circulation/catalog terminals to access the library holdings database;
- Providing for the costs related to circulation/catalog computer hardware, software and connecting the computers to specific City or Peninsula Library systems;
- Acquiring children's, young adult and adult materials consistent with interests and needs of residents; and
- Collaborating with District staff, community stakeholders and partners.

**City, District and the Belle Haven Community Library will jointly be responsible for:**

- Collaborating to offer library programs and hours of operation that benefits the District students, parents and community, consistent with the level of funding from the City and the District;
- Participating in program evaluation efforts, including evaluation design, data collection, interpretation and dissemination, as needed;
- Participating in learning community meetings and other partners to discuss progress and lessons learned, as appropriate;
- Developing a common system of operating procedures based largely on the procedures and practices common to the Menlo Park Library but with such minimum deviation as is necessary and mutually agreeable to ensure that the needs of both the school and the public-at-large are satisfactorily met;
- Providing services within the Library, except that City employees will not be responsible to back fill the LIMS duties and LIMS will not be responsible for general librarian duties; and
- Maintaining a clean and inviting City Branch Library.

**Payment Dates**

- District and the City, will not exchange money or make payments regarding the Branch Library.

**Term of MOU**

- The term of this MOU shall run for three (2) fiscal years starting July 1, 2015 through June 30, 2017, unless any party to this MOU notifies the other parties, in writing, of its election to terminate the MOU: (a) due to lack of available funds, not less than thirty (30) days prior to the commencement of any fiscal year (i.e., prior to July 1); or (b) for any other reason, not less than sixty (60) days prior to commencement of any fiscal year. Notwithstanding the foregoing, each party hereto shall be obligated to fund its required financial contribution through the effective date of termination of this MOU.

**Amendment of MOU**

This MOU contains all of the terms and conditions agreed upon by all of the parties. No amendment or modification shall be valid unless made in writing and signed by all of the parties. No oral understanding or agreement shall be binding.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

City of Menlo Park

\_\_\_\_\_  
Alex D. McIntyre  
City Manager

\_\_\_\_\_  
Date

Ravenswood City School District

\_\_\_\_\_  
Dr. Gloria Hernandez-Goff  
Superintendent

\_\_\_\_\_  
Date

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## **PUBLIC WORKS DEPARTMENT**

**Council Meeting Date: June 16, 2015**

**Staff Report #: 15-101**

**CONSENT CALENDAR:**            **Adopt a Resolution Accepting Dedication of Public Utility Easement from Sharon Heights Golf and Country Club**

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### **RECOMMENDATION**

Staff recommends that the City Council adopt a resolution (Attachment A) accepting dedication of a public utility easement from Sharon Heights Golf and Country Club.

### **POLICY ISSUES**

The acceptance of utility easements is consistent with the approved conditions of the Sharon Heights Golf and Country Club Corporation Yard project.

### **BACKGROUND**

The Sharon Heights Golf & Country Club recently updated and expanded their corporation yard. This work included a new washing and fueling station, new material storage and processing area and a new storage building for fertilizer and chemicals. The corporation yard is located at the end of Sand Hill Road, beyond the tennis courts and pond, along the golf cart path, about 200 feet northeast of the Interstate 280 right of way (Attachment B).

The City's water main is located adjacent to the construction site within a public utility easement parallel to the new building. In order to provide water to the new facilities, this main was tapped and a new hydrant, fire service, domestic water service and meter were installed.

### **ANALYSIS**

The proposed new Public Utility Easement (PUE) is in the form of a rectangle adjacent to the existing 15-foot wide easement for the tapped water main. It will extend 10-feet to the north and 16-feet across. The configuration is shown in the legal description and plat (Attachment C, Exhibits A and B) and has been reviewed and approved by staff.

The City of Menlo Park Municipal Water District will maintain the new fire hydrant and read the domestic water meter. City water crews will be able to access them from Sand Hill Road and the existing golf cart path.

Acceptance and recordation of the easement dedication are conditions of approval for the project which was approved by the Planning Commission on August 6, 2012.

The Grant Deed (Attachment C) has been signed by the owner and is ready to be recorded.

### **IMPACT ON CITY RESOURCES**

The staff time associated with review and acceptance of the easement dedication are fully recoverable through fees collected from the applicant.

### **ENVIRONMENTAL REVIEW**

The acceptance of the dedication of the Public Utility Easements is categorically exempt under Class 3 of the current State of California Environmental Quality Act Guidelines.

### **PUBLIC NOTICE**

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

### **ATTACHMENTS**

- A. Resolution of the City of Menlo Park Accepting a Public Utility Easement from Sharon Heights Golf & Country Club
- B. Location Map
- C. Grant Deed of PUE, Legal Description & Plat

Report prepared by:  
*Ebby Sohrabi*  
*Senior Civil Engineer*

Report reviewed by:  
*Ruben Nino*  
*Assistant Public Works Director*

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY OF MENLO PARK ACCEPTING A PUBLIC UTILITY EASEMENT FROM SHARON HEIGHTS GOLF AND COUNTRY CLUB**

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 therefor.

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby accept the public utility easement from Sharon Heights Golf & Country Club.

BE IT AND IT IS HEREBY ALSO RESOLVED that the City Council authorizes the City Manager to sign the certificate of acceptance for said easement.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

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Pamela Aguilar  
City Clerk

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### City of Menlo Park

Location Map



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RECORDING REQUESTED BY:  
Sharon Heights Golf and Country Club, a California Corporation  
2900 Sand Hill Road  
Menlo Park, CA 94025

WHEN RECORDED MAIL TO:  
City of Menlo Park  
701 Laurel Street  
Menlo Park, CA 94025  
Attn: City Clerk

APN:074-500-290

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

### GRANT DEED OF EASEMENT

THE UNDERSIGNED GRANTOR(S) DECLARE(S): DOCUMENTARY TRANSFER TAX IS \$ 0  
Unincorporated area City of Menlo Park

For No Consideration, receipt of which is hereby acknowledged, the **Sharon Heights Golf and Country Club**, a corporation organized under the laws of the State of California.

Hereby GRANTS to the **City of Menlo Park**, a Public Agency organized and existing under the laws of the State of California,

A perpetual easement to read meter, construct, install, maintain, use repair, remove, replace any and all pipeline, fittings, hydrants, meters, and related facilities necessary for the operation of water conveyance system in the area and over the real property described in Exhibit "A" and "B", attached hereto, in the City of Menlo Park, County of San Mateo, State of California. Exhibits "A" and "B" are incorporated herein by reference.

The City of Menlo Park, its employees and agents shall have the right to enter upon the herein described real property at any and all times with such tools and equipment as may be necessary or convenient for the exercise of the rights herein granted to the City of Menlo Park.

No building of structure of any kind shall be constructed upon the herein described easement, and should a building or structure be erected in violation of this provision, the City of Menlo Park and its successors and assigns may still exercise all rights herein granted and shall have the right to remove, or cause grantor to remove, at Grantors expense, any building or structure that may be erected upon or over the said parcel of real property. The City of Menlo Park shall not be held liable in any manner whatsoever for any damages thereby incurred, nor shall the City of Menlo Park have any obligation to replace any structure that may be removed from said property.

This grant of easement shall be binding upon and shall insure to the benefit of the respective administrators, executors, personal representatives, successors and assigns of the parties hereto.

**LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBITS "A" AND "B" MADE A PART HERE OF.**

**Also Known As: 2900 Sand Hill Road, Menlo Park, CA 94025**

**Assessor's Parcel Number: 074-500-290**

Executed on Nov 28, 2015, at the Sharon Heights Golf and Country Club, 2900 Sand Hill Road, Menlo Park, CA

Paul Scott  
Signature, Club President

PAUL SCOTT  
Printed Name

ATTACHED NOTARY CERTIFICATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF San Mateo )

On May 28, 2015 before me, Ruby F. Mark, Notary Public, personally appeared Paul Scott

who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Ruby F. Mark*



EXHIBIT A

Public Utilities Easement

Commencing at a point at the intersection of the northerly line of a 15 foot wide pipeline easement with the boundary of Parcel 1, as said easement and Parcel are shown on that certain map entitled "Lands of Sharon Heights Golf and Country Club, Menlo Park, San Mateo County, California" filed on April 21, 1976 in Volume 31 of Parcel Maps at Page 34, records of the County of San Mateo, State of California, said point being at the northwesterly terminus of the line having a bearing of North 44°11'29" West and distance of 2.77 feet; thence, along said northerly easement line, easterly on the arc of a curve to the right, the center of which bears South 7°06'00" East, having a radius of 1200.00 feet, a central angle of 2°52'04", and length of 60.06 feet to the POINT OF BEGINNING; thence, continuing along said northerly line, on the arc of a curve to the right having a radius of 1200.00 feet, a central angle of 0°45'50", and length of 16.00 feet; thence, leaving said northerly line, North 3°51'01" West, 10.00 feet; thence South 86°08'59" West, 16.00 feet; thence South 3°51'01" East, 10.00 feet to the Point of Beginning.

Containing an area of 160 square feet, more or less, as shown on "Exhibit B" attached hereto and made a part hereof.

Wayne Haas  
5-7-15



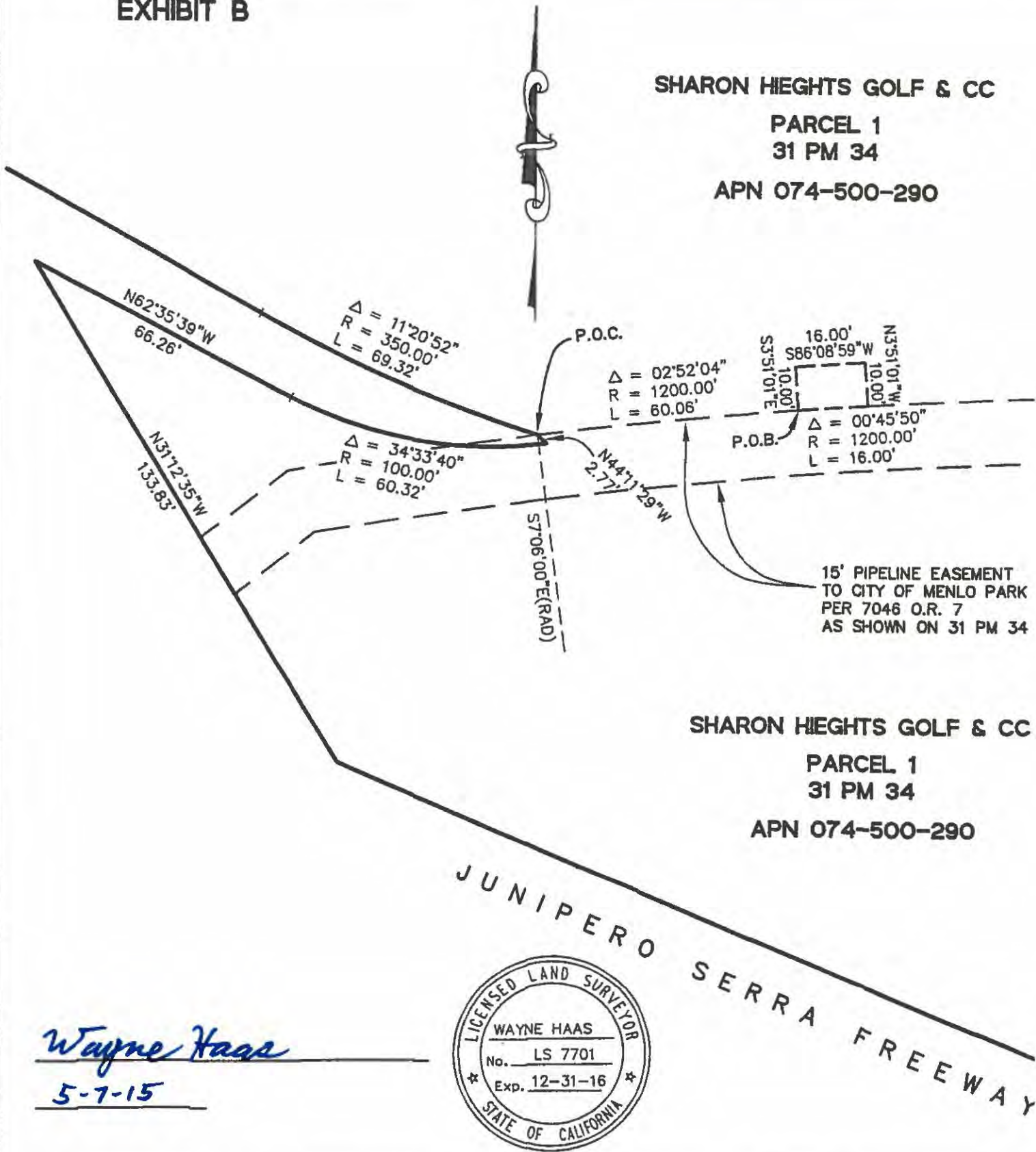
**EXHIBIT B**

**SHARON HIEGHTS GOLF & CC**

**PARCEL 1**

**31 PM 34**

**APN 074-500-290**



**SHARON HIEGHTS GOLF & CC**

**PARCEL 1**

**31 PM 34**

**APN 074-500-290**

*Wayne Haas*

5-7-15



**B & H SURVEYING, INC.** 901 WALTERMIRE ST., BELMONT, CA 94002 (650) 637-1590

TITLE: PUBLIC UTILITIES EASEMENT

CITY: MENLO PARK

COUNTY: SAN MATEO COUNTY

CALIFORNIA

SURV:	SCALE: 1" = 30'	FOR: SHARON HEIGHTS GOLF & COUNTRY CLUB 2900 SAND HILL ROAD	JOB NO. 6619-14 DWG NO. 6619-FH-ESMT
PLAT:	DATE: 5/7/15		



## PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 16, 2015

Staff Report #: 15-099

**CONSENT CALENDAR:**                    **Authorize the City Manager to Enter into a Five-Year Contract with Mechanical Technologies Corporation for the Preventative Maintenance and Repair Services for HVAC within City Buildings**

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### RECOMMENDATION

Staff recommends that the City Council:

- 1) Authorize the City Manager to enter into a five year contract with Mechanical Technologies Corporation dba (MTECH), for the Preventative Maintenance and Repair Services for Heating, Ventilation and Air Conditioning Systems (HVAC) within City Buildings;
- 2) Authorize a renewal option of three additional years and;
- 3) Authorize staff to spend annually up to the annual contract amount and allow for 30% contingency.

### POLICY ISSUES

The contract exceeds staff authorization and requires City Council approval and is consistent with City policy.

### BACKGROUND

In an effort to maintain cost-effectiveness, staff solicited bid proposals for a more inclusive approach towards HVAC maintenance. Bidders were required to provide services to maintain heating, ventilating, air conditioning, and selected pumping equipment, change air filters, and perform periodic maintenance services as listed in the approved maintenance schedule, for a fixed monthly charge. They would need to respond to all emergency and service calls and make necessary repairs, as noted in the equipment list for each City facility.

The current HVAC contract will expire at the end of June 2015. Staff solicited competitive bids for a new HVAC maintenance contract to provide services at a fixed monthly rate for the next five years with the option to renew the contract for three additional years.

**ANALYSIS**

Seven bids were received and opened on May 28, 2015. The basis of awarding this contract is the sum of the five year proposal. The total of the bids are shown in Attachment A. The lowest bidder, MTECH submitted a five-year bid in the amount of \$361,509. Their 2015-16 pricing for year one is \$68,775 (\$5,731.25 monthly). This is lower than our 2014-15 annual contract which is \$78,000. Annual and monthly pricing are shown below:

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
Annual Pricing	\$68,775	\$70,495	\$72,258	\$74,065	\$75,916
Monthly Pricing	\$5,731.25	\$5,874.58	\$6,021.50	\$6,172.08	\$6,326.33

The proposal covers the period from July 1, 2015 through June 30, 2020. The contract would be awarded for five years and grants the City Manager the option to extend it for three additional years. Background checks and references have been verified for MTECH, and they have performed satisfactory.

**IMPACT ON CITY RESOURCES**

The amount of \$68,775 is for the first year and is included in the Fiscal Year 2015-2016 building maintenance operating budget and is funded by the General Fund. Staff is requesting authorization to spend up to the City Council approved annual building maintenance operating budget to allow for unforeseen conditions or repairs that are not part of the base contract. The 2015-16 budget is \$90,000.

**ENVIRONMENTAL REVIEW**

The project is exempt under Class I of the current State of California Environmental Quality Act Guidelines.

**PUBLIC NOTICE**

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

**ATTACHMENTS**

- A. Bid Summary

Report prepared by:  
*Carl Thomas*  
*Facilities Supervisor*

*Ruben Nino*  
*Assistant Public Works Director*





## BID SUMMARY

### MULTI-YEAR PREVENTATIVE MAINTENANCE CONTRACT FOR THE HEATING, VENTILATION, AND AIR CONDITIONING

<b>COMPANY</b>	<b>BID</b>
1. MTech	\$361,509
2. Therma	\$492,000
3. ESI	\$514,904
4. Thermal Mechanical	\$560,088
5. ACCO Engineered Systems	\$648,588
6. Emcor Services/Mesa Energy	\$923,097
7. City Mechanical	\$1,702,760.22

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## **PUBLIC WORKS DEPARTMENT**

**Council Meeting Date: June 16, 2015**

**Staff Report #: 15-103**

**CONSENT CALENDAR:**            **Adopt a Resolution Supporting the US 101/Willow Road Interchange Project and Submit an Application to the Measure A Highway Program and Authorize the City Manager to Execute the Necessary Funding Agreements**

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### **RECOMMENDATION**

Staff recommends that Council adopt a resolution (Attachment A) to support the US 101/Willow Road Interchange Project and submit an application to the Measure A Highway Program and authorize the City Manager to execute the necessary funding agreements.

### **POLICY ISSUES**

The US 101/Willow Road Interchange Project is consistent with the City's General Plan policies that support safe and efficient transportation.

### **BACKGROUND**

On May 8, 2015, the San Mateo County Transportation Authority (SMCTA) issued a call for projects for the Measure A Highway Program. On June 2, 2015, the Council directed staff to assume the role of project sponsor for the US 101/Willow Road Interchange project. The staff report is provided in Attachment C.

### **ANALYSIS**

The Willow Road/US 101 interchange project is included in the list of eligible candidate projects in the Original Measure A 1998 Expenditure Plan. The SMCTA requires agencies that apply for funding as the sponsor agency to provide a resolution in support of the project application. The resolution would affirm the sponsor agency's support for the overall project, and the sponsor's role for the project scope. The approved governing board resolutions are due by July 17, 2015.

## **IMPACT ON CITY RESOURCES**

The funding requested from the Measure A Highway program for the US 101/Willow Road Interchange Project application is approximately \$64M. This will ensure the project can move forward with the construction. Currently, approximately \$17M in State Transportation Improvement Program (STIP) funds are programmed for the project, but for fiscal year 2017-2018 and the project would need to be advanced to meet its timeline. On June 5, 2015, C/CAG submitted a grant application to the United States Department of Transportation's Transportation Investment Generating Economic Recovery program for \$12.8M for this project. The City will continue to work with the Transportation Authority, C/CAG and other stakeholders to seek out grant funding sources to reduce the request under the Measure A Highway Program for this project.

## **ENVIRONMENTAL REVIEW**

Environmental clearance for the project was obtained by Caltrans on November 25, 2013.

## **PUBLIC NOTICE**

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

## **ATTACHMENTS**

- A. Resolution of Support for the US 101/Willow Road Interchange Project
- B. May 7, 2013 – Staff Report on Design Alternatives for US 101/Willow Road
- C. June 2, 2015 – Staff Report on Project Sponsorship for US 101/Willow Road

Report prepared by:  
*Nicole H. Nagaya, P.E.*  
*Transportation Manager*

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
SUPPORTING THE US 101/WILLOW ROAD INTERCHANGE PROJECT AND  
SUBMITTING AN APPLICATION FOR MEASURE A HIGHWAY PROGRAM  
FUNDING FOR THE US 101/WILLOW ROAD INTERCHANGE PROJECT**

WHEREAS, there is increased congestion and limited access for bicyclists and pedestrians at the interchange of US 101 and Willow Road; and

WHEREAS, there is a proposed Caltrans project to improve the safety, multi-modal access and traffic operation at the interchange; and

WHEREAS, it will cost \$64,000,000 to implement the construction of the US 101/Willow Road Interchange Project; and

WHEREAS, the City wishes to sponsor the construction of the US 101/Willow Road Interchange Project; and

WHEREAS, the City seeks \$64,000,000 for the construction of the US 101/Willow Road Interchange Project; and

WHEREAS, on June 7, 1988, the voters of San Mateo County approved a ballot measure to allow the collection and distribution by the San Mateo County Transportation Authority (TA) of a half-cent transactions and use tax in San Mateo County for 25 years, with the tax revenues to be used for highway and transit improvements pursuant to the Transportation Expenditure Plan presented to the voters (Original Measure A); and

WHEREAS, on November 2, 2004, the voters of San Mateo County approved the continuation of the collection and distribution by the TA the half-cent transactions and use tax for an additional 25 years to implement the 2004 Transportation Expenditure Plan beginning January 1, 2009 (New Measure A); and

WHEREAS, TA issued a Call for Projects for the Measure A Highway Program funds on May 8, 2015; and

WHEREAS, TA requires a governing board resolution from the City in support of the City's application for \$64,000,000 in San Mateo County Measure A Highway Program funds for construction of the US 101/Willow Road Interchange; and

WHEREAS, TA requires a governing board resolution from the City committing the City to the completion of the construction of the US 101/Willow Road Interchange; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park does hereby resolve as follows:

1. Directs staff to submit an application for TA Measure A Highway Program funds for \$64,000,000 for the construction of the US 101/Willow Road Interchange
2. Authorizes the City Manager to execute a funding agreement with the San Mateo County Transportation Authority to encumber any Measure A Highway Program funds awarded.

I, Pamela 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 sixteenth day of June, 2015 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City, this sixteenth day of June, 2015.

Pamela Aguilar  
City Clerk



## PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 7, 2013  
Staff Report #: 13-075

Agenda Item #: F-1

**REGULAR BUSINESS:**                    **Provide Direction On The State Route 101/Willow Road Interchange Project Alternatives**

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### RECOMMENDATION

Staff recommends that the City Council receive the SR 101/Willow Interchange Project Alternative Report and provide direction to staff to include the Project Preferred Alternative 1B Modified Partial Cloverleaf (Attachment B) as the selected interchange design concept to be evaluated in the Environmental Analysis for this project.

### BACKGROUND

The original SR 101/Willow Interchange was constructed in 1955. Willow Road is classified as a major arterial east of the SR 101/Willow Road interchange and a minor arterial west of the SR 101/Willow Road interchange. Approximately 30,000 vehicles per day travel on Willow Road between Middlefield Road and Bayfront Expressway. The existing interchange configuration in Figure 1 shows a “Four Quadrant Cloverleaf (Attachment A).”

Funding for the design and construction of the SR 101/Willow Road Interchange Project (The Project) is proposed to be funded by C/CAG’s Regional Improvements Program (RIP) and by Measure A funds, and was originally approved in the original Measure A Expenditure Plan in 1988 and extended in 2004 by voters of San Mateo County. A project study report was completed in 1989 and a Project Study Report-Project Development Report was completed in 2005. The project proposes to reconstruct the existing SR 101/Willow Road (SR 114) interchange to a partial cloverleaf or diamond interchange.

The Project is being led by Caltrans in partnership with San Mateo County Transportation Authority, C/CAG, East Palo Alto and Menlo Park. The Project is currently in the conceptual stages of design and environmental analysis. Traffic modeling and traffic operational analysis were completed in 2012 for the conceptual stages under two horizon year scenarios -2020 “Opening Year” and 2040 “Design Year.” The traffic operational analysis evaluated six alternative configurations for the interchange. The configurations were designed to minimize the overall traffic impacts to both the local streets and the freeway as well as improve all modes of transportation (vehicular, bicycle and pedestrian). The following Project Alternatives were evaluated:

1. Alternative 1A – Partial Cloverleaf
2. Alternative 1B – Condensed Partial Cloverleaf
3. Alternative 2 – Partial Cloverleaf with Auxiliary Lane
4. Alternative 3 – Partial Cloverleaf with Collector Distributor Road
5. Alternative 4A – Compact Diamond
6. Alternative 4B – Condensed Compact Diamond
7. Alternative 5 – Existing Four-Quadrant Cloverleaf (No Build)

The results of the analysis for the alternatives are shown in Table 1. Some of the alternatives could involve right-of-way impacts to adjacent property owners, while some of the alternatives minimize these impacts. The project impacts will be evaluated as part of the environmental analysis.

**Table 1: Comparison of Project Alternatives**

	Alternative 1A		Alternative 1B		Alternative 2		Alternative 3		Alternative 4A		Alternative 4B	
Construction Capital Cost(\$)	\$ 43.0 M		\$ 41.9 M		\$ 43.6 M		\$ 44.2 M		\$ 39.0 M		\$ 37.5 M	
Right of Way Capital Cost(\$)	\$ 11.8 M		\$ 0.6 M		\$ 4.8 M		\$ 7.2 M		\$ 4.5 M		\$ 0.7 M	
Geometry	Partial Cloverleaf		Condensed Partial cloverleaf		Partial Cloverleaf w/ Aux Lane		Partial Cloverleaf w/Collector Rd		Compact Diamond		Condensed Compact Diamond	
Right of Way												
Number of Parcels Affected	25		11		20		26		21		11	
Full Take Impacts (SQFT)	93,870		0		24,167		48,000		24,264		0	
Partial Take Impacts (SQFT)	35,142		3,013		21,014		33,291		19,325		4,293	
Traffic Operation												
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Overall Network VII Delay (Veh-hr)	15,629	16,681	15,552	16,836	15,464	17,481	16,510	21,529	16,503	16,500	16,754	16,003
N/B New Intersections LOS	D	C	E	C	D	C	E	C	E	D	E	D
S/B New Intersection LOS	C	C	C	C	C	C	D	C	F	D	F	D
Environmental Impacts	Great Surface Streets realignment & access modifications Possible Environmental Justice		Low No access modifications		Medium, some realignment & access modifications		Medium, some realignment & access modifications		Great Surface Streets realignment & access modifications Possible Environmental Justice		Low No access modifications	

On June 12, 2012, the City Council adopted Resolution 8062 in support of SR 101/Willow Road Interchange Project and secured funding in the amount of \$500,000 to assist the City during the environmental phase of the Project. Staff is currently in the process of hiring a consultant for this support. Staff will be completing a funding agreement with San Mateo County Transportation Authority for use of these funds.

The project alternatives were initially presented to the City Council at its regular meeting on October 9, 2012. At this meeting, Council gave direction to ensure all modes of travel are considered and incorporating evaluations of the feasibility of having a median bicycle lane on Willow Road though the interchange, similar to SR 101/3<sup>rd</sup> Avenue



interchange in San Mateo, and to evaluate the option of a separate bicycle/pedestrian bridge facility.

## **ANALYSIS**

The “Project Need” is to address short weaving segments between loop ramps along SR 101 and Willow Road and to address all modes of transportation. These weaving conflicts cause safety concerns, reduce speed, cause back-ups, and create upstream queuing on 101. Additionally, there are deficient bicycle and pedestrian facilities at this interchange. The “Project Purpose” is to address the operational deficiencies of the interchange by eliminating the traffic weaves and to provide adequate storage on the off-ramps, improve operation of the interchange and as a result this will also improve the different modes of transportation and provide adequate bicycle and pedestrian facilities at the new interchange.

A scoping meeting and several community meetings have been held in both East Palo Alto and Menlo Park as follows:

- October 9, 2012 - City Council Presentation
- October 17, 2012 - Menlo Park Public Scoping Meeting
- October 24, 2012 - East Palo Alto Public Scoping Meeting
- November 29, 2012 - Presentation to Menlo Park Chamber-Transportation Committee
- March 6, 2013 - Joint East Palo Alto/Menlo Park Community Update Meeting
- March 11, 2013 & April 8, 2013 - Menlo Park Bicycle Commission
- March 13, 2013 - Transportation Commission

Comments and key points brought up during the public meetings included the following:

- Provide bicycle and pedestrian facilities
- Design for all 3 modes (Bicycle, Pedestrians, and Vehicles) of transportation
- Use alternatives 1B or 4B with the least residential housing impacts
- Use alternative 4B “Condensed Compact Diamond,” with signalized intersection for bicycle & pedestrian safety
- Use separate bicycle/pedestrian bridge next to the interchange (1 comment)
- Use alternatives 1A or 1B “Partial Cloverleaf”
- Do not use Alternative 1A (too much right-of-way impact)
- Separate Bicycle/pedestrian Bridge Facility
- Median Bicycle lane similar to SR 101/3<sup>rd</sup> Avenue Interchange in San Mateo

After receiving comments, the Caltrans project team evaluated three new possible options. The options evaluated included the following:

1. Alternative 1B Modified “Condensed Partial Cloverleaf”: This proposed new alternative is a variation between “Alternative 1B” and “Alternative 4B”, which are

shown for reference in Attachments C and D . This alternative is also consistent and in line with the need and purpose of the project by addressing the following:

- a. Improves overall operational benefits that are superior to all other Project Alternatives studied.
  - b. Minimizes overall right-of-way impacts from all other Project Alternatives.
  - c. Minimizes environmental impacts compared to from all other Project Alternatives.
  - d. Provides an improvement for the new signalized intersections in comparison to Project Alternative 4B which requires left turns for on-ramps at the signalized intersection that will increase delays on Willow Road.
  - e. Provides both Class I (off street bike path), and Class II (on street bike lanes) Bicycle/Pedestrian facilities on each side of the overcrossing design.
  - f. Provides a new configuration with squared Right Turns at Intersection crossing to reduce the bicycle/vehicle speed differential at these movements to improve safety.
2. Separate Bicycle/Pedestrian Bridge Facilities: This facility was evaluated, and is not being recommended at this time. Project Alternative 1B Modified, provides similar facilities and it accommodates this function within the project, without a significant increase in cost. A separate bicycle/pedestrian bridge would only be located on one side of the interchange, thus making it a longer travel distance for one direction or the other. Additionally, this option would create additional right-of-way impacts, privacy concerns, and is outside the project limit.
3. Median Bicycle Lane similar to 101/3<sup>rd</sup> Avenue Interchange in San Mateo: This option was studied, and is not a feasible option. The proposed recommended Alternative 1B Modified is a condensed partial cloverleaf in comparison with the 101/3<sup>rd</sup> Avenue Interchange which is a full cloverleaf interchange, which doesn't include any signalized intersections. This option would create a bicycle only intersection in the middle of the road at each off-ramp, which is non-standard and would create some safety concerns. It would also require additional right-of-way, and expansion the project limits to the intersections at Bay Road to the south, and Newbridge Street to the north, which is not within the project limits or scope.

The information above and the inclusion of the Alternative 1B modified as the main design concept were included in the presentations at a joint East Palo Alto/Menlo Park community meeting on March 6, 2013 and at the Transportation Commission, and Bicycle Commission meetings. The following is a summary of the meetings:

- The joint East Palo Alto/Menlo Park community outreach meeting was attended by about 30 participants from both East Palo Alto and Menlo Park. The meeting was an open house, and was accompanied by a project presentation, and questions and answer session. There was no opposition to the project, and appeared to be well received.

- The Transportation Commission generally supported the project and had no comments.
- The Bicycle Commission, recommended approval of a Project Alternative 1B Modified, “Condense Partial Cloverleaf” as shown in Figure 2 in Attachment A. This option was recommended in combination with a lane geometric configuration and a cross section that provides a Class I, and Class II bicycle lanes separated by medians, and a 10 feet sidewalk. This alternative is also shown in Figure 3 in Attachment A.

After the community outreach process was completed, an independent analysis of the project was performed by a team of engineers from Caltrans who have not been involved in the design of this project. The team included representatives from East Palo Alto, Menlo Park, and San Mateo County Transportation Authority. The value analysis was completed over several days from February 4<sup>th</sup> through 7<sup>th</sup> of 2013. The team assessed the elements of cost, performance, construction time, and risk as they relate to project value. Key performance attributes assessed included mainline operations, pedestrian/cyclist, operations, local operations, maintainability, construction impacts, and environmental impacts. Project Alternative 1B Modified was used as the baseline for the comparison. The value analysis team concluded that this proposed Project Alternative 1B Modified provides the best value.

This project’s environmental phase is fully funded, and the project team has a very aggressive project schedule. The overall anticipated schedule for this project is as follow:

- Environmental Analysis (PA&ED): Late 2013
- Complete Design (PS&E): Mid 2015
- Advertise, Open Bid & Award: Late 2015
- Start Construction: Early 2016
- Project Completion: Early 2018

## **IMPACT ON CITY RESOURCES**

This project is a regional project that will be added to the Menlo Park Capital Improvement Plan, and additional resources will be required to support this project. Staff is currently in the process of hiring a consultant team to support this project.

## **POLICY ISSUES**

The project is consistent with the City of Menlo Park General Plan, Sections II-A-12 and II-D.

## **ENVIRONMENTAL REVIEW**

The US 101/Willow Road Interchange Project CEQA environmental review will be completed by Caltrans.

## **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. Existing US 101/Willow Road Interchange
- B. US 101/Willow Road Alternative 1B Modified
- C. US 101/Willow Road Alternative 1B
- D. US 101/Willow Road Alternative 4B

Report prepared by:  
Fernando G. Bravo,  
Engineering Services Manager

Report prepared by:  
Charles W. Taylor,  
Public Works Director



## PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 2, 2015

Staff Report #: 15-094

**REGULAR BUSINESS:**                    **Authorize the City to Assume the Role of Project Sponsor for the US 101/Willow Road Interchange Project**

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### RECOMMENDATION

Staff recommends the Council approve the City assuming the role as Project Sponsor for the US 101/Willow Road Interchange Project, including taking the lead role to secure adequate construction funds for the project.

### POLICY ISSUES

The US 101/Willow Road Interchange Project is consistent with the City's General Plan policies that support safe and efficient transportation.

### BACKGROUND

On November 2, 2004, the voters of San Mateo County approved the continuation of the collection and distribution by the San Mateo County Transportation Authority (TA) of the Measure A half cent transaction and use tax for the additional 25 years to implement the 2004 Transportation Expenditure Plan, beginning January 1, 2009 (new Measure A).

On May 24, 2012, the TA issued a call for projects for the Highway Program and in response to the call for projects, the City of Menlo Park (City) requested the TA provide \$500,000 in Measure A funds to engage a consultant team to support the City's review of the environmental review and design documents for the US 101/Willow Road Interchange Project. This project met the intent of the 2004 Transportation Expenditure Plan and TA's 2009-2013 Strategic Plan and on October 4, 2012, TA programmed and allocated up to \$500,000 from the new Measure A Supplemental Roadway Highway Program Category the project.

On May 7, 2013, Caltrans staff presented a series of design alternatives to the City Council. The staff report is included in Attachment A. Council voted in support of a preferred design alternative. On November 25, 2013, Caltrans certified the environmental review documents and identified the preferred design alternative for this project, consistent with the Council's recommendations.

Since that time, Caltrans has been preparing the detailed design documents for the project, currently near 95% complete. City staff has been involved in reviewing engineering documents and design details that interface with or may affect City streets, utilities, or right-of-way. A consultant team led by Swinerton Engineers was brought on board in late 2014 to assist the City with this effort. Final design documents are anticipated to be completed in late 2015. The project would be ready for construction starting in early 2016. The San Mateo County Transportation Authority (SMCTA) through Measure A has provided the main source of funding for the environmental and design phases of this project, supporting the design work underway by Caltrans, as well as funding for consulting support to assist the City with design review.

## **ANALYSIS**

The SMCTA has informed City staff that, for the project to be completed, the City of Menlo Park would need to assume the role of Project Sponsor. If the City does not assume this role, the project would not be completed. The SMCTA funding agreements include the Project Sponsor's responsibilities as listed below:

1. Sponsor Oversight of Work Plan
2. Obtaining Required Approvals
3. Contract & Project Management
4. Funding Commitment

The information on sponsorship responsibilities is evolving as of publication of the staff report. The City will continue to work with SMCTA, the City/County Association of Governments of San Mateo County (C/CAG) and Caltrans to better define the responsibilities for each stakeholder in advance of the June 2, 2015 Council meeting. It is anticipated that Caltrans would manage the construction phase. Of most significance at this point for the City of Menlo Park is item 4, Funding Commitment, including the need to secure funding to complete the construction phase of the project.

The initial project construction cost estimate was approximately \$48M, prepared at the time the environmental documents were certified in 2013. Due to escalation in construction costs since that time, the project cost has increased to approximately \$65M. Current available funding for this project is approximately \$17M from the State Transportation Improvement Program, or STIP. However, the STIP funds are currently programmed for fiscal year (FY) 2016-2017 and would need to be advanced to FY2015-2016 to be used for this project. The remaining balance of approximately \$48M still needs to be secured.

## **IMPACT ON CITY RESOURCES**

Accepting sponsorship of this project will impact staff capacity, particularly in the Public Works Department, and delay other capital project design and construction schedules due to grant deadlines in June 2015.

Staff is working to assess the available potential funding sources for this project, if the City were to assume sponsorship. Potential options include:

- Pursuing grant funds from federal, state, or regional sources
- Committing local funds
- Bonding against local revenues

Staff is currently working to determine the feasibility of all potential options for funding for this project. Grant funding options will be fully explored to minimize any local commitments if the project is to proceed. A potential list of grant funding sources is outlined as follows:

- San Mateo County Measure A Highway Program
- U.S. Department of Transportation's (DOT) Transportation Investment Generating Economic Recovery (TIGER) Competitive Program
- State or Regional Active Transportation Program

However, each of the grant programs identified is extremely competitive, thus awards are uncertain. Funding deadlines are approaching in June 2015. If unsuccessful in grant awards, the City would be responsible for securing other funds or the project could not be completed. At the time of this report, it is uncertain if the City could bond for a construction project on a facility owned by another agency (Caltrans, in this case).

Financial implications of accepting the role of project sponsorship are still being determined, but could impact City funds particularly if grant applications are not successful. Staff is working to evaluate funding options in advance of the June 2, 2015 Council meeting and will provide as much additional information as possible during the staff presentation.

## **ENVIRONMENTAL REVIEW**

Environmental clearance for the project was obtained by Caltrans on November 25, 2013.

## **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. May 7, 2013 Staff Report – Provide Direction on the US 101/Willow Road Interchange Project Alternatives

Report prepared by:  
*Nicole H. Nagaya, P.E.*  
*Transportation Manager*



## PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 7, 2013  
Staff Report #: 13-075

Agenda Item #: F-1

**REGULAR BUSINESS:**                    **Provide Direction On The State Route 101/Willow Road Interchange Project Alternatives**

---

### RECOMMENDATION

Staff recommends that the City Council receive the SR 101/Willow Interchange Project Alternative Report and provide direction to staff to include the Project Preferred Alternative 1B Modified Partial Cloverleaf (Attachment B) as the selected interchange design concept to be evaluated in the Environmental Analysis for this project.

### BACKGROUND

The original SR 101/Willow Interchange was constructed in 1955. Willow Road is classified as a major arterial east of the SR 101/Willow Road interchange and a minor arterial west of the SR 101/Willow Road interchange. Approximately 30,000 vehicles per day travel on Willow Road between Middlefield Road and Bayfront Expressway. The existing interchange configuration in Figure 1 shows a “Four Quadrant Cloverleaf (Attachment A).”

Funding for the design and construction of the SR 101/Willow Road Interchange Project (The Project) is proposed to be funded by C/CAG’s Regional Improvements Program (RIP) and by Measure A funds, and was originally approved in the original Measure A Expenditure Plan in 1988 and extended in 2004 by voters of San Mateo County. A project study report was completed in 1989 and a Project Study Report-Project Development Report was completed in 2005. The project proposes to reconstruct the existing SR 101/Willow Road (SR 114) interchange to a partial cloverleaf or diamond interchange.

The Project is being led by Caltrans in partnership with San Mateo County Transportation Authority, C/CAG, East Palo Alto and Menlo Park. The Project is currently in the conceptual stages of design and environmental analysis. Traffic modeling and traffic operational analysis were completed in 2012 for the conceptual stages under two horizon year scenarios -2020 “Opening Year” and 2040 “Design Year.” The traffic operational analysis evaluated six alternative configurations for the interchange. The configurations were designed to minimize the overall traffic impacts to both the local streets and the freeway as well as improve all modes of transportation (vehicular, bicycle and pedestrian). The following Project Alternatives were evaluated:



1. Alternative 1A – Partial Cloverleaf
2. Alternative 1B – Condensed Partial Cloverleaf
3. Alternative 2 – Partial Cloverleaf with Auxiliary Lane
4. Alternative 3 – Partial Cloverleaf with Collector Distributor Road
5. Alternative 4A – Compact Diamond
6. Alternative 4B – Condensed Compact Diamond
7. Alternative 5 – Existing Four-Quadrant Cloverleaf (No Build)

The results of the analysis for the alternatives are shown in Table 1. Some of the alternatives could involve right-of-way impacts to adjacent property owners, while some of the alternatives minimize these impacts. The project impacts will be evaluated as part of the environmental analysis.

**Table 1: Comparison of Project Alternatives**

	Alternative 1A		Alternative 1B		Alternative 2		Alternative 3		Alternative 4A		Alternative 4B	
Construction Capital Cost(\$)	\$ 43.0 M		\$ 41.9 M		\$ 43.6 M		\$ 44.2 M		\$ 39.0 M		\$ 37.5 M	
Right of Way Capital Cost(\$)	\$ 11.8 M		\$ 0.6 M		\$ 4.8 M		\$ 7.2 M		\$ 4.5 M		\$ 0.7 M	
Geometry	Partial Cloverleaf		Condensed Partial cloverleaf		Partial Cloverleaf w/ Aux Lane		Partial Cloverleaf w/Collector Rd		Compact Diamond		Condensed Compact Diamond	
Right of Way												
Number of Parcels Affected	25		11		20		26		21		11	
Full Take Impacts (SQFT)	93,870		0		24,167		48,000		24,264		0	
Partial Take Impacts (SQFT)	35,142		3,013		21,014		33,291		19,325		4,293	
Traffic Operation												
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Overall Network VHI Delay (Veh-hr)	15,629	16,681	15,552	16,836	15,464	17,481	16,510	21,529	16,503	16,500	16,754	16,003
N/B New Intersections LOS	D	C	E	C	D	C	E	C	E	D	E	D
S/B New Intersection LOS	C	C	C	C	C	C	D	C	F	D	F	D
Environmental Impacts	Great Surface Streets realignment & access modifications Possible Environmental Justice		Low No access modifications		Medium, some realignment & access modifications		Medium, some realignment & access modifications		Great Surface Streets realignment & access modifications Possible Environmental Justice		Low No access modifications	

On June 12, 2012, the City Council adopted Resolution 8062 in support of SR 101/Willow Road Interchange Project and secured funding in the amount of \$500,000 to assist the City during the environmental phase of the Project. Staff is currently in the process of hiring a consultant for this support. Staff will be completing a funding agreement with San Mateo County Transportation Authority for use of these funds.

The project alternatives were initially presented to the City Council at its regular meeting on October 9, 2012. At this meeting, Council gave direction to ensure all modes of travel are considered and incorporating evaluations of the feasibility of having a median bicycle lane on Willow Road though the interchange, similar to SR 101/3<sup>rd</sup> Avenue

interchange in San Mateo, and to evaluate the option of a separate bicycle/pedestrian bridge facility.

## **ANALYSIS**

The “Project Need” is to address short weaving segments between loop ramps along SR 101 and Willow Road and to address all modes of transportation. These weaving conflicts cause safety concerns, reduce speed, cause back-ups, and create upstream queuing on 101. Additionally, there are deficient bicycle and pedestrian facilities at this interchange. The “Project Purpose” is to address the operational deficiencies of the interchange by eliminating the traffic weaves and to provide adequate storage on the off-ramps, improve operation of the interchange and as a result this will also improve the different modes of transportation and provide adequate bicycle and pedestrian facilities at the new interchange.

A scoping meeting and several community meetings have been held in both East Palo Alto and Menlo Park as follows:

- October 9, 2012 - City Council Presentation
- October 17, 2012 - Menlo Park Public Scoping Meeting
- October 24, 2012 - East Palo Alto Public Scoping Meeting
- November 29, 2012 - Presentation to Menlo Park Chamber-Transportation Committee
- March 6, 2013 - Joint East Palo Alto/Menlo Park Community Update Meeting
- March 11, 2013 & April 8, 2013 - Menlo Park Bicycle Commission
- March 13, 2013 - Transportation Commission

Comments and key points brought up during the public meetings included the following:

- Provide bicycle and pedestrian facilities
- Design for all 3 modes (Bicycle, Pedestrians, and Vehicles) of transportation
- Use alternatives 1B or 4B with the least residential housing impacts
- Use alternative 4B “Condensed Compact Diamond,” with signalized intersection for bicycle & pedestrian safety
- Use separate bicycle/pedestrian bridge next to the interchange (1 comment)
- Use alternatives 1A or 1B “Partial Cloverleaf”
- Do not use Alternative 1A (too much right-of-way impact)
- Separate Bicycle/pedestrian Bridge Facility
- Median Bicycle lane similar to SR 101/3<sup>rd</sup> Avenue Interchange in San Mateo

After receiving comments, the Caltrans project team evaluated three new possible options. The options evaluated included the following:

1. Alternative 1B Modified “Condensed Partial Cloverleaf”: This proposed new alternative is a variation between “Alternative 1B” and “Alternative 4B”, which are

shown for reference in Attachments C and D . This alternative is also consistent and in line with the need and purpose of the project by addressing the following:

- a. Improves overall operational benefits that are superior to all other Project Alternatives studied.
  - b. Minimizes overall right-of-way impacts from all other Project Alternatives.
  - c. Minimizes environmental impacts compared to from all other Project Alternatives.
  - d. Provides an improvement for the new signalized intersections in comparison to Project Alternative 4B which requires left turns for on-ramps at the signalized intersection that will increase delays on Willow Road.
  - e. Provides both Class I (off street bike path), and Class II (on street bike lanes) Bicycle/Pedestrian facilities on each side of the overcrossing design.
  - f. Provides a new configuration with squared Right Turns at Intersection crossing to reduce the bicycle/vehicle speed differential at these movements to improve safety.
2. Separate Bicycle/Pedestrian Bridge Facilities: This facility was evaluated, and is not being recommended at this time. Project Alternative 1B Modified, provides similar facilities and it accommodates this function within the project, without a significant increase in cost. A separate bicycle/pedestrian bridge would only be located on one side of the interchange, thus making it a longer travel distance for one direction or the other. Additionally, this option would create additional right-of-way impacts, privacy concerns, and is outside the project limit.
3. Median Bicycle Lane similar to 101/3<sup>rd</sup> Avenue Interchange in San Mateo: This option was studied, and is not a feasible option. The proposed recommended Alternative 1B Modified is a condensed partial cloverleaf in comparison with the 101/3<sup>rd</sup> Avenue Interchange which is a full cloverleaf interchange, which doesn't include any signalized intersections. This option would create a bicycle only intersection in the middle of the road at each off-ramp, which is non-standard and would create some safety concerns. It would also require additional right-of-way, and expansion the project limits to the intersections at Bay Road to the south, and Newbridge Street to the north, which is not within the project limits or scope.

The information above and the inclusion of the Alternative 1B modified as the main design concept were included in the presentations at a joint East Palo Alto/Menlo Park community meeting on March 6, 2013 and at the Transportation Commission, and Bicycle Commission meetings. The following is a summary of the meetings:

- The joint East Palo Alto/Menlo Park community outreach meeting was attended by about 30 participants from both East Palo Alto and Menlo Park. The meeting was an open house, and was accompanied by a project presentation, and questions and answer session. There was no opposition to the project, and appeared to be well received.

- The Transportation Commission generally supported the project and had no comments.
- The Bicycle Commission, recommended approval of a Project Alternative 1B Modified, “Condense Partial Cloverleaf” as shown in Figure 2 in Attachment A. This option was recommended in combination with a lane geometric configuration and a cross section that provides a Class I, and Class II bicycle lanes separated by medians, and a 10 feet sidewalk. This alternative is also shown in Figure 3 in Attachment A.

After the community outreach process was completed, an independent analysis of the project was performed by a team of engineers from Caltrans who have not been involved in the design of this project. The team included representatives from East Palo Alto, Menlo Park, and San Mateo County Transportation Authority. The value analysis was completed over several days from February 4<sup>th</sup> through 7<sup>th</sup> of 2013. The team assessed the elements of cost, performance, construction time, and risk as they relate to project value. Key performance attributes assessed included mainline operations, pedestrian/cyclist, operations, local operations, maintainability, construction impacts, and environmental impacts. Project Alternative 1B Modified was used as the baseline for the comparison. The value analysis team concluded that this proposed Project Alternative 1B Modified provides the best value.

This project’s environmental phase is fully funded, and the project team has a very aggressive project schedule. The overall anticipated schedule for this project is as follow:

- Environmental Analysis (PA&ED): Late 2013
- Complete Design (PS&E): Mid 2015
- Advertise, Open Bid & Award: Late 2015
- Start Construction: Early 2016
- Project Completion: Early 2018

## **IMPACT ON CITY RESOURCES**

This project is a regional project that will be added to the Menlo Park Capital Improvement Plan, and additional resources will be required to support this project. Staff is currently in the process of hiring a consultant team to support this project.

## **POLICY ISSUES**

The project is consistent with the City of Menlo Park General Plan, Sections II-A-12 and II-D.

## **ENVIRONMENTAL REVIEW**

The US 101/Willow Road Interchange Project CEQA environmental review will be completed by Caltrans.

## **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. Existing US 101/Willow Road Interchange
- B. US 101/Willow Road Alternative 1B Modified
- C. US 101/Willow Road Alternative 1B
- D. US 101/Willow Road Alternative 4B

Report prepared by:  
Fernando G. Bravo,  
Engineering Services Manager

Report prepared by:  
Charles W. Taylor,  
Public Works Director

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## PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 16, 2015

Staff Report #: 15-098

**CONSENT CALENDAR:**                    **Approve the Installation of Sharrows on Bicycle Facilities**

### RECOMMENDATION

Staff recommends the City Council approve the installation of shared-lane markings (“sharrows”) within Menlo Park, on routes designated by the City’s *Comprehensive Bicycle Route Development Plan* (“Bike Plan”) or *El Camino Real/Downtown Specific Plan* (“Specific Plan”):

- On any Class III bicycle route
- On any routes designated for Class II bicycle lanes, but where sufficient width does not exist for bicycle lanes to be striped without more extensive roadway reconfiguration
- Install green-backed sharrows according to proposed traffic volume, speed, or school route criteria

### POLICY ISSUES

Improving bicycle facilities is consistent with several policies in the 1994 General Plan Circulation, Transportation Element and the El Camino Real and Downtown Specific Plan. These policies seek to enhance the safety of bicyclists.

### BACKGROUND

The City’s Bike Plan was adopted in 2005, and outlines the recommended bicycle route network. A copy of the Bike Plan can be downloaded from the City’s website (<http://www.menlopark.org/DocumentCenter/Home/View/372>), with a map of existing and recommended bicycle facilities shown on Figure 5-1, (Attachment A).

The Specific Plan was adopted in 2012, and outlines an enhanced bicycle network providing access to and through the Specific Plan area. Specifically, the bicycle network that “*builds upon existing plans and integrates more fully with downtown and proposed public space improvements in the area*” was envisioned. A copy of the Circulation chapter of the Specific Plan can be downloaded from the City’s website (<http://www.menlopark.org/DocumentCenter/View/294>) , with a map of existing and recommended bicycle facilities shown on (Attachment B).

Bicycle accommodations in each of these documents are defined in three classifications based on Caltrans *Highway Design Manual*, current at the time each was published:

- Class I Shared-Use Paths
- Class II Striped Bicycle Lanes
- Class III Bicycle Routes

Since adoption of the Bike Plan, several new bicycle facility signing and striping treatments have been developed, including shared-lane markings or “sharrows”. Sharrows, as shown in the photo below, are markings painted on the street which guides bicyclists where to position within the travel lane on routes shared with vehicles. They also reinforce to motorists that bicycles may be present on a route. Menlo Park began experimentation with sharrows in 2011 on University Drive and Menlo Avenue. In August 2013, those trial installations have since been made permanent.



## ANALYSIS

Since the sharrow trial installations were made permanent in 2013, staff has identified or received requests for additional installations on several streets in the City. However, the Bike Plan and Specific Plan did not identify this treatment for use within Menlo Park. Prior to installation, staff received a recommendation from the Bicycle Commission and is seeking approval from the City Council to allow sharrow installation in the following locations:

- On any existing or proposed Class III bicycle route identified in the Bike Plan or Specific Plan
- On any routes designated as proposed Class II bicycle lanes identified in the Bike Plan or Specific Plan where sufficient width does not exist for bicycle lanes to be striped without more extensive roadway reconfiguration.



The routes eligible for sharrows within Menlo Park based on these criteria are highlighted in Attachments A and B. Installation and placement of signs and markings on each street would be based on guidance in the most current editions of the California Manual on Uniform Traffic Control (CA MUTCD) and the National Association of City Transportation Officials (NACTO) Bicycle Design Guide.

### ***Green-Backed Sharrows***

In 2013, in conjunction with the pilot project, staff also considered installation of green-backed shared lane markings, which were recently installed in the Cities of Palo Alto, San Jose, San Francisco, Salt Lake City and Long Beach, as well as others. Green-backed shared lane markings are shared lane markings with a rectangular green background to make them more visible to motorists and bicyclists. Research from Salt Lake City and Long Beach has shown that the green backing improves visibility and awareness, improves bicyclists positioning, and can result in more bicycle usage; however green-backed shared markings have not yet been approved by the Federal Highway Administration (FHWA) or Caltrans.



Staff recommended the use of green-backed sharrows to the Bicycle and Transportation Commissions and to the Council in August 2013. Both commissions and Council recommended approval and the Council unanimously approved staff to seek approval of the installation of green-backed shared lane markings from FHWA and Caltrans and subsequently, bring this item back to them for consideration.

Since that time, staff has monitored FHWA and Caltrans consideration of green-backed sharrows and reviewed the relevant research that demonstrates their effectiveness. Staff is proposing that green-backed sharrows be installed, but without seeking approval from FHWA or Caltrans, since this treatment has been used successfully in other communities to increase bicyclists' visibility. Additionally, the approval process can take several months at a minimum and requires a significant commitment of resources.

Since the green-backed sharrow is more expensive to install and maintain than standard white sharrow markings, staff proposes that the following criteria be used to determine which streets should receive priority for green-backed sharrows:

- Posted speed limits of 30 miles per hour or more, or
- Average weekday travel volumes of 3,000 trips or more, or
- Designated route included in a Safe Routes to School plan.

### ***Bicycle Commission Recommendations***

At the Bicycle Commission's May 11, 2015 meeting, the Commission voted unanimously (6-0) to recommend the City Council approve installation of sharrows according to staff's recommendation.

### ***Next Steps***

Based on community requests, the first priority for sharrow installation, if approved, would include:

- Oak Avenue between Olive Street and Sand Hill Road (green-backed, since heavily used Safe Route to Oak Knoll School)
- Oakdell Avenue between Santa Cruz Avenue and Olive Street (white)
- Olive Street between Santa Cruz Avenue and Oak Avenue (white)
- Ravenswood Avenue between El Camino Real and Noel Drive (green-backed, since traffic volumes and speeds are higher than proposed criteria)

### **IMPACT ON CITY RESOURCES**

If approved, installation of sharrows can be accommodated on a limited number of street segments each year within the City's current signing and striping budget with existing staff resources.

### **ENVIRONMENTAL REVIEW**

Installation of markings on bicycle routes within existing public rights-of-way is categorically exempt from the California Environmental Quality Act (CEQA) guidelines under Class 4, Section 15304, Minor Alterations to Land.

### **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. Comprehensive Bicycle Development Plan Excerpt
- B. El Camino Real/Downtown Specific Plan Excerpt

Report prepared by:

*Nicole H. Nagaya, P.E.*

*Transportation Manager*

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## 5.4. BIKEWAY NETWORK PROJECT LIST

### SHORT-TERM PROJECTS

#### Class II Bike Lanes

- O'Brien Drive Class II Bike Lanes

#### Class III Bike Routes

- Chaucer/Pope/Gilbert Class III Bike Route
- Coleman Class III Bike Route
- Hamilton Class III Bike Route
- Menalto/Woodland/Durham Class III Bike Route
- Oak Grove Class III Shared Use
- O'Connor Class III Bike Route
- Ringwood Avenue Class III Bike Route
- San Mateo Drive Class III Bike Route
- Seminary Drive Class III Bike Route
- Sharon Park Neighborhood Class III Bike Route

#### Other Bicycle Projects

- Caltrain Bicycle Shelter Improvements
- Ringwood Avenue Bicycle/Pedestrian Bridge Improvements
- Citywide Bikeway Wayfinding Signage Program

### MID-TERM PROJECTS

#### Class II Bike Lanes

- Bay Road Class II Bike Lane Extension
- El Camino Real Class II Watkins to Encinal
- Middlefield Road Class II Extension
- Sand Hill Road/I-280 Eastbound Class II

## MID-TERM PROJECTS, CONTINUED

### Class III Bike Routes

- Berkeley Avenue Class III Bike Route
- College/Arbor/Bay Laurel Class III Bike Route
- Constitution Drive Class III Bike Route
- Encinal Avenue Class III Shared Use
- Menlo Avenue Class III Shared Use
- Merrill Street Class III Bike Route
- Middle Avenue Class III Shared Use
- Oak Avenue Class III Bike Route
- Oakdell Avenue Class III Bike Route
- Olive Street Class III Bike Route
- Ravenswood Avenue Class III Shared Use
- Santa Cruz Avenue Gap Class III Shared Use
- University Drive Class III Bike Route

## LONG-TERM PROJECTS

### Class I Bike Paths

- Independence Drive Class I Connector Path
- Willow Road Class I Connector Path

### Class II Bike Lanes

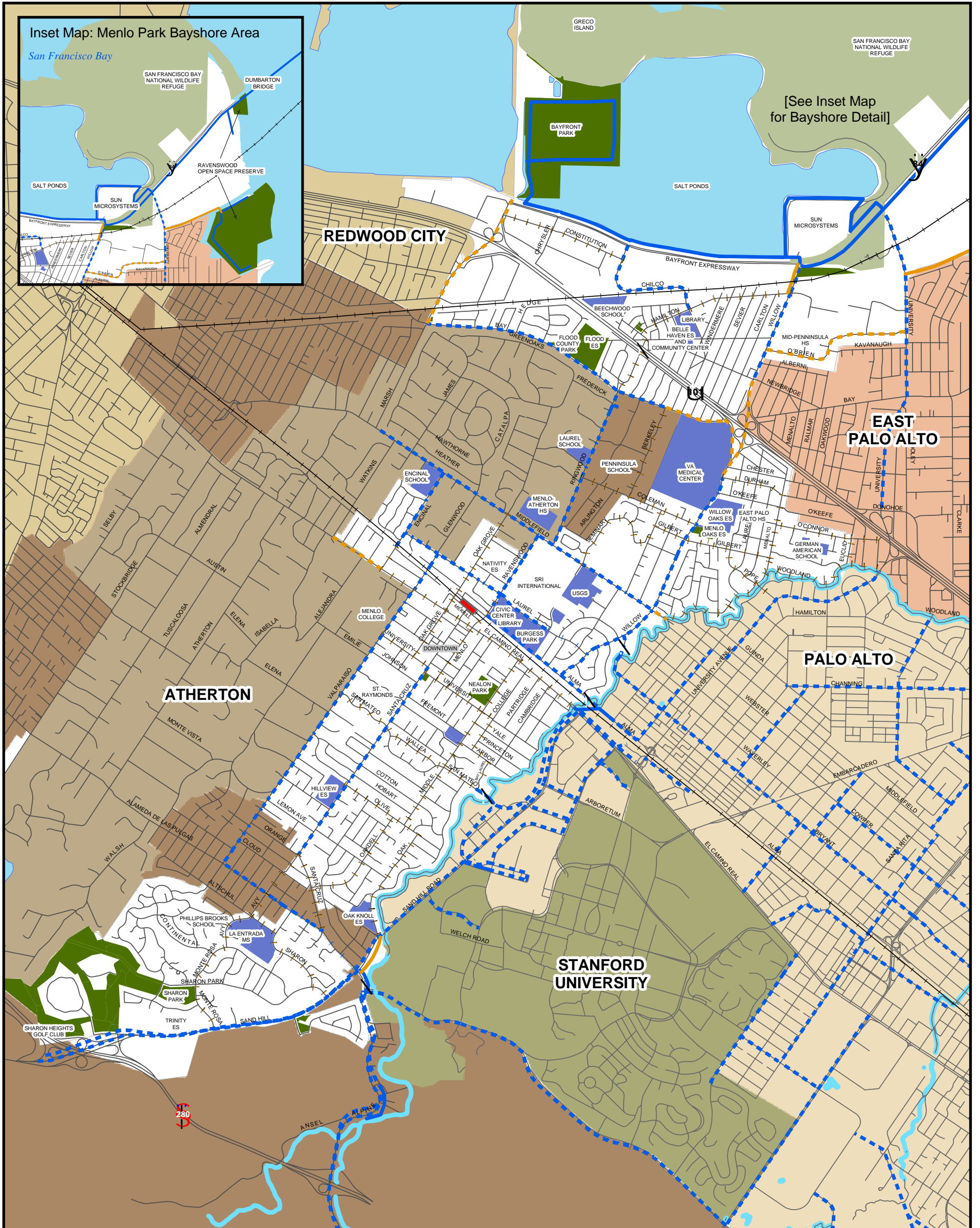
- Marsh Road Class II Bike Lanes
- Willow Road/US-101 Interchange Class II Bike Lanes

### Class III Bike Route

- El Camino Real Class III Encinal to Palo Alto

### Class III Bike Route

- Bayfront Expressway Bicycle/Pedestrian Undercrossing
- Caltrain Bicycle/Pedestrian Undercrossing



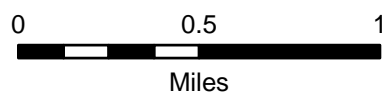
- EXISTING BIKEWAYS**
- CLASS I BIKE PATH
  - - - CLASS II BIKE LANE
  - | | CLASS III BIKE ROUTE

- PROPOSED BIKEWAYS**
- CLASS I BIKE PATH
  - - - CLASS II BIKE LANE
  - | | CLASS III BIKE ROUTE

- LAND USE**
- OPEN SPACE AND PARKS
  - SCHOOLS AND PUBLIC FACILITIES

- CITIES**
- MENLO PARK
  - ATHERTON
  - COUNTY
  - EAST PALO ALTO
  - PALO ALTO
  - REDWOOD CITY
  - STANFORD

- - - EXISTING BIKE/PED BRIDGE OR UNDERCROSSING
- SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE
- CALTRAIN STATION



MAP FOR REFERENCE PURPOSES ONLY.  
 The information on this map is derived from a variety of reputable digital databases. However, there may be map errors or omissions. Please contact Menlo Park directly to verify map information. Notification of any errors would be appreciated.



**SOURCES**  
 City of Menlo Park  
 San Mateo County  
 U.S. Fish and Wildlife Service

**Figure 5-1** Existing and Recommended Bicycle Facilities  
 Menlo Park Comprehensive Bicycle Development Plan  
 PAGE 55

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## F.4 BICYCLE FACILITIES



*Class I Bikeway (Bike Path)*

Menlo Park has an ideal environment for bicycling due to the mild climate, relatively flat terrain and proximity of many recreational and non-recreational destinations. Approximately 4% of Menlo Park residents commute to work by bicycle<sup>1</sup>, a rate that is four times higher than the rates for both San Mateo County and California and ten times higher than the national rate. This indicates that bicycling is actively used by residents and comprises an important mode of transportation for the City. Enhancing and improving bicycle travel for all types and experience levels of cyclists is a key component of the Specific Plan.

### Bicycle Facilities Types

Consistent with the *Menlo Park Comprehensive Bicycle Development Plan, 2005 (Bicycle Development Plan)*, the Specific Plan establishes a comprehensive bicycle network for the plan area, recommending a combination of bicycle paths, bicycle lanes and bicycle routes. Consistent with Caltrans standards, the definitions for such bicycle facilities follow:

- *Class I Bikeway (Bike Path)* provides a completely separate right-of-way and is designated for the exclusive use of bicycles and pedestrians with vehicle and pedestrian cross-flow minimized.
- *Class II Bikeway (Bike Lane)* provides a restricted right-of-way and is designated for the use of bicycles with a striped lane on a street or highway. Bicycle lanes are generally five (5) feet wide. Adjacent vehicle parking and vehicle/pedestrian cross-flow are permitted.
- *Class III Bikeway (Bike Route)* provides for a right-of-way designated by signs or pavement markings for shared use with pedestrians or motor vehicles.

<sup>1</sup> 2000 Census; 2010 Census data is not available at time of publication.

## Recommended Bicycle Facilities

The Specific Plan also contains a “*Future Class II/Minimum Class III*” designation for locations where bicycle lanes are desired but may be infeasible in the near-term because they would require parking removal or right-of-way acquisition. These facilities would be designated Class III facilities in the short-term, which may include the striping of shared use pavement markings (sharrows) as appropriate, but would have the long-term goal of Class II bicycle lanes. Thresholds/triggers for implementation could include:

- Bicycle lanes in proximity to Downtown may be considered for implementation after development of a parking garage, which would increase the overall parking supply and make removal of on-street parking more reasonable.
- Construction of the Middle Avenue grade-separated railroad crossing may be considered a trigger for implementation of the Middle Avenue bicycle lanes.
- A certain percentage of residents and/or commercial property owners adjacent to proposed bicycle lanes may petition the City for implementation.
- Redevelopment of a significant continuous stretch of private property may justify implementing lanes along that stretch.

Figure F3 depicts the location for existing and recommended bicycle facilities. The recommended facilities include those planned in the City’s *Bicycle Development Plan*. The facilities in *italics* listed below are not included in the *Bicycle Development Plan*, but are recommended as a part of the Specific Plan. Some of these recommendations are an upgrade to a recommendation (such as recommending Class II lanes instead of Class III routes), while others are new recommendations.

Recommendations for new east-west facilities include:

- Bicycle route on Encinal Avenue between El Camino Real and the railroad tracks;
- *Bicycle lanes on Oak Grove Avenue between University Drive and Laurel Street. This improvement requires removal of parking on one side of the street. The Specific Plan recommends the north side;*
- Bicycle route on Santa Cruz Avenue between University Drive north and south;
- *Future Class II/Minimum Class III on Menlo Avenue between University Drive and El Camino Real with additional striping modifications near the El Camino Real and Menlo Avenue intersection;*
- *Future Class II/Minimum Class III on westbound Ravenswood Avenue between the railroad tracks and El Camino Real;*
- Bicycle route on Middle Avenue west of University Drive;
- *Future Class II/Minimum Class III on Middle Avenue between University Drive and El Camino Real with additional striping modifications at the El Camino Real and Middle Avenue intersection; and*
- Bicycle/pedestrian grade-separated crossing of the railroad tracks at the train station and near Middle Avenue, with the ultimate configuration depending on the future configuration of Caltrain and/or high speed rail.

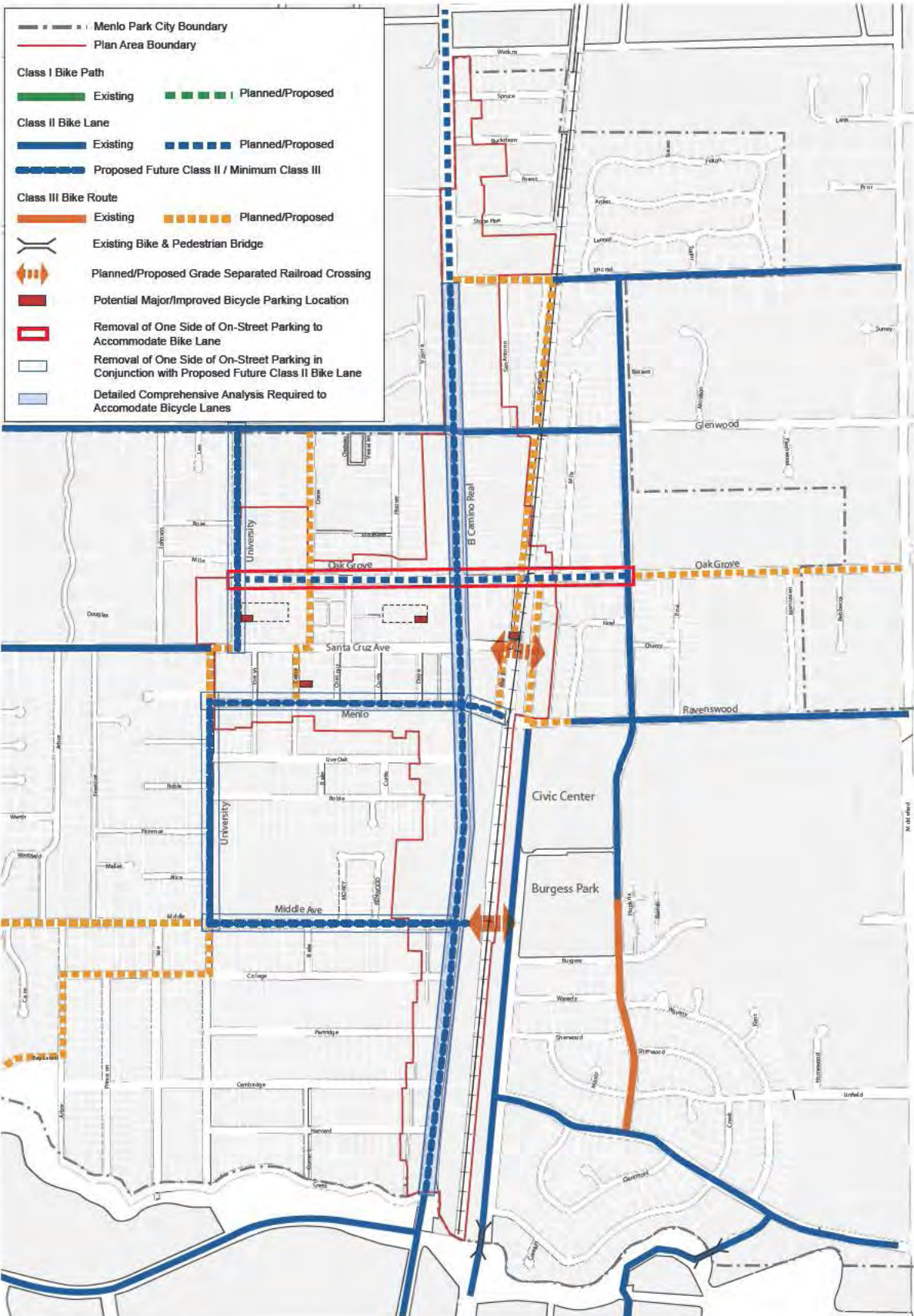


Figure F3. Bicycle Facilities

Recommendations for north-south facilities include:

- Bicycle route on University Drive between Santa Cruz Avenue and Menlo Avenue with new combined striped bicycle lane/left-turn lane from southbound University Drive to eastbound Menlo Avenue;
- Future Class II/Minimum Class III on University Drive north of Santa Cruz Avenue to Valparaiso Avenue and south of Menlo Avenue to Middle Avenue;
- Bicycle route on Crane Street between Valparaiso Avenue and Menlo Avenue;
- Bicycle lanes on El Camino Real north of Encinal Avenue;
- Future Class II/Minimum Class III on El Camino Real south of Encinal Avenue to Palo Alto border;
- Bicycle route along Garwood Way from Encinal Avenue to Oak Grove Avenue; and
- Bicycle route on Alma Street between Oak Grove Avenue and Ravenswood Avenue.



Sharrows indicating where bicyclists should ride on Class III facilities

Other recommendations include:

- Sharrows, as shown in the photo, implemented based on street configuration and safety to supplement pavement markings on Class III facilities. Sharrows are painted street markings that indicate where bicyclists should ride to avoid the “door zone” next to parked vehicles;
- New major bicycle parking facilities in the proposed parking garages;
- New bicycle parking racks in the plan area in new pocket parks, on the Chestnut Paseo, and along Santa Cruz Avenue; and
- Bicycle way-finding signage in any future downtown signage plan.



Bicycle parking racks



## PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 16, 2015

Staff Report #: 15-105

**CONSENT CALENDAR:**            **Authorize the City Manager to Enter into an Agreement with Golden State Flow Measurements, Inc. to Provide Water Meters and Supplies and Authorize the Option to Renew the Contract Annually for up to Five Years**

---

### RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to exceed his purchasing authority up to \$100,000 in each year of the agreement with Golden State Flow Measurements, Inc. to provide water meters and supplies and authorize the option to renew the contract annually for up to five years.

### POLICY ISSUES

The contract exceeds staff authorization and requires City Council approval and is consistent with City policy.

### BACKGROUND

The City's water system utilizes standardized Sensus water meters. This helps expedite emergency repairs and general maintenance of the water system by being able to identify which components require replacement and having it readily available at the Corporation Yard or with the supplier. This has improved the City's efficiency and reduced storage needs by not having to purchase different types of equipment and tools from multiple manufacturers.

### ANALYSIS

Staff anticipates this year exceeding the City Manager's current purchasing authority limit in the purchase of water meters and supplies from Golden State Flow Measurements, Inc. for maintenance of the City's water system. This increased demand is due to proactively replacing water meters, meter repairs and the addition of new Sensus water meters in conjunction with new development sites.

Golden State Flow Measurements, Inc. is the only regional distributor for Sensus water meters. Over 90% of the water system's meters are Sensus meters. Staff recommends continued use of these water meters to standardize meters system-wide.

## **IMPACT ON CITY RESOURCES**

There are sufficient funds available in the water operating budget to execute this agreement. In fiscal year 2014-15, \$50,000 is budgeted for water meters and supplies. To keep up with demand, staff anticipates this year exceeding the City Manager's purchasing authority limit.

## **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:  
*Carlos Castro*  
*Water Supervisor*

Report reviewed by:  
*Brian Henry*  
*Public Works Superintendent*



## PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 16, 2015

Staff Report #: 15-102

### CONSENT CALENDAR:

**Adopt a Resolution Authorizing the City Manager to Accept the SAFETEA-LU Federal Grant in the Amount of \$202,400 and Execute the Program Supplement Agreement No. N015 for the Willow Road Traffic Signal Modification Project Between Middlefield Road and Hamilton Avenue**

---

### RECOMMENDATION

Adopt a resolution authorizing the City Manager to accept the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Federal Grant in the amount of \$202,400 and execute Program Supplement Agreement No. N015 to Administering Agency-State Agreement for Federal-Aid Project No. 04-5273, covering construction, to implement the Willow Road Traffic Signal Modification Project between Middlefield Road and Hamilton Avenue.

### POLICY ISSUES

This project is consistent with several policies in the 1994 General Plan Circulation and Transportation Element. These policies seek to maintain a circulation system using the Roadway Classification System that provide for the safe and efficient movement of people and goods throughout Menlo Park for residential and commercial purposes.

### BACKGROUND

In 2005, the City of Menlo Park submitted a funding application via Congresswoman Anna Eshoo's office to the United States Committee on Transportation, Subcommittee on Transportation and Infrastructure to provide for the modification of nine (9) traffic signal systems on Willow Road between Middlefield Road and Hamilton Avenue, upgrading the existing traffic signal system hardware and software to allow access and use of an Adaptive Traffic Coordination System, in the amount of \$1.3 million.

Subsequently, 426 projects were authorized under the SAFETEA-LU, including the above mentioned Menlo Park's project. However, SAFETEA-LU authorized only the amount of \$240,000 for the Menlo Park project. The funds allocated under SAFETEA-LU are available until expended or rescinded by legislation. The Federal share for SAFETEA-LU

High Project Priority project is 80%. The local agency is responsible for the 20% non-Federal match and any additional funds necessary to fully fund the project.

Due to the combination of a few outside funding opportunities to obtain the unfunded balance of the project costs and competition from other jurisdictions for these few outside funding sources, staff was unable to acquire additional funding to construct the project and consequently, the project was placed on hold until 2014. The recent traffic signal modification and signal interconnect projects on Willow Road between Middlefield Road and Bayfront Expressway including the C/CAG Smart Corridor Project, U.S. Department of Veterans Affairs (VA) Hospital Entry/Willow Road Reconfiguration Project, and Facebook Project Mitigation Measures had considerably reduced the scope of work for the original project. Staff had identified the remaining unfinished work to be completed on Willow Road at the intersections with Gilbert Avenue and Coleman Avenue, to include upgrading the traffic signal controller and electrical equipment and software.

## **ANALYSIS**

On May 22, 2015, staff received the Program Supplement Agreement No. N015 from Caltrans, the agency responsible for administering the SAFETEA-LU funds for the Federal government. This agreement covers the City's obligations regarding the use of Federal funds and the administration of the project.

Execution of this agreement for construction of this project is required before Caltrans reimburses the City for expenses incurred to implement the project. Project construction is expected to occur in Summer 2015.

## **IMPACT ON CITY RESOURCES**

The estimated project cost of \$300,000 was budgeted in the FY 2011-12 using the Measure A Fund and is sufficient to fund the completion of the unfinished work of the Willow Road Traffic Signal Modification Project. The amount of \$202,400 would be reimbursed to the City through the SAFETEA-LU federal funding grant.

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt under Class 1 of the California Environmental Quality Act Guidelines. Class 1 allows for minor alterations of existing facilities, including highways and streets, sidewalks, gutters, bicycle and pedestrian access, and similar facilities, as long as there is negligible or no expansion of use.

## **PUBLIC NOTICE**

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



## **ATTACHMENTS**

### A. Resolution

Report prepared by:

*Rene C. Baile*

*Transportation Engineer*

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**RESOLUTION NO.****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (SAFETEA-LU) FEDERAL GRANT IN THE AMOUNT OF \$202,400 AND EXECUTE PROGRAM SUPPLEMENT AGREEMENT NO. N015 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECT NO. 04-5273, COVERING CONSTRUCTION, TO IMPLEMENT THE WILLOW ROAD TRAFFIC SIGNAL MODIFICATION PROJECT BETWEEN MIDDLEFIELD ROAD AND HAMILTON AVENUE**

WHEREAS, the City of Menlo Park is eligible to receive Federal funding for certain transportation projects through the California Department of Transportation (Caltrans); and

WHEREAS, in 2005, SAFETEA-LU authorized the partial funding in the amount of \$240,000 to provide for the modification of nine (9) traffic signal systems on Willow Road between Middlefield Road and Hamilton Avenue, upgrading the existing traffic signal system hardware and software to allow access and use of an Adaptive Traffic Coordination System, at the estimated construction cost of \$1.3 million; and

WHEREAS, the recent traffic signal modification and interconnect projects on Willow Road between Middlefield Road and Bayfront Expressway including the C/CAG Smart Corridor Project, U.S. Department of Veterans Affairs (VA) Hospital Entry/Willow Road Reconfiguration Project, and Facebook Project Mitigation Measures had considerably reduced the scope of work of the original project to traffic signal modification work at the intersections of Willow Road with Gilbert Avenue and with Coleman Avenue and traffic signal software upgrade throughout the Willow Road corridor, at the estimated construction cost of \$300,000; and

WHEREAS, on May 22, 2015, staff received the Program Supplement Agreement No. N015 from Caltrans, the agency responsible for administering the SAFETEA-LU funds for the Federal government, which covers the City's obligations regarding the use of Federal funds and administration of the project during the construction phase; and

WHEREAS, Master Agreements and Program Supplement Agreements, Fund Exchange Agreements, and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds can be claimed.

NOW, THEREFORE, BE IT RESOLVED, the City Council of Menlo Park does hereby authorize the City Manager to accept the SAFETEA-LU Federal Grant in the amount of \$202,400 and execute Program Supplement Agreement No. N015 to Administering Agency-State Agreement for Federal-Aid Project No. 04-5273, covering construction, to Implement the Willow Road Traffic Signal Modification Project Between Middlefield Road and Hamilton Avenue.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

---

Pamela Aguilar  
City Clerk



## FINANCE DEPARTMENT

Council Meeting Date: June 16, 2015  
Staff Report #: 15-109

**CONSENT CALENDAR:**                    **Authorize the City Manager to Execute an Agreement with Jones Hall, a Professional Law Corporation, for Bond Counsel and Disclosure Counsel Services, not to Exceed \$150,000 Total, Related to Refinancing the Outstanding Debt of the Former Community Development Agency, Pending Review by the City Attorney**

---

### RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an agreement with Jones Hall, a Professional Law Corporation (Jones Hall), for bond counsel and disclosure counsel services in an amount not to exceed \$150,000 for services related to refinancing the outstanding debt of the former Community Development Agency (CDA). This approval is contingent upon the City Attorney review and approval of the agreement with Jones Hall.

### POLICY ISSUES

The refinancing of bonded debt in order to lower debt service costs and reduce risk is consistent with City fiscal policy.

### BACKGROUND

In 2006, the Menlo Park Community Development Agency (CDA) issued \$72,430,000 of Ambac-insured variable rate tax allocation bonds. The purpose of that bond issue was to refinance outstanding bonds that were issued in 1996 and 2000 at lower interest rates to generate debt service savings to the CDA.

In 2008, the agreement was modified to substitute a letter of credit in lieu of the insurance that had formerly been provided by Ambac, as that firm had declared bankruptcy. The letter of credit is similar to bond insurance in that it guarantees the timely payment of principal and interest on the bonds. The letter of credit is provided by State Street Bank and Trust Company (State Street).

In 2011, State Street and the former CDA entered into an Amended and Reinstated Letter of Credit and Reimbursement Agreement that extended the term of the letter of credit until

May 25, 2013, and provided for an optional annual renewal on May 25<sup>th</sup> each year thereafter.

In 2012, all redevelopment agencies were dissolved through legislative acts. This dissolution was followed by a downgrading or withdrawal of bond ratings by Moody's on the existing debt of California's former redevelopment agencies. This downgrade resulted in an increase in the letter of credit fee from 1.25% of outstanding debt to 2.75% of outstanding debt, which significantly increased the annual debt service cost for these bonds.

In May of 2013, State Street exercised its renewal option on the letter of credit, and at that point, staff initiated discussions with this firm to negotiate improved terms. In March of 2014, an amendment to the letter of credit agreement was finalized. This amendment reduced the letter of credit fee to 2.0%, which saved the former CDA approximately \$450,000 annually. This amendment also extended the term of the letter of credit to March, 2017.

## **ANALYSIS**

With only two years remaining on the existing letter of credit and a favorable interest rate environment, staff recently began looking into refinancing the 2006 bonds to achieve the following objectives:

1. Lower the overall debt service cost, which is paid by former tax increment revenue that is now distributed by the County via the Redevelopment Property Tax Trust Fund (RPTTF).
2. Reduce the risk associated with the letter of credit, as the current rate of 2.0% will need to be renegotiated by the March, 2017 expiration date. With minimal competition in the market for letters of credit, the possibility exists that the cost of the letter of credit could increase, thus increasing the total cost of debt service.

Based on the current interest rate environment, the preliminary analysis indicates that a refinancing of this debt can achieve these objectives. Based on the initial financial scenarios, the net present value savings is projected to be between \$785,000 and \$834,000. Further, the risk mitigation associated with eliminating the letter of credit makes pursuing a refinancing of this debt favorable for the impacted taxing entities above and beyond the estimated savings.

The next step in the process is engaging bond counsel to prepare the first draft of the bond documents. Once prepared, these documents will come to the City Council, acting in its capacity as Successor Agency to the former Community Development Agency, to request approval to proceed. Should Council provide that approval, the documents would be brought forward to the Oversight Board for approval, and if approved, they would then go to the State Department of Finance for approval. The Department of Finance has preliminarily reviewed the cost savings estimates and indicated it would approve this refinancing.

Should Council provide approval to the City Manager to execute a contract with Jones Hall, pending review and approval by the City Attorney, staff expects to return to Council with preliminary bond documents at the July 21, 2015 Council meeting.

**IMPACT ON CITY RESOURCES**

The not-to-exceed amount with Jones Hall consists of approximately \$100,000 for bond counsel services and \$50,000 for disclosure counsel services. These funds will be paid out of the proceeds of the refinancing transaction and do not represent a direct cost to the City of Menlo Park. The savings estimates provided in the preceding section of this report are inclusive of these costs and all other costs that are paid from bond proceeds.

**ENVIRONMENTAL REVIEW**

No environmental review is necessary.

**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:  
*Drew Corbett*  
*Finance Director*

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## OFFICE OF THE CITY MANAGER

Council Meeting Date: June 16, 2015

Staff Report #: 15-110

**CONSENT CALENDAR:**            **Approve and Authorize the Mayor to execute a Cultural Exchange Agreement with Nanshan, China**

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### RECOMMENDATION

It is recommended that the City Council approve and authorize the Mayor to execute Cultural Exchange Agreements with Nanshan, China.

### BACKGROUND

At its meeting on January 27, 2015 Council approved and authorized the Mayor to execute Cultural Exchange agreements with Xinbei, China, Kochi, India and Bizen, Japan. Xinbei, China recently advised the Mayor that the city was suspending any future cultural agreements at this time. As a result, the Mayor has identified Nanshan, China as another city interested in a cultural exchange with Menlo Park. The Mayor and Councilmember Mueller met with representatives from Nanshan on separate occasions. Councilmember Mueller met with them during his trip in June 2014 for the Silicon Valley Mayors' China trip and Mayor Carlton met with representatives from Nanshan at a recent conference.

### IMPACT ON CITY RESOURCES

Staff time and resources will be required to support reciprocal City-sponsored visits and events that may result from these Cultural Exchange Agreements. The 2015-16 proposed operating budget includes \$25,000 to defray such expenses.

### 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. Cultural Exchange Agreement with Nanshan, China

Report prepared by:

*Nicole Mariano*

*Executive Assistant to the City Manager*

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CULTURAL EXCHANGE AGREEMENT

between

NANSHAN DISTRICT, SHENZHEN PREFECTURE,  
PEOPLE'S REPUBLIC OF CHINA

and

MENLO PARK, CALIFORNIA, UNITED STATES OF AMERICA

The District of Nanshan, Shenzhen Prefecture, People's Republic of China, and the City of Menlo Park, California, United States of America, wish to enhance the economic opportunities, understanding and friendship between their two cities, and agree to establish friendly relations through consultations as follows:

1. Adhering to the principle of equality and mutual benefit, both cities may initiate various information sharing opportunities and exchanges in terms of business, education, culture, and economy in order to promote common prosperity and quality of life.
2. Both cities may keep in regular contact for discussion and consultation on various issues of mutual interest and promote civic and economic exchanges.
3. This agreement may be terminated in writing, in whole or in part, when such action is deemed by either city to be in its best interest.
4. The cities shall each execute this agreement in accordance with the national, state and local regulations, policies and existing rules applied to each city.
5. This agreement shall not be interpreted to result in any financial commitments or other binding obligations between the cities.

Signed in \_\_\_\_\_ on the \_\_\_ day of July, 2015. In case of divergence in interpretation, the English text shall prevail.

**Nanshan District, Shenzhen Prefecture, People's Republic of China**

(District Official)	Date

**City of Menlo Park, California, United States of America**

Catherine Carlton, Mayor	Date

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

**Tuesday, June 02, 2015 at 6:00 PM  
City Council Chambers  
701 Laurel Street, Menlo Park, CA 94025**

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**6:00 P.M. CLOSED SESSION (Administration Building, 1<sup>st</sup> Floor Conference Room)**

Mayor Carlton called the Closed Session to order at 6:18 p.m. Councilmember Ohtaki arrived at 6:18pm.

There was no public comment on these items.

**CL1.** Closed Session pursuant to Government Code Section §54957.6 to conference with labor negotiators regarding labor negotiations with Service Employees International Union (SEIU), American Federation of State, County and Municipal Employees (AFSCME), Menlo Park Police Officers' Association (POA)

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 §54957:  
City Manager Employment Contract

Attendee: City Attorney William McClure

**7:00 P.M. REGULAR SESSION**

Mayor Carlton called the meeting to order at 7:24 p.m. All Councilmembers were present.

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

Mayor Carlton led the pledge of allegiance.

**REPORT FROM CLOSED SESSION**

Mayor Carlton stated that there is no reportable action from the Closed Session held earlier this evening.

## A. PRESENTATIONS AND PROCLAMATIONS

**A1.** Proclamation celebrating the American Cancer Society's Menlo Park Discovery Shop ([Attachment](#))

Holly Bohin of the American Cancer Society accepted the proclamation.

**A2.** Presentation of Certificate of Achievement for Financial Reporting to Finance Director Drew Corbett ([Attachment](#))

Drew Corbett accepted the certificate.

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

## C. PUBLIC COMMENT #1

- Kristina Lemons thanked Council for considering a median at Alma Street and Ravenswood Avenue
- John Kadvany spoke regarding public benefit valuation
- Stu Soffer spoke regarding the City Manager's employment contract, the budget and hiring options
- Heyward Robinson spoke regarding the City Manager's employment contract
- Fran Dehn thanked the public works staff for the flags on Santa Cruz Avenue

## D. CONSENT CALENDAR

Councilmember Mueller requested items D2 and D3 be pulled from the Consent Calendar for further discussion.

**D1.** Authorize the City Manager to enter into a contract with Kidango Foods in an amount not to exceed \$85,948 for the delivery of food services at the Belle Haven Child Development Center for Fiscal Year 2015-16 ([Staff report #15-089](#))

**D2.** Approve a second amendment to employment agreement between the City of Menlo Park and Alexander D. McIntyre ([Staff report #15-093](#))

**D3.** Approve minutes for the Council meetings of March 24, May 5 and May 19, 2015 ([Attachment](#))

**ACTION:** Motion and second (Cline/Ohtaki) to approve item D1 passes unanimously.

**ACTION:** Motion and second (Cline/Keith) to approve item D3 with the modifications to the May 19<sup>th</sup> minutes as requested by Mayor Carlton passes unanimously.

Regarding the downtown parking item from the March 24<sup>th</sup> Council meeting, there was Council consensus that staff be directed to provide information regarding the financial impacts of modifying 1-hour parking to 2 hours.

**ACTION:** Motion and second (Cline/Keith) to approve item D2 passes 4-1 (Mueller dissents)

At this time, Mayor Carlton called the Regular Business items out of order.

## **F. REGULAR BUSINESS**

**F1.** Discuss and receive direction on Economic Development Strategic Plan Policies and Implementation ([Staff report #15-092](#))([Presentation](#))

Economic Development Manager Jim Cogan will introduce the item. Michael Yarne of Build Public made a presentation.

### Public Comment:

- Tim Tosta requested Council to consider the types of businesses it wants to attract and the need for a predictable process

Staff was directed to incorporate the Economic Development plan strategies with the City's other long term planning and to provide more clarification on retail strategies and public benefit strategies.

**F2.** Approval of design and cost-sharing requirements for the Santa Cruz Street Café Pilot Program ([Staff report #15-090](#)) ([Presentation](#))

Economic Development Specialist Amanda Wallace made a presentation. Ian Moore of Ian Moore Designs was also present to respond to Council questions.

### Public Comment:

- Mario Vega of Left Bank and LB Steak spoke in support of the project

**ACTION:** Motion and second (Carlton/Keith) to approve the base design as the preferred Street Café design and a cost-sharing requirement of 75% for parallel parking and 70% for angled parking with the participating business paying its share upfront or through installments over a two year timeframe with the City contributing 70% for parallel parking and 60% for angled parking and a maximum contribution of \$30,000 for any one installment. The cost for any enhancements beyond the base design will be borne solely by the business. The motion passes unanimously.

**F3.** Authorize the City to assume the role of project sponsor for the US 101/Willow Road Interchange Project ([Staff report #15-094](#)) ([Presentation](#))

Transportation Manager Nikki Nagaya made a presentation.

### Public Comment:

- Steve Van Pelt expressed concern regarding the short funding request deadline
- Fran Dehn spoke in support of pursuing TIGER grant funds
- Betsy Nash expressed concern regarding the City taking on multiple projects and competing priorities
- Rex Ianson, Menlo Park Fire Protection District, expressed concern regarding the impact on emergency response time and access due to this project

**ACTION:** Motion and second (Keith/Ohtaki) to authorize the City of Menlo Park to assume the role of Project Sponsor for the US 101/Willow Road Interchange Project including taking the lead role to secure adequate construction funding with a request to

the San Mateo County Transportation Authority to serve as the Implementing Agency passes unanimously.

At this time, Mayor Carlton called the Informational Items out of order.

## **I. INFORMATIONAL ITEMS**

- I1.** Installation of buffered bike lanes and removal of parking on Santa Cruz Avenue as approved by City Council ([Staff report #15-091](#))

### Public Comment:

- Betsy Nash asked the City to communicate to the public regarding its outreach efforts and inquired about bike lane and buffer widths

Staff responded to questions regarding outreach, walking in bike lanes, access by utility and maintenance vehicles and opportunities to tweak the installation design.

- I2.** Update on Menlo Park Policy #450, Use of Audio/Video Recorders  
([Staff report #15-088](#))

Police Chief Jonsen and Commander Bertini responded to Council questions regarding deleting video footage of citizens interacting with police on non-police matters (ex. asking for directions), policies and practices regarding turning on/off cameras and retention/deletion timeframes. Staff was directed to provide an update regarding retention as an Informational Item and to bring back the entire policy in May 2016.

- I3.** Update on status of contract reporting ([Staff report #15-095](#))

City Manager McIntyre reported that the software Council approved to facilitate the contract reporting will be implemented in the coming weeks.

## **E. PUBLIC HEARING**

- E1.** Public hearing on fiscal year 2015-16 budget and capital improvement program  
([Staff report #15-076](#))([Presentation](#))

City Manager Alex McIntyre and Finance Director Drew Corbett will make a presentation.

Mayor Carlton opened the public hearing. There was no public comment.

Motion and second (Cline/Ohtaki) to close the public hearing passes unanimously.

Staff was directed to bring this item back to Council for approval on June 16, 2015.

## **G. CITY MANAGER'S REPORT**

City Manager McIntyre reported the following: (1) parks will be closed for annual maintenance (2) power washing of downtown sidewalks is being done with recycled storm water and (3) the downtown block party will be June 17<sup>th</sup>.

## **H. WRITTEN COMMUNICATION – None**



**J. COUNCILMEMBER REPORTS**

Councilmember Keith reported that the Dumbarton Rail Policy Advisory Committee has been disbanded as it has been defunded.

Mayor Carlton recognized the work of educators during the school year.

**K. PUBLIC COMMENT #2**

There was no public comment.

**L. ADJOURNMENT** at 12:23 a.m. on June 3, 2015.

Pamela Aguilar  
City Clerk

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## **PUBLIC WORKS DEPARTMENT**

**Council Meeting Date: June 16, 2015**

**Staff Report #: 15-106**

### **PUBLIC HEARING:**

**Adopt a Resolution Overruling Protests, Ordering the Improvements, Confirming the Diagram, and Ordering the Levy and Collection of Assessments at the Existing Assessment Rate for the Sidewalk and Tree Assessments for the City of Menlo Park Landscaping Assessment District for Fiscal Year 2015-16**

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### **RECOMMENDATION**

Staff recommends that the City Council adopt a Resolution (Attachment A) overruling protests, ordering the improvements, confirming the diagram, and ordering the levy and collection of assessments at the existing assessment rate for the sidewalk assessments and tree assessments for the City of Menlo Park Landscaping Assessment District for Fiscal Year 2015-16.

### **POLICY ISSUES**

If the City Council does not order the levy and collection of assessments, the impact on City resources would be \$758,982 (the total amount of the proposed tree and sidewalk assessments).

### **BACKGROUND**

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

On May 19, 2015, the City Council adopted Resolution No. 6266 preliminarily approving the Engineer's Report and Resolution No. 6267 stating its intention to order the levy and collection of assessments for the Landscaping Assessment District in FY 2015-16. The staff report is included as Attachment B.

## **ANALYSIS**

The Engineer's Report for the Menlo Park Landscaping District for Fiscal Year 2015-16 proposes no increases to the tree and sidewalk assessments. The action taken by the City Council on May 19, 2015, initiated the period in which any property owners can protest the amount of their proposed assessments. No protests have been received as of the date of this staff report. Prior to taking any final action, the Council must conduct the Public Hearing and give direction regarding any protests received. If the Council confirms and approves the assessments by adopting the Resolution, the levies will be submitted to the County Auditor/Controller for inclusion on the property tax roll for FY 2015-16.

## **IMPACT ON CITY RESOURCES**

If the Council does not adopt the attached resolution, the impact on City resources will be \$758,982 which represents the total amount of the estimated tree and sidewalk assessments to be received in the FY 2015-16.

## **ENVIRONMENTAL REVIEW**

Environmental review is not required for this action.

## **PUBLIC NOTICE**

Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting and publishing legal notices on June 5, 2015 and June 12, 2015 in The Daily News.

## **ATTACHMENTS**

- A. Resolution
- B. Staff Report #15-082, dated May 19, 2015

Report prepared by:

*Eren Romero*  
*Business Manager*

Report reviewed by:

*Ruben Nino*  
*Assistant Public Works Director*

**RESOLUTION NO.****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
OVERRULING PROTESTS, ORDERING THE IMPROVEMENTS, CONFIRMING  
THE DIAGRAM, AND ORDERING THE CONTINUATION AND COLLECTION  
OF ASSESSMENTS AT THE EXISTING ASSESSMENT RATES FOR THE  
SIDEWALK AND FOR THE TREE ASSESSMENTS FOR THE CITY OF MENLO  
PARK LANDSCAPING ASSESSMENT DISTRICT FOR FY 2015-16**

WHEREAS, on the twenty-seventh day of January, 2015, said Council adopted Resolution No. 6252, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District for Fiscal Year 2015-16, pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972; and

WHEREAS, said Council thereupon duly considered said report and each and every part thereof and found that it contained all the matters and things called for by the provisions of said Act and said Resolution No. 6266, including (1) plans and specifications of the existing improvements and the proposed new improvements; (2) estimate of costs; (3) diagram of the District; and (4) an assessment according to benefits; all of which were done in the form and manner required by said Act; and

WHEREAS, said Council found that said report and each and every part thereof was sufficient in every particular and determined that it should stand as the report for all subsequent proceedings under said Act, whereupon said Council pursuant to the requirements of said Act, appointed Tuesday, the sixteenth day of June, 2015, at the hour of 7:00 p.m. or soon thereafter of said day in the regular meeting place of said Council, Council Chambers, Civic Center, 701 Laurel Street, Menlo Park, California 94025, as the time and place for hearing protests in relation to the continuation and collection of the proposed assessments for said improvements, including the maintenance or servicing, or both, thereof, for FY 2015-16; and

WHEREAS, on June 16, 2015, at the hour of 7:00 p.m. or soon thereafter at 701 Laurel Street, Menlo Park, California, the Public Hearing was duly and regularly held as noticed, and all persons interested and desiring to be heard were given an opportunity to speak and be heard, and all matters and things pertaining to the levy were fully heard and considered by this Council, and all oral statements and all written protests or communications were duly considered; and

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

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

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

- assessment or diagram, or to the Engineer's estimate of costs thereof, for FY 2015-16 be, and each of them are hereby overruled.
2. That the public interest, convenience, and necessity require and said Council does hereby order the continuation and collection of assessments pursuant to said Act, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in said Engineer's Report and made a part hereof by reference thereto.
  3. That the City of Menlo Park Landscaping District and the boundaries thereof benefited and to be assessed for said costs for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, are situated in Menlo Park, California, and are more particularly described by reference to a map thereof on file in the office of the City Clerk of said City. Said map indicates by a boundary line the extent of the territory included in said District and the general location of said District.
  4. That the plans and specifications for the existing improvements and for the proposed improvements to be made within the assessment district-contained in said report, be, and they are hereby, finally adopted and approved.
  5. That the Engineer's estimate of the itemized and total costs and expenses of said improvements, maintenance and servicing thereof, and of the incidental expenses in connection therewith, contained in said report, be, and it is hereby, finally adopted and approved.
  6. That the public interest and convenience require, and said Council does hereby order the improvements to be made as described in, and in accordance with, said Engineer's Report, reference to which is hereby made for a more particular description of said improvements.
  7. That the diagram showing the exterior boundaries of the assessment district referred to and described in Resolution No. 6266 therein and the lines and dimensions of each lot or parcel of land within said District as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which it applies, each of which lot or parcel of land has been given a separate number upon said diagram, as contained in said report, be, and it is hereby, finally approved and confirmed.
  8. That the continued assessment of the total amount of the costs and expenses of the said improvements upon the several lots or parcels of land in said District in proportion to the estimated benefits to be received by such lots or parcels, respectively, from said improvements, and the maintenance or servicing, or both, thereof and of the expenses incidental thereto contained in said report be, and the same is hereby, finally approved and confirmed.
  9. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the continued assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

10. That said Engineer's Report for FY 2015-16 be, and the same is hereby, finally adopted and approved as a whole.
11. That the City Clerk shall forthwith file with the Auditor of San Mateo County the said continued assessment, together with said diagram thereto attached and made a part thereof, as confirmed by the City Council, with the certificate of such confirmation thereto attached and of the date thereof.
12. That the order for the levy and collection of assessment for the improvements and the final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the continued assessment as contained in said Report, as hereinabove determined and ordered, is intended to and shall refer and apply to said Report, or any portion thereof, as amended, modified, revised, or corrected by, or pursuant to and in accordance with any resolution or order, if any, heretofore duly adopted or made by this Council.
13. That the San Mateo County Controller and the San Mateo County Tax Collector apply the City of Menlo Park Landscaping District assessments to the tax roll and have the San Mateo County Tax Collector collect said continued assessments in the manner and form as with all other such assessments collected by the San Mateo County Tax Collector.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City, this sixteenth day of June, 2015.

Pamela Aguilar  
City Clerk

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## PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 19, 2015

Staff Report #: 15-082

### CONSENT CALENDAR:

**Adopt a Resolution of Preliminary Approval of the Engineer's Report for the Menlo Park Landscaping District for Fiscal Year 2015-16; Adopt a Resolution of Intent to Order the Levy and Collection of Assessments for the Menlo Park Landscaping District for Fiscal Year 2015-16; and Set the Date for the Public Hearing for June 16, 2015**

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### RECOMMENDATION

Staff recommends that the City Council:

1. Adopt a Resolution of preliminary approval of the Engineer's Report for the City of Menlo Park Landscaping District for Fiscal Year 2015-16, which proposes no increases to the tree and sidewalk assessments (Attachment A);
2. Adopt a Resolution of Intention to order the levy and collection of assessments for the City of Menlo Park Landscaping District for Fiscal Year 2015-16 pursuant to the Landscaping and Lighting Act of 1972 (Attachment B) and;
3. Set the date for the Public Hearing for June 16, 2015.

### POLICY ISSUES

If the City Council does not order the levy and collection of assessments, the impact on City resources would be \$758,982 (the total amount of the proposed tree and sidewalk assessments).

### BACKGROUND

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

#### *Tree Maintenance*

Between 1960 and 1982, the City had a three-person tree crew to care for City parks, medians, and street trees. At that time, the tree crew trimmed trees as requested by residents. There was no specific, long-term plan to address tree maintenance. As the trees grew, it took considerably more time per tree to provide proper care and the City's one tree crew was unable to maintain all the trees in proper condition.

The voters approved Measure N in 1982 as an advisory measure to the City Council regarding formation of the City of Menlo Park Landscaping District. The District was formalized in 1983 to provide proper street-tree maintenance. Programmatic changes have occurred over the past 32 years to address new regulations and maintain the existing tree canopy. Proper care of the tree canopy continues to be identified as a priority by property owners, the Environmental Quality Commission and the Council.

In 1998, the City identified concerns that a significant number of City trees, of which over 80 percent were considered to be mature, would decline and fail at roughly the same time unless proactive measures were taken to stagger removal of the older trees with establishment of new, younger trees. In addition, the tree maintenance trimming and evaluation schedule had slipped from once every five years to once every seven years due to cost. The City proposed an increase in the District fees, which was approved per Proposition 218. The additional funds raised were used to bring back the tree trimming/evaluation schedule to once every five years. In addition, in 2008-09 a reforestation program was implemented with a portion of the District funds.

### ***City Tree-Damaged Sidewalk Repair***

Prior to 1990, property owners and the City split the cost of repairing sidewalks damaged by City trees. The City entered into individual agreements with approximately 200 individual property owners each year to conduct these repairs. The annual cost was a financial burden to some residents on fixed incomes, and burdensome for the City to administer.

An assessment for the repair of sidewalks and parking strips was established in 1990 to make the program more cost-effective and less of a financial burden for property owners, and to streamline staff's processing of tree-damaged sidewalk repair. Staff has been able to address the tripping hazards through new technologies in sidewalk sawcutting, resulting in the sidewalk assessment only having been raised once since its establishment.

### ***Street Sweeping***

Street sweeping is performed throughout the City for aesthetic, water quality and health reasons, as well as compliance with storm water regulations. Street sweeping work has been performed by contract services since 1992.

### ***Engineer's Report Requirements***

For each fiscal year the assessments will be levied, the City Council must direct the preparation of an Engineer's Report, budgets, and proposed assessments. On January 23, 2015, the City Council adopted Resolution No. 6252 (*Attachment D*) describing the improvements and directing the preparation of an Engineer's Report for the Landscaping District for FY 2015-16. In addition, Council approved an agreement with SCI Consulting Group to prepare that report.

The Engineer's Report establishes the foundation and justification for the continued collection of the landscape assessments for FY 2015-16. SCI Consulting Group has reviewed the report in context with recent court decisions and legal requirements for

benefit assessments. The assessments proposed are fully compliant with recent court decisions and the requirements of Proposition 218.

The purpose of this staff report is to obtain Council’s preliminary approval of the Engineer’s Report, state the intention of the Council to order the levy and collection of assessments, provide preliminary approval of the assessment, and set a public hearing for June 16, 2015, regarding the proposed assessments.

**ANALYSIS**

**Approval of Engineer’s Report**

SCI Consulting Group has completed the preliminary Engineer’s Report (Attachment C) for the Landscaping District, which includes the District’s proposed FY 2015-16 budget. The budget covers tree maintenance, a portion of the cost of the City’s street sweeping program, and the sidewalk repair program. The report describes in detail the method used for apportioning the total assessment among properties within the District. This method involves identifying the benefit received by each property in relation to a single-family home (Single Family Equivalent or SFE).

Expenses for the program are covered by revenue from property tax assessments, non-assessment funds, and contributions from the City (primarily from the General Fund), and unspent funds from prior years.

**Program Budgets**

***Tree Maintenance Assessments***

Table I shows the proposed budget for street tree maintenance expenses and revenues for FY 2015-16.

<b>Table I Tree Maintenance Assessments Proposed FY 2015-16 Budget</b>	
<b>Projected Beginning Fund Balance</b>	<b>\$188,432</b>
<b>Estimated Revenues:</b>	
Tree Assessment Revenue	\$559,551
General Fund Contribution and other funds	<u>214,000</u>
	<b>\$773,551</b>
<b>Estimated Expenses:</b>	
Street Tree Maintenance	\$499,726
Debris Removal (Street Sweeping)	217,125
Administration & County Collection of Assessment Fees	<u>132,872</u>
	<b>\$849,723</b>
<b>Projected Ending Fund Balance</b>	<b>\$112,260</b>

The General Fund (159,000) and other funds (55,000) contribution towards tree maintenance will be \$214,000 for FY 2015-16. Proposition 218 stipulates that only the “special benefits” received by a parcel can be charged through an assessment district, with “general benefits” being funded by other sources. The Engineer’s Report determined that 75 percent of the benefits received are special benefits, and 25 percent are general benefits. The proposed General Fund and other non-assessment funds contribution of \$214,000 will meet the City’s remaining obligation.

<b>Table II Annual Tree Assessment Rates Proposed FY 2015-16 (no increase)</b>		
<b>Property Type</b>	<b>Properties with Trees</b>	<b>Properties without Trees</b>
Single-family	\$62.06 per Parcel	\$31.03 per Parcel
R-2 Zone, in use as single-family	\$62.06 per Parcel	\$31.03 per Parcel
Condominium/ Townhouse	\$55.85 per Unit \$279.27 max. per Project	\$27.93 per Unit \$139.64 max. per Project
Other Multi-family	\$49.65 per Unit \$248.24 max. per Project	\$24.82 per Unit \$124.12 max. per Project
Commercial	\$62.06 per 1/5 acre \$310.30 max. per Project	\$31.03 per 1/5 acre \$155.15 max. per Project
Industrial	\$62.06 per 1/5 acre \$310.30 max. per Project	\$31.03 per 1/5 acre \$155.15 max. per Project
Parks, Educational	\$62.06 per Parcel	\$31.03 per Parcel
Miscellaneous, Other	\$0.00 per Parcel	\$0.00 per Parcel

**Sidewalk Repair Assessments**

The Council authorizes sidewalk repair program funding in the amount of \$300,000 per year as part of the City’s capital improvement program. Table II shows the proposed budget for sidewalk, curb, gutter and parking strip repair and replacement expenses and revenues for FY 2015-16.

<b>Table III Sidewalk Repair Assessments Proposed FY 2015-16 Budget</b>	
<b>Projected Beginning Fund Balance</b>	<b>\$120,753</b>
<b>Estimated Revenues:</b>	
Sidewalk Assessment Revenue (no rate increase)	\$196,431
General Fund CIP Contribution for sidewalk repair	<u>120,000</u>
	<b>\$316,431</b>
<b>Estimated Expenses:</b>	
Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement	\$300,000
Administration & County Collection of Assessment Fees	<u>20,433</u>
	<b>\$320,433</b>
<b>Projected Ending Fund Balance</b>	<b>\$116,751</b>

Recently, staff was able to address minor tripping hazards as part of the annual sidewalk repair program by implementing a horizontal sawcutting method of removal that leaves a smooth uniform surface. This approach reduces the need for complete concrete removal, better efficiency and budget control. Therefore, staff is not recommending any increase to the sidewalk repair assessments for FY 2015-16.

<b>Table IV</b>	
<b>Property Type</b>	<b>Annual Sidewalk Assessment Rates Proposed FY 2015-16 (no increase)</b>
<b>Properties with Improvements</b>	
Sidewalks, curbs, gutters	\$28.70 per Parcel
Parking strips and gutters	\$28.70 per Parcel
Curbs and/or gutters only	\$19.23 per Parcel
No improvements	\$9.47 per Parcel
Miscellaneous, Other	\$0.00 per Parcel
<b>Properties without Improvements</b>	
Parcels with or without improvements	\$9.47 per Parcel
Miscellaneous, Other	\$0.00 per Parcel

\* All assessment amounts are rounded to the penny.

**Assessment Process**

If the Council approves the attached resolutions, staff will publish legal notice of the assessment Public Hearing at least ten days prior to the hearing, which is tentatively scheduled for June 16, 2015. Once the assessments are confirmed and approved, the levies will be submitted to the County Auditor/Controller for inclusion onto the property tax roll for FY 2015-16.

Assessments are subject to an annual adjustment based on the Engineering News Record Construction Cost Index (CCI) for the San Francisco Bay Area. The maximum annual adjustment cannot exceed 3 percent. Any change in the CCI in excess of 3 percent is cumulatively reserved and can be used to increase the assessment rate in years in which the CCI is less than 3 percent. From December 2013 to December 2014 the CCI increased 0.15 percent.

The maximum authorized assessment rate for fiscal year 2015-16 (based on accumulated unused CCI increases excess reserves from prior years) are \$101.42 per single family equivalent (SFE) benefit unit for tree maintenance and \$45.28 per single family equivalent (SFE) benefit unit for sidewalk maintenance without another ballot proceedings. The estimated budget in the Engineer’s Report proposes assessments for fiscal year 2015-16 \$62.02 per SFE for tree maintenance and \$28.70 per SFE for sidewalk maintenance (same as FY 2014-15). Both amounts are less than the maximum authorized assessment rate.

## **IMPACT ON CITY RESOURCES**

Funding for the entire tree-maintenance, street sweeping and sidewalk-repair programs under the assessment district comes from a variety of sources, including the carryover of unspent funds from prior years, annual tax assessment revenues, and contributions from the General Fund. If the Council does not order the levy and collection of assessments, the impact on City resources would be \$758,982 (the total amount of the proposed tree and sidewalk assessments).

The current estimated fund balances for both the tree and sidewalk programs are sufficient to maintain current services levels through FY 2015-16.

## **ENVIRONMENTAL REVIEW**

An environmental review is not required.

## **PUBLIC NOTICE**

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

## **ATTACHMENTS**

- A. Resolution of Preliminary Approval of the Engineer's Report
- B. Resolution of Intention to Order the Levy and Collection of Assessments
- C. Engineer's Report dated May 2015
- D. Resolution No. 6252

Report prepared by:  
*Eren Romero*  
*Business Manager*

*Ruben Niño*  
*Assistant Public Works Director*

**RESOLUTION NO.**

**RESOLUTION OF PRELIMINARY APPROVAL OF THE ENGINEER'S  
REPORT FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT  
FOR FISCAL YEAR 2015-16**

WHEREAS, on the twenty-seventh day of January, 2015, the Menlo Park City Council did adopt Resolution No. 6252, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District (District) for Fiscal Year 2015-16, pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, in said City and did refer the proposed improvements to SCI Consulting Group and did therein direct SCI Consulting Group to prepare and file with the Clerk of said City a report, in writing, all as therein more particularly described, under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, said SCI Consulting Group prepared and filed with the City Clerk of said City a report in writing as called for in Resolution No. 6252 and under and pursuant to said Article and Act, which report has been presented to this Council for consideration; and

WHEREAS, said Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that neither said report, nor any part thereof, should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follow:

1. That the plans and specifications for the existing improvements and the proposed new improvements to be made within the District contained in said report, be, and they are hereby, preliminarily approved;
2. That the Engineer's estimate of the itemized and total costs and expenses of said improvements, maintenance, and servicing thereof, and of the incidental expenses in connection therewith, contained in said report be, and each of them is hereby, preliminarily approved;
3. That the diagram showing the exterior boundaries of the District referred to and described in said Resolution No. 6252 and the lines and dimensions of each lot or parcel of land within said District as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which the report applies, each of which lot or parcel of land has been given a separate number upon said diagram, as contained in said report be, and it is hereby, preliminarily approved;

4. That the proposed continued assessment of the total amount of the estimated costs and expenses of the proposed improvements upon the several lots or parcels of land in said District in proportion to the estimated benefits to be received by such lots or parcels, respectively, from said improvements including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto, as contained in said report be, and they are hereby, preliminarily approved; and
5. That said report shall stand as the Engineer's Report for the purpose of all subsequent proceedings to be had pursuant to said Resolution No. 6252.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela I. Aguilar  
City Clerk



**RESOLUTION NO.**

**RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO ORDER THE CONTINUATION AND COLLECTION OF ASSESSMENTS FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL YEAR 2015-16 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

WHEREAS, pursuant to Resolution No. 6252 describing improvements and directing the preparation of the Engineer's Report for Fiscal Year 2015-16 for the City of Menlo Park Landscaping District, adopted on January 27, 2015, by the City Council of Menlo Park; and

WHEREAS pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, SCI Consulting Group for said City has prepared and filed with the City Clerk of this City the written report called for under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, by said Resolution No. 6252, which said report has been submitted and preliminarily approved by this Council in accordance with said Article and Act.

NOW, THEREFORE, BE IT RESOLVED, THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follows:

1. In its opinion, the public interest and convenience require, and it is the intention of this Council, to order the continuation and collection of assessments for Fiscal Year 2015-16 pursuant to the provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in Exhibit A hereto attached and by reference incorporated herein;
2. The cost and expense of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon the assessment district designated as "City of Menlo Park Landscaping District" (District) the exterior boundaries of which District are the composite and consolidated area as more particularly described on a map thereof on file in the office of the Clerk of said City, to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the District and the general location of said District;
3. Said Engineer's Report prepared by SCI Consulting Group, preliminarily approved by this Council, and on file with the Clerk of this City, is hereby referred to for a full and detailed description of the improvements, the boundaries of the

assessment district and the proposed assessments upon assessable lots and parcels of land within the District;

4. The authorized maximum assessment rates for the District include an annual adjustment by an amount equal to the annual change in the Engineering News Record Index, not to exceed 3.00 percent per year, plus any uncaptured excesses. Assessment rates for the tree and sidewalks assessments are not to increase during Fiscal Year 2015-16 over the Fiscal Year 2014-15 assessments. Including the authorized annual adjustment, the maximum authorized assessment rate for street tree maintenance for Fiscal Year 2015-16 is \$101.42 per single family equivalent benefit unit, and the assessment rate per single family equivalent benefit unit for Fiscal Year 2015-16 is \$62.06, which is the same rate as that levied in Fiscal Year 2014-15 and is less than the maximum authorized rate. Including the authorized annual adjustment, the maximum authorized assessment rate for sidewalk repairs for Fiscal Year 2015-16 is \$45.28 per single family equivalent benefit unit, and the proposed assessment rate per single family equivalent benefit unit to be continued to Fiscal Year 2015-16 is \$28.70, which is the same rate as that levied in Fiscal Year 2014-15 and is less than the maximum authorized rate;
5. Notice is hereby given that Tuesday, the sixteenth day of June, 2015, at the hour of 7:00 o'clock p.m., or as soon thereafter as the matter may be heard, in the regular meeting place of said Council, Council Chambers, Civic Center, 701 Laurel Street, Menlo Park, California, be, and the same are hereby appointed and fixed as the time and place for a Public Hearing by this Council on the question of the continuation and collection of the proposed assessment for the construction or installation of said improvements, including the maintenance and servicing, or both, thereof, and when and where it will consider all oral statements and all written protests made or filed by any interested person at or before the conclusion of said hearing, against said improvements, the boundaries of the assessment district and any zone therein, the proposed diagram or the proposed assessment, to the Engineer's estimate of the cost thereof, and when and where it will consider and finally act upon the Engineer's Report;
6. The Clerk of said City is hereby directed to give notice of said Public Hearing by causing a copy of this resolution to be published once in *The Daily News*, a newspaper circulated in said City, and by conspicuously posting a copy thereof upon the official bulletin board customarily used by the City for the posting of notices, said posting and publication to be had and completed at least ten (10) days prior to the date of public hearing specified herein; and
7. The Office of the Assistant Public Works Director of said City is hereby designated as the office to answer inquiries regarding any protest proceedings to be had herein, and may be contacted during regular office hours at the Civic

Center, 701 Laurel Street, Menlo Park, California, 94025, or by calling (650) 330-6740.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela I. Aguilar  
City Clerk

**Exhibit A**

**City of Menlo Park Landscaping District**

Maintaining and servicing of street trees, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health, and beauty of landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury, the removal of trimmings, rubbish, debris, and other solid waste, and water for the irrigation thereof, and the installation or construction, including the maintenance and servicing thereof, of curbs, gutters, sidewalks, and parking strips.



**CITY OF MENLO PARK**  
**LANDSCAPING ASSESSMENT DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2015-16

MAY, 2015

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND  
ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:  
**SCI Consulting Group**  
4745 MANGELS BLVD.  
FAIRFIELD, CALIFORNIA 94534  
PHONE 707.430.4300  
FAX 707.430.4319  
WWW.SCI-CG.COM

**CITY OF MENLO PARK**

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**MENLO PARK CITY COUNCIL**

Mayor Catherine Carlton  
Mayor Pro Tem Richard Cline  
Council Member Kirsten Keith  
Council Member Ray Mueller  
Council Member Peter I. Ohtaki

**CITY MANAGER**

Alex D. McIntyre

**ASSISTANT PUBLIC WORKS DIRECTOR**

Ruben Niño

**CITY CLERK**

Pamela Aguilar

**CITY ATTORNEY**

Bill McClure

**ENGINEER OF WORK**

SCI Consulting Group  
Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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## **INTRODUCTION**

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### **ASSESSMENT BACKGROUND**

Between 1960 and 1982, the City of Menlo Park had one three-person crew to care for approximately 9,000 City trees. As the trees grew, it took considerably more time per tree to provide proper care. Consequently one tree crew was unable to perform the necessary work to maintain all of the street trees in proper condition. The Landscape Assessment District was originally formed in 1983 for the purpose of levying annual special assessments in order to properly maintain street trees in the City of Menlo Park. Currently, there are approximately 11,000 street trees that are maintained by the assessments.

Prior to 1990, property owners and the City would split the cost of repairing sidewalks damaged by City trees. The City would annually enter into an agreement with approximately 200 individual property owners. The one-time cost was a financial burden to some residents on fixed incomes. In order to make the program more cost-effective and less of a financial burden for property owners, an assessment for repair of sidewalks/parking strips due to City street-tree related damages was established in 1990.

The increased cost of the necessary work made the assessment amounts levied in Fiscal Year 1997-98 insufficient for adequately maintaining the City's street trees, curbs, gutters and sidewalks. An increase in the assessments was required to provide funding for continued tree maintenance and sidewalk repairs. However, with the passage of Proposition 218 on November 6, 1996, assessments can only be raised after the City conducts an assessment ballot proceeding and the ballots submitted in opposition to the assessments do not exceed the ballots in favor of the assessments. (Each ballot is weighted by the amount of assessment for the property it represents.)

### **ASSESSMENT PROCESS**

In 1998, the City conducted an assessment ballot proceeding for increased tree maintenance and sidewalk repair assessments pursuant to the requirements of Article XIII D of the California Constitution (Proposition 218) and the Landscaping and Lighting Act of 1972. The proposed tree maintenance assessments for fiscal year 1998-99 were \$64.28 per single family equivalent unit and the proposed sidewalk repair assessments were \$28.70 per single family equivalent. The proposed maximum assessments also included an annual assessment cost escalator tied to the annual change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area ("ENR Index"). These proposed assessments were supported by 73% of assessment ballots received from property owners (with each ballot weighted by the amount of assessments it represented). Therefore, on June 16, 1998 by its Resolution Number 4840-D, the City Council levied the new assessments.

### **ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS**

In each subsequent year for which the assessments will be continued, the City Council must direct the preparation of an Engineer's Report, budgets and proposed assessments

for the upcoming fiscal year. After the Engineer's Report is completed, the City Council may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Council.

The maximum authorized assessment rate, as increased each year by the change in the ENR Index, is the maximum assessment rate that can be levied in the given fiscal year without approval from property owners in another assessment ballot proceeding. In fiscal year 1998-99, the assessments were levied at the maximum rate for that fiscal year. Since this first fiscal year after the ballot proceeding, the assessments have been levied below the maximum authorized rate.

From December 2013 to December 2014, the ENR Index increased 0.15 percent. The maximum amount assessments can be increased annually is the ENR Index plus any uncaptured excess reserved from prior years, to a maximum increase of up to 3%.

Based on accumulated excess reserves from prior years, the maximum authorized rates for fiscal year 2015-16 are \$101.42 for trees and \$45.28 for sidewalks without another ballot proceeding. (No additional ballot proceeding is required because the maximum authorized assessment rates, including the annual adjustments in these rates, were approved in the 1998 ballot proceeding. The actual rate levied in any given fiscal year can be revised up, with an annual maximum increase of 3%, or down, by any amount that does not cause the actual rates levied to exceed the maximum authorized assessment rates.)

The City reduced the assessment rate for tree maintenance in fiscal year 2000-01 and increased the assessment rate in fiscal years 2002-03, 2005-06 through 2009-10, and 2014-15. In other fiscal years it was not necessary to increase the rate, due to sufficient reserve funds carried forward from prior fiscal years, combined with general benefit contributions. For fiscal year 2015-16 the proposed assessments for tree maintenance are not proposed to increase from fiscal year 2014-15, and the assessments for sidewalk maintenance are still not proposed to increase. The proposed rates are \$62.06 per Single Family Equivalent (SFE) for tree maintenance and \$28.70 per SFE for sidewalk repairs.

If the Council approves this Engineer's Report and the continuation of the assessments by resolution, a notice of assessment levies must be published in a local newspaper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10 day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the assessments. This hearing is currently scheduled for June 16, 2015. At this hearing, the Council will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2015-16. If so confirmed and approved, the assessments will be submitted to the County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2015-16.

## **LEGAL ANALYSIS**

### **PROPOSITION 218**

This assessment is consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIII C and XIII D of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process used to establish this assessment.

The original assessment existed prior to the passage of Proposition 218. Although the original assessment is also consistent with Proposition 218, the California judiciary has generally referred to pre-Proposition 218 assessments as "grandfathered assessments" and held them to a lower standard than post Proposition 218 assessments.

### **SILICON VALLEY TAXPAYERS ASSOCIATION, INC. v SANTA CLARA COUNTY OPEN SPACE AUTHORITY**

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA vs. SCCOSA"). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the assessment district

### **DAHMS V. DOWNTOWN POMONA PROPERTY**

On June 8, 2009, the 4<sup>th</sup> Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e., 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

#### **BONANDER V. TOWN OF TIBURON**

On December 31, 2009, the 1<sup>st</sup> District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

#### **BEUTZ V. COUNTY OF RIVERSIDE**

On May 26, 2010 the 4<sup>th</sup> District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

#### **GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO**

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

#### **COMPLIANCE WITH CURRENT LAW**

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

## **PLANS & SPECIFICATIONS**

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Following is a description of the Services that are provided for the benefit of property in the Assessment District. Prior to the residential development in Menlo Park, the Level of Service on these improvements was effectively zero. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre-development) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

<b>Final Level of Service</b>	<b>=</b>	<b>Baseline Level of Service (≈zero, pre-development)</b>	<b>+</b>	<b>Enhanced Level of Service</b>
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The City of Menlo Park maintains street trees, sidewalks, curbs, gutters, and parking strips throughout the City.

The proposed improvements to be undertaken by the City of Menlo Park and financed by the levy of the annual assessment provide special benefit to Assessor Parcels within the District as defined in the Method of Assessment herein. The said improvements consist of maintaining, trimming, disease treatment, and replacement of street trees; street sweeping to remove debris; and the repair and replacement of damaged sidewalks, curbs, gutters, and parking strips damaged by street trees throughout the City of Menlo Park.

## **METHOD OF ASSESSMENT**

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This section of the Engineer's Report includes an explanation of the benefits to be derived from the maintenance, repair, and replacement of street trees, sidewalks, curbs, gutters, and parking strips throughout the City, and the methodology used to apportion the total assessment to properties within the Landscaping Assessment District.

The Landscaping Assessment District consists of all Assessor Parcels within the boundaries of the City of Menlo Park as defined by the County of San Mateo tax code areas. The method used for apportioning the assessment is based upon the proportional special benefits to be derived by the properties in the Landscaping Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

### **DISCUSSION OF BENEFIT**

In summary, the assessments can only be levied based on the special benefit to properties. This benefit is received by property over and above any general benefits and such benefit is not based on any one property owner's use of the amenities or a property owner's specific demographic status. With reference to the requirements for assessment, Section 22573 of the Landscaping and Lighting Act of 1972 states:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

Article XIID, Section 4 of the California Constitution has confirmed that assessments must be based on the special benefit to property:

*"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."*

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of landscaping and lighting improvements to be provided with the assessment proceeds. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by property from maintenance and improvements such as those within by the District. These types of special benefit are summarized as follows:

- A. PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- B. ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- C. IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT.
- D. ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.
- E. INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.
- F. ENHANCED DESIRABILITY OF THE PROPERTY.
- G. REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE.

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that landscaping improvements are a direct advantage and special benefit to property that is proximate to landscaping that is improved by an assessment:

*The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).*

Proximity, improved access and views, in addition to the other special benefits listed above further strengthen the basis of these assessments.

## **BENEFIT FACTORS**

The special benefits from the Improvements are further detailed below:

### **PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT**

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the landscaping areas in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits, but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

#### **ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT**

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaping areas that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

#### **IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT**

The City, by maintaining these landscaped areas, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District. The Landscaping Assessment District provides funding to maintain and protect these public resources and facilities of the City. For example, the assessments provide funding to trim and maintain the street trees to maintain them in a healthy condition. This benefits properties by maintaining and improving the public resources in the community.

In order to allocate the proposed assessments, the Engineer begins by identifying the types of special benefit arising from the maintenance, repair, and replacement of the aforementioned facilities and that would be provided to property within the District. These types of special benefit are as follows:

#### **ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.**

Residential properties benefit from the enhanced environment provided by a vigorous program to install and maintain the street trees at a level beyond that followed by other cities throughout the County. The increased use of street trees provides an atmosphere of beauty beyond the norm. The improvements to the trees will be available to residents and guests of properties within the District.

Non-residential properties also will benefit from these improvements in many ways. The use of street trees softens the environment making it more pleasant for employees during commute time and at breaks from their work. These improvements, therefore, enhance an employer's ability to attract and keep quality employees. The benefits to employers ultimately flow to the property because better employees improve the employment



prospects for companies and enhanced economic conditions benefit the property by making it more valuable.

**INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.**

An aggressive inspection program identifies hazardous conditions in sidewalks, curbs and gutters caused by street trees and allows for these conditions to be repaired on a timely basis. Timely repair of hazardous conditions greatly improves the overall safety of the environment, thereby providing for safer use of property.

**ENHANCED DESIRABILITY OF THE PROPERTY**

The assessments will provide funding to improve the City's street tree program, raising the quality to a more desired level, and to ensure that the sidewalks, curbs, and gutters remain operable, safe, clean and well maintained. Such improved and well-maintained facilities enhance the overall desirability of property. This is a benefit to residential, commercial and industrial properties.

**REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE**

The assessments will reduce the liability for landscape maintenance to street trees and other improvements. This is a benefit to residential, commercial and industrial properties.

**GENERAL VS. SPECIAL BENEFIT**

Article XIII D of the Constitution specifies that only special benefits are assessable and that the City must separate the general benefits from the special benefits conferred on any parcel. The complete analysis of special benefits and their allocation are found elsewhere in this report. For the Landscaping Assessment District, the City has identified a general benefit and has separated it from the special assessments.

The City's maintenance of street trees and sidewalk facilities provides a general benefit to the community and to the general public to some degree. The measure of this general benefit is the enhancement of the environment and safety provided to the greater public at large. This general benefit can be measured by the proportionate amount of time that the City's sidewalks and street trees are used and enjoyed by the greater public at large<sup>1</sup>. It is reasonable to assume that approximately 1/4 or 25% of the usage and enjoyment of the improvements is by the greater public. Therefore, approximately 25% of the benefits conferred by the improvements are general in nature.

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<sup>1</sup> . The greater public at large is generally defined as those who are not residents, property owners, customers or employees within the City, and residents who do not live in close proximity to the improvements.

The City's total budget for maintenance and improvement of its trees and sidewalk facilities is \$1,149,722.73. Of this total budget amount, the City will contribute \$120,000 from sources other than the assessments for sidewalk repair and \$214,000 for street tree maintenance. These contributions by the City equate to approximately 29.1% of the total budget for maintenance, and when combined with the reserve funds carried forward from Fiscal Year the previous fiscal year, more than offset the cost of the general benefits resulting from the improvements.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments. However, in this Report, the general benefit is more conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

#### **METHOD OF ASSESSMENT**

The second step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalents (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated a SFE value, which is each property's relative benefit in relation to a single family home on one parcel. The "benchmark" property is the single family detached dwelling which is one Single Family Equivalent, or one SFE.

As stated previously, the special benefits derived from the assessments are conferred on property and are not based on a specific property owner's use of the improvements, on a specific property owner's occupancy of property, or the property owner's demographic status such as age or number of dependents. However, it is ultimately people who enjoy the special benefits described above, use and enjoy the City's trees and sidewalks, and control property values by placing a value on the special benefits to be provided by the improvements. In other words, the benefits derived to property are related the average number of people who could potentially live on, work at or otherwise could use a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise use a property is an indicator of the relative level of benefit received by the property.

## ASSESSMENT APPORTIONMENT - STREET TREES

### PROPERTIES WITH STREET TREES

All improved residential properties that represent a single residential dwelling unit and have a street tree on or fronting the property are assigned 1.0 SFE. All single-family houses with tree(s) and those units in R-2 zones that are being used as single family dwellings (with trees) are included in this category.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the improvements in proportion to the number of dwelling units that occupy each property and the relative number of people who reside in multi-family residential units compared to the average number of people who reside in a single-family home. The population density factors for the County of San Mateo are depicted below. The SFE factors for condominium, townhouse, and multi-family parcels, as derived from relative dwelling unit population density, are also shown below.

FIGURE 1 – RESIDENTIAL ASSESSMENT FACTORS

<i>Total Population</i>	<i>Occupied Households</i>	<i>Persons per Household</i>	<i>SFE Factor- Single Family Residential</i>	<i>SFE Factor- Condominium/ Townhouse</i>	<i>SFE Factor- Multi-Family Residential</i>
717,041	257,849	2.74	1.0	0.9	0.8

Source: 2003 Census, San Mateo County

The SFE factor for condominium, townhouse, and multi-family parcels is based on the ratio of average persons per household for the property type versus the average persons per household for a single family residential home. Multi-family units are assessed at 0.80 per unit up to a maximum of 4.0 SFE per parcel (maximum of 5 units multiplied by 0.80). Condominium and townhouse parcels are assessed at 0.90 per unit, up to a maximum of 4.5 SFEs per development (maximum of 5 units multiplied by 0.90).

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single-family residential property and the average commercial/industrial property. The average size of a parcel for a single-family home in the District is approximately 0.18 acres, and such single-family property has an SFE value of 1.0. Using the equivalence of benefit on a land area basis, improved commercial and industrial parcels of approximately 0.20 acres or less would also receive an SFE benefit factor of 1.0. Commercial and industrial parcels in excess of a fifth of an acre in size are assigned 1.0 SFE per 0.20 acre or portion thereof, and the maximum benefit factor for any commercial/industrial parcel is 5.0 SFE.

Vacant parcels are also benefited from the street tree improvement and maintenance program. An example of a benefit is enhancement of the visual appeal that will accrue to a

vacant parcel from the presence or proximity of the community's street trees based on its future potential use. Undeveloped property also benefits from the installation and maintenance of street trees, because if the property is developed during the year, the street trees will be available to the developed property. The relative benefit to vacant property is determined to be generally equal to the benefit to a single-family home property. Therefore, vacant property with street tree(s) are assessed 1 SFE.

#### **PROPERTIES WITHOUT STREET TREES**

The special benefit factors conferred on property can be defined by the benefits conferred to properties with and without street trees. The types of benefits conferred to all property in the community include protection of views, screening, and resource values and enhanced desirability of the property. A higher level of special benefits is conferred directly on parcels with street trees because these parcels obtain additional benefits from well-maintained, healthy trees fronting the property. The types of special benefits that are increased for properties with street trees include enhanced levels of safety, desirability, unique proximity, access and views of resources and facilities from healthy trees on the property. Therefore, individual properties without street trees but in close proximity to parcels with street trees receive a direct benefit from the street trees and should pay 50% of the rate for a similar property with street trees. Such properties are assigned an SFE benefit factor that is 50% of that for a similar property with street trees.

#### **ASSESSMENT APPORTIONMENT - SIDEWALK PROGRAM**

The benefits to property for sidewalks, curbs, gutters and parking strips are closely related to a parcel's proximity to these improvements and the parcel's proximity to street trees. Street trees are the most common cause of sidewalk problems. Therefore, the highest benefit from the proposed sidewalk improvements is to properties with street trees and sidewalks, curbs and gutters, or street trees and parking strips and gutters, because without the maintenance work, these improvements would degrade more quickly, which would affect the parcel's appearance and safety. It is estimated that 1/3 of the special benefits are conferred to property with street trees and sidewalks or parking strips. Another 1/3 of the special benefits are conferred to property with street trees and curbs and gutters. Special benefit factors are also conferred on property without street trees or adjoining sidewalk, curb, gutter and/or parking strip improvements that are in close proximity to these types of improvements. It is estimated that the remaining 1/3 of the special benefit factors from the Sidewalk Program are conferred to these parcels that are in close proximity to the improvements but that do not have improvements directly adjacent to their property.

Consequently, properties with street trees and sidewalks or parking strips and curbs and gutters or valley gutters are assigned a benefit factor of 1 SFE. Properties with street trees, curbs and gutters are assigned a benefit factor of 0.67 SFE. If there are street trees but no improvements along the frontage of a parcel, or no street trees on a parcel, its benefit is 1/3 or 0.33 SFE.

## **ASSESSMENT APPORTIONMENT - OTHER PROPERTIES**

Improved, publicly owned parcels that are used for residential, commercial or industrial purposes are assessed at the rates specified previously. Other improved public property; institutional property and properties used for educational purposes, typically generate employees on a less consistent basis than other non-residential parcels. Moreover, many of these parcels provide some degree of on-site amenities that serve to offset some of the benefits from the District. Therefore, these parcels, with or without street trees, receive minimal benefit and are assessed an SFE factor of 1 for street tree assessments and an SFE factor of 1 for sidewalks, curbs and gutter assessments.

All properties that are specially benefited have been assessed. Agricultural parcels without living units, public right-of-way parcels, well, reservoir or other water rights parcels, unimproved open space parcels, watershed parcels and common area parcels generally provide recreational, open space and/or scenic benefits to the community. As such, they tend to provide similar benefits as provided by the improvements in the District. Any benefits they would receive from the landscaping maintenance are generally offset by the equivalent benefits they provide. Moreover, these parcels typically do not generate employees, residents or customers. Such parcels are, therefore, not specially benefited and are not assessed.

## **APPEALS AND INTERPRETATION**

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the Assistant Public Works Director of the City of Menlo Park or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the Assistant Public Works Director or his or her designee will promptly review the appeal and any information provided by the property owner. If the Assistant Public Works Director or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County of San Mateo for collection, the Assistant Public Works Director or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the Assistant Public Works Director or his or her designee shall be referred to the City Council of the City of Menlo Park and the decision of the City Council of the City of Menlo Park shall be final.

**FIGURE 2 – TREE MAINTENANCE ASSESSMENTS**

<i>Property Type</i>	<i>2015-16 Assessment Rates</i>	
<b><i>Parcels with Trees</i></b>		
Single Family	\$62.06	(per Parcel)
R-2 Zone, in use as single family	\$62.06	(per Parcel)
Condominium/Townhouse	\$55.85	(per Unit, \$279.27 max. per Project)
Other Multi-family	\$49.65	(per Unit, \$248.24 max. per Project)
Commercial	\$62.06	(per 1/5 acre, \$310.30 max. per Project)
Industrial	\$62.06	(per 1/5 acre, \$310.30 max. per Project)
Parks, Educational	\$62.06	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
<b><i>Parcels without Trees</i></b>		
Single Family	\$31.03	(per Parcel)
R-2 Zone, in use as single family	\$31.03	(per Parcel)
Condominium/Townhouse	\$27.93	(per Unit, \$139.64 max. per Project)
Other Multi-family	\$24.82	(per Unit, \$124.12 max. per Project)
Commercial	\$31.03	(per 1/5 acre, \$155.15 max.)
Industrial	\$31.03	(per 1/5 acre, \$155.15 max.)
Parks, Educational	\$31.03	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

**FIGURE 3 – SIDEWALK, CURB, GUTTER, PARKING STRIP ASSESSMENTS**

<i>Property Type</i>	<i>2015-16 Assessment Rates</i>	
<b><i>Parcels with Trees</i></b>		
Sidewalks, curbs, gutters	\$28.70	(per Parcel)
Parking strips and gutters	\$28.70	(per Parcel)
Curbs and/or gutters only	\$19.23	(per Parcel)
No improvements	\$9.47	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
<b><i>Parcels without Trees</i></b>		
Parcels with or without improvements	\$9.47	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

Note: All total combined tree and sidewalk assessment amounts are rounded to the lower even penny.

## ASSESSMENT

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WHEREAS, on January 20, 2015 the City Council of the City of Menlo Park, County of San Mateo, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution (collectively "the Act"), adopted its Resolution Initiating Proceedings for the Levy of Assessments within the Landscaping Assessment District;

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the assessment district and an assessment of the estimated costs of the improvements upon all assessable parcels within the assessment district, to which Resolution and the description of said proposed improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City of Menlo Park, hereby make the following assessment to cover the portion of the estimated cost of said improvements, and the costs and expenses incidental thereto to be paid by the assessment district.

The amount to be paid for said improvements and the expense incidental thereto, to be paid by the Landscaping Assessment District for the fiscal year 2015-16 is generally as follows:

FIGURE 4 – SUMMARY COST ESTIMATE

	<i>F.Y. 2015-16 Budget</i>
Street Tree Program	\$499,726
Street Sweeping	\$217,125
Sidewalk Program	\$300,000
Incidental Expenses	\$132,872
TOTAL BUDGET	<u>\$1,149,723</u>
Plus:	
Projected Fund Balance	\$249,444
Less:	
City Contribution for General Benefits	(\$334,000)
Contribution from Carry-Over Fund Balances	(\$309,185)
NET AMOUNT TO ASSESSMENTS	<u><u>\$755,982</u></u>

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Landscaping Assessment District. The distinctive number of each parcel or lot of land in the said Landscaping Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

And I do hereby assess and apportion said net amount of the cost and expenses of said improvements, including the costs and expenses incidental thereto, upon the parcels and lots of land within said Landscaping Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessment is made upon the parcels or lots of land within the Landscaping Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said improvements.

The assessment is subject to an annual adjustment tied to the Engineering News Record (ENR) Construction Cost Index for the San Francisco Bay Area, with a maximum annual adjustment not to exceed 3%. Any change in the ENR in excess of 3% shall be cumulatively reserved as the "Unused ENR" and shall be used to increase the maximum authorized assessment rate in years in which the ENR is less than 3%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 3% or 2) the change in the ENR plus any Unused ENR as described above. The initial, maximum assessment rate balloted and established in Fiscal Year 1998-99 was \$64.28 per single family equivalent benefit unit for tree maintenance, and \$28.70 per single family equivalent benefit unit for sidewalk maintenance.

Based on the preceding annual adjustments, the maximum assessment rate for Fiscal Year 2014-15 was \$98.46 for tree maintenance and \$43.96 for Sidewalk maintenance. The change in the ENR from December 2013 to December 2014 was 0.15%. Therefore, the maximum authorized assessment rate for Fiscal Year 2015-16 has been increased by 3.00%, from \$98.46 to \$101.42 per single family equivalent benefit unit for tree maintenance, and from \$43.96 to \$45.28 per single family equivalent benefit unit for sidewalk maintenance. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2015-16 at the rate of \$62.06 per single family equivalent benefit unit for tree maintenance, which is less than the maximum authorized assessment rate and is the same rate that was assessed in the previous fiscal year. The proposed assessment rate for fiscal year 2015-16 for sidewalk maintenance is \$28.70 per single family equivalent benefit unit, which is also less than the maximum authorized assessment rate and is also the same rate that was assessed in the previous fiscal year.



Property owners in the Assessment District, in an assessment ballot proceeding, approved the initial fiscal year benefit assessment for special benefits to their property including the ENR adjustment schedule. As a result, the assessment may continue to be levied annually and may be adjusted by up to the maximum annual ENR adjustment without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of San Mateo for the fiscal year 2015-16. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2015-16 for each parcel or lot of land within the said Landscaping Assessment District.

May 6, 2015

Engineer of Work

By \_\_\_\_\_  
John W. Bliss, License No. C52091

**FIGURE 5 – ENGINEER’S COST ESTIMATE, FISCAL YEAR 2015-16**

**CITY OF MENLO PARK LANDSCAPING ASSESSMENT DISTRICT  
ENGINEER'S COST ESTIMATE**

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A. Tree Maintenance		
Salaries & Benefits	\$333,983.09	
Operating Expense	\$32,783.00	
Fixed Assets & Capital Outlay	\$4,500.00	
Vehicle & Equipment Maintenance	\$18,200.00	
Professional Services (Tree Spraying, Tree Trimming, Misc.)	\$110,260.00	
Subtotal - Tree Maintenance		<u>\$499,726.09</u>
B. Debris Removal		
Salaries & Benefits	\$69,691.02	
Operating Expense	\$2,433.62	
Street Sweeping Contract	\$145,000.00	
Subtotal - Debris Removal		<u>\$217,124.64</u>
C. Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement		
Construction Costs	\$264,000.00	
Design & Inspection	\$36,000.00	
Subtotal - S/W,C,G, & PS Repair/Replace		<u>\$300,000.00</u>
Subtotal Tree/Debris/Reforestation/Sidewalk		<u>\$1,016,850.73</u>
D. Incidentals		
Indirect Costs & Administration	\$117,872.00	
County Collection Fees	\$15,000.00	
Subtotal - Incidentals		<u>\$132,872.00</u>
<b>Total Cost</b>		<b><u>\$1,149,722.73</u></b>

Projected Fund Balance	\$249,444.07
Tree Maintenance Ending Fund Balance	(\$188,432.00)
Less General Fund Contribution	(\$214,000.00)
Sidewalk Fund Ending Balance	(\$120,753.00)
Less General Fund CIP Contribution to Sidewalk Fund	(\$120,000.00)
<b>Net to Assessment</b>	<b>\$755,981.80</b>

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Revenue

Single Family Equivalent Benefit Units - Trees		9,016.29
Single Family Equivalent Benefit Units - Sidewalks		6,844.28
	2015/16	2014/15
Assessment Rate for Tree Fund/ SFE	\$62.06	\$62.06
Assessment Rate for Sidewalk Fund/ SFE	\$28.70	\$28.70
Revenue for Tree Fund		\$559,550.96
Revenue for Sidewalk Fund		\$196,430.84
<b>Total Revenue *</b>		<b>\$755,981.79</b>

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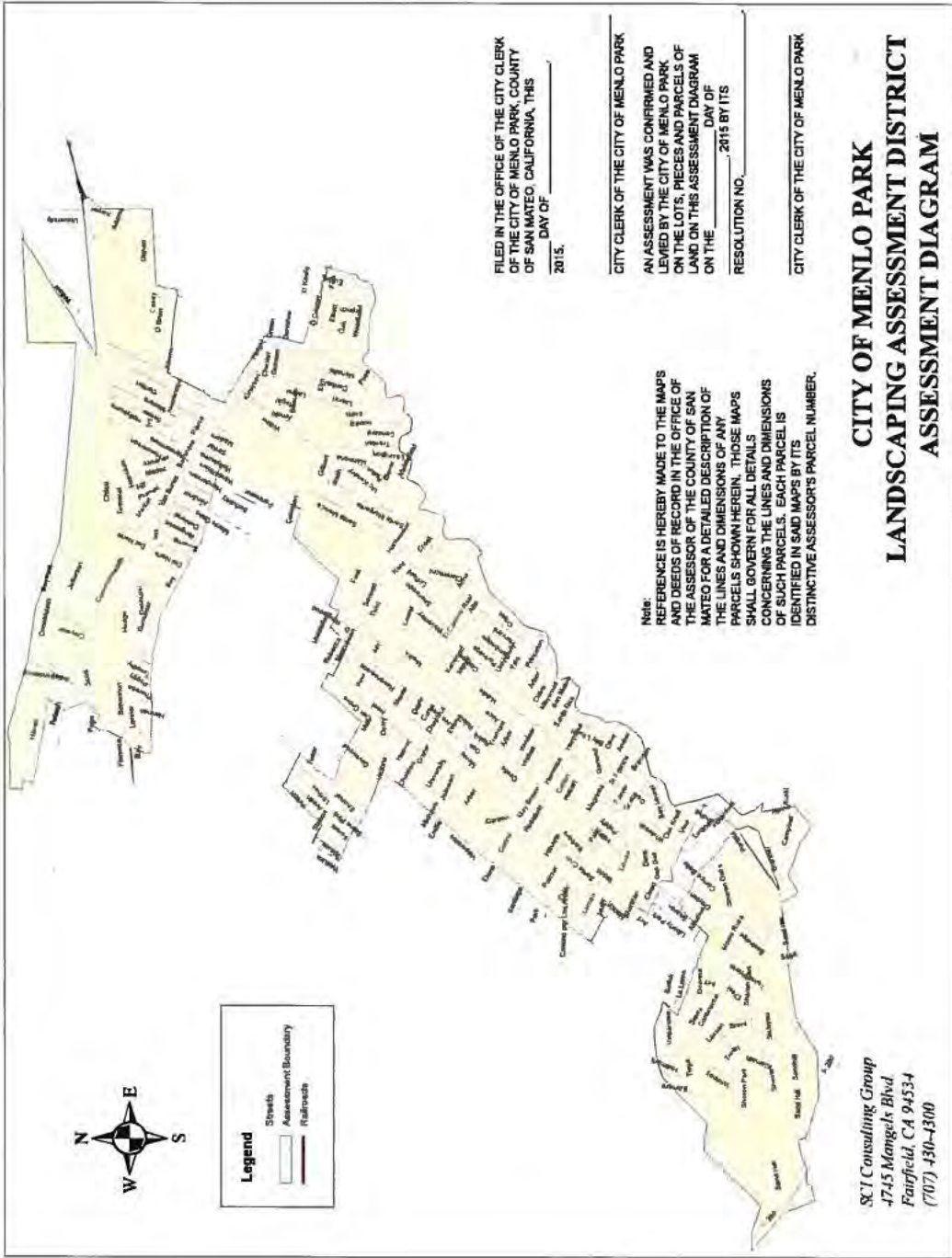
\* Total revenue is slightly less than SFEs times the assessment rate because all combined assessments are rounded down to the even penny.

## **ASSESSMENT DIAGRAM**

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The Landscaping Assessment District includes all properties within the boundaries of the City of Menlo Park.

The boundaries of the Landscaping Assessment District are displayed on the following Assessment Diagram.



FILED IN THE OFFICE OF THE CITY CLERK  
OF THE CITY OF MENLO PARK, COUNTY  
OF SAN MATEO, CALIFORNIA, THIS  
DAY OF \_\_\_\_\_  
2015.

CITY CLERK OF THE CITY OF MENLO PARK  
AN ASSESSMENT WAS CONFIRMED AND  
LEVIED BY THE CITY OF MENLO PARK  
ON THE LOTS, PIECES AND PARCELS OF  
LAND ON THIS ASSESSMENT DIAGRAM  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
RESOLUTION NO. \_\_\_\_\_ 2015 BY ITS

CITY CLERK OF THE CITY OF MENLO PARK

Note:  
REFERENCE IS HEREBY MADE TO THE MAPS  
AND DEEDS OF RECORD IN THE OFFICE OF  
THE ASSESSOR OF THE COUNTY OF SAN  
MATEO FOR A DETAILED DESCRIPTION OF  
THE LINES AND DIMENSIONS OF ANY  
PARCELS SHOWN HEREIN. THOSE MAPS  
SHALL GOVERN FOR ALL DETAILS  
CONCERNING THE LINES AND DIMENSIONS  
OF SUCH PARCELS. EACH PARCEL IS  
IDENTIFIED IN SAID MAPS BY ITS  
DISTINCTIVE ASSESSOR'S PARCEL NUMBER.

**CITY OF MENLO PARK  
LANDSCAPING ASSESSMENT DISTRICT  
ASSESSMENT DIAGRAM**

SCJ Consulting Group  
4745 Mangel's Blvd.  
Fairfield, CA 94534  
(707) 430-4300

**APPENDIX A – ASSESSMENT ROLL, FY 2015-16**

Reference is hereby made to the Assessment Roll in and for the assessment proceedings on file in the office of the City Clerk of the City of Menlo Park, as the Assessment Roll is too voluminous to be bound with this Engineer's Report.

## RESOLUTION NO. 6252

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK DESCRIBING IMPROVEMENTS AND DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR THE CITY OF MENLO PARK LANDSCAPE ASSESSMENT DISTRICT FOR FISCAL YEAR 2015-2016

WHEREAS, in 1982, the Menlo Park citizens voted for Measure N, an advisory measure for the City to form an assessment district to care for the City's street tree infrastructure and the Menlo Park Landscape Assessment District was subsequently formed in 1983; and

WHEREAS, prior to 1990, property owners were responsible for all sidewalk and parking strip repair damaged by City street trees; and

WHEREAS, in 1990, an additional assessment was established and combined with the Landscape Assessment District to fund the repair of sidewalks and parking strips damaged by City trees; and

WHEREAS, in 1998-99, the City reauthorized the Landscape Assessment District through a mailed ballot, as required by Proposition 218.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. This Council did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, conduct proceedings for the formation of the City of Menlo Park Landscaping District and for the levy and collection of assessments for Fiscal Year 1983-1984, and did, on May 10, 1983, pursuant to proceedings duly had, adopt its Resolution No. 3417-F, A Resolution Overruling Protests and Ordering the Formation of an Assessment District and the Improvements and Confirming the Diagram and Assessment.
2. The public interest, convenience, and necessity require, and it is the intention of said Council to undertake proceedings for, the levy and collection of assessments upon the several lots or parcels of land in said District for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2015-16.
3. The improvements to be constructed or installed include the maintenance and servicing of street trees, the cost of repair, removal, or replacement of all or any part thereof, providing for the life, growth, health and beauty of public landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury, the removal of trimmings, rubbish, debris, and other solid waste, and water for the irrigation thereof, and the installation or construction, including the maintenance and servicing thereof, of curbs, gutters, sidewalks, and parking strips.

4. The costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on a map (Exhibit A) thereof on file in the office of the Engineering Division of the City of Menlo Park to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district.
5. The Assessment Engineer is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its distinctive designation, specifying the fiscal year to which the report applies, and, with respect to that year, presenting the following:
  - a) Plans and specifications of the existing improvements and for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;
  - b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;
  - c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the fiscal year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and
  - d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.
6. The Office of the Assistant Public Works Director of said City is hereby, designated as the office to answer inquiries regarding any protest proceedings to be had herein, and may be contacted during regular office hours at the Civic Center Administration Building, 701 Laurel Street, Menlo Park California 94025, or by calling (650) 330-6740.

I, Pamela 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 twenty-seventh day of January, 2015, by the following votes:



AYES: Carlton, Cline, Keith, Mueller, Ohtaki

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-seventh day of January, 2015.






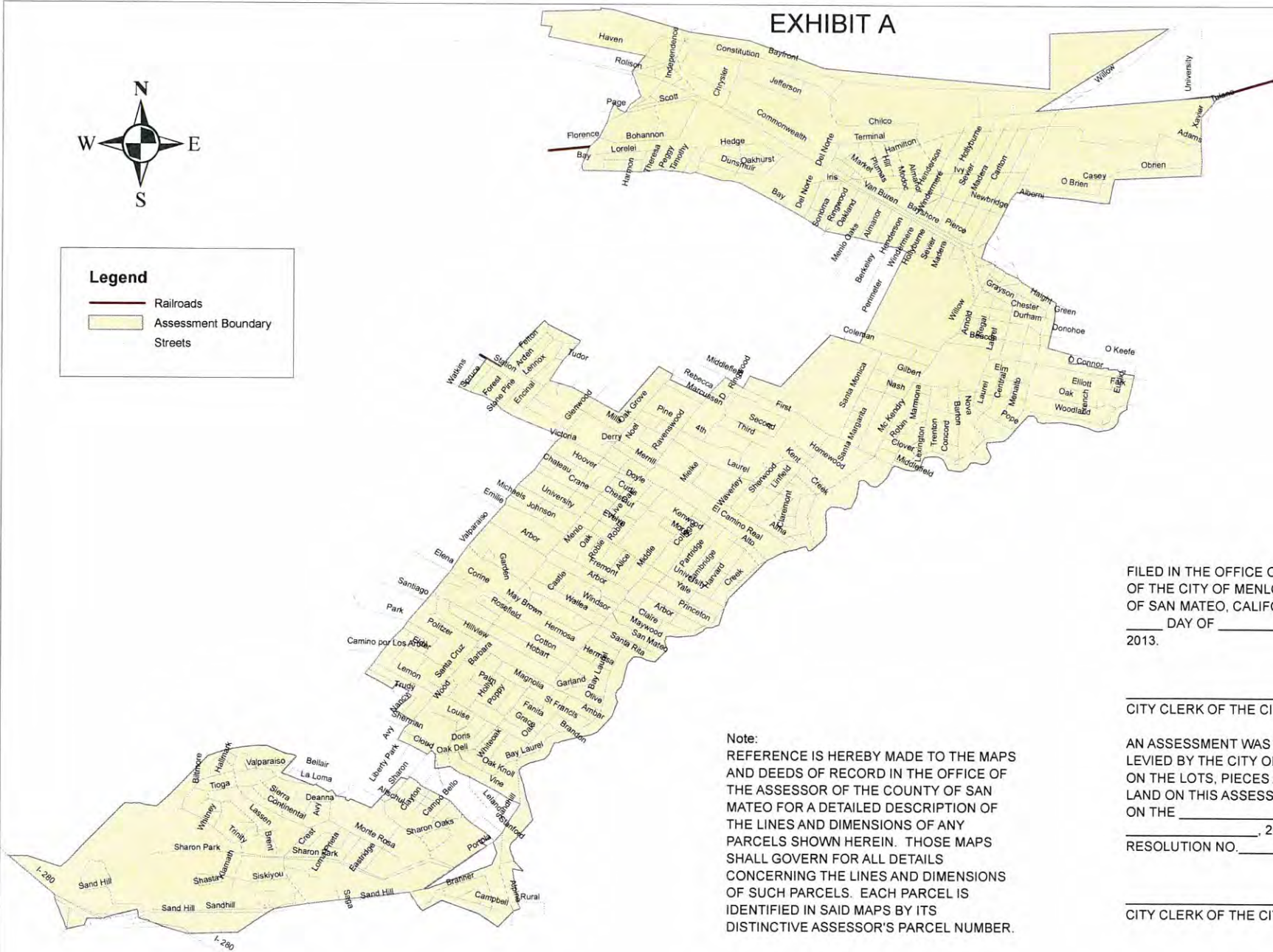
Pamela Aguilar  
City Clerk

EXHIBIT A



**Legend**

-  Railroads
-  Assessment Boundary
-  Streets



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MENLO PARK, COUNTY OF SAN MATEO, CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
CITY CLERK OF THE CITY OF MENLO PARK

AN ASSESSMENT WAS CONFIRMED AND LEVIED BY THE CITY OF MENLO PARK ON THE LOTS, PIECES AND PARCELS OF LAND ON THIS ASSESSMENT DIAGRAM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 BY ITS RESOLUTION NO. \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK OF THE CITY OF MENLO PARK

**Note:**  
REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF SAN MATEO FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.

**CITY OF MENLO PARK  
LANDSCAPING ASSESSMENT DISTRICT  
ASSESSMENT DIAGRA**

SCI Consulting Group  
4745 Mangels Blvd.  
Fairfield, CA 94534  
(707) 430-4300



## **PUBLIC WORKS DEPARTMENT**

**Council Meeting Date: June 16, 2015**

**Staff Report #: 15-100**

**PUBLIC HEARING:**                    **Adopt a Resolution to Collect the Regulatory Fee at the Existing Rates for the Implementation of the Local City of Menlo Park Storm Water Management Program for Fiscal Year 2015-16**

---

### **RECOMMENDATION**

Staff recommends that the City Council adopt a resolution to collect the regulatory fee at the existing rates to implement the local City of Menlo Park Storm Water Management Program for FY 2015-16.

### **POLICY ISSUES**

If the City Council does not approve the Regulatory Fee then the General Fund will need to fund the program.

### **BACKGROUND**

In 1991, the San Francisco Bay Regional Water Quality Control Board (Board) issued a Municipal Storm Water Permit to San Mateo County and its 21 incorporated cities. The permit, issued under the National Pollution Discharge Elimination System (NPDES) program, was intended to protect surface water quality against a variety of pollutants.

The Municipal Regional Stormwater Permit (MRP) requires that the City provide funding for adopting, enforcing, and implementing the permit provisions. In July 1994, the City Council adopted Ordinance No. 859, "Storm Water Management Program." Article V of the ordinance established a regulatory fee to address the need for a separate local funding mechanism to fund the City's Storm Water Management Program, and requires the City to implement the regulatory fee on an annual basis.

The permit includes two types of stormwater related fees and charges are funded by Menlo Park residents: a local regulatory fee, applicable to the City of Menlo Park only, and a countywide fee applicable to general program activities benefitting all agencies within San Mateo County.

The Board adopted the current MRP in October 2009 which became effective on December 1, 2009. The MRP incorporates provisions including goals, tasks, schedules, and reporting requirements to be completed in order to be compliant with the NPDES permit.

**ANALYSIS**

The recommended authorization allows the City to continue to collect storm water fees at the existing rates from all developed parcels within the City boundaries. Fees are based upon the impervious area of each individual parcel.

The following table lists the proposed program budget for FY 2015-16.

	<b>Program Items</b>	<b>2015-16 Proposed Budget</b>
1	<b>Staff administration and operating costs.</b> City’s cost for personnel and operating expenses to implement the requirements of the MRP, including reporting, participation in Technical Advisory Committee and subcommittees, creek management efforts and administration of the street sweeping program.	\$176,841
2	<b>Storm drain/creek cleaning.</b> Maintenance programs to clean storm drain inlets, San Francisquito Creek, and Atherton Channel.	\$34,000
3	<b>Creek cleanup and monitoring.</b> Contract with the City of Redwood City for creek cleanup and monitoring.	\$60,000
4	<b>Watershed Council.</b> City’s contribution to the San Francisquito Creek Watershed Council for coordination of educational, maintenance, watershed planning, and other issues.	\$7,500
5	<b>General and Administrative Overhead.</b> City’s obligation to the General Fund for Finance and Administrative Services.	\$59,394
6	<b>Miscellaneous professional services.</b> Stenciling of storm drains, updating the storm drain base map, geographic information services development, public information brochures, etc.	\$15,300
	<b>Total</b>	<b>\$353,035</b>

**Fee Structure**

The current annual fee is based on a rate of \$5.25 per 1,000 square feet of impervious area for each property in the community. The fee for single-family residences varies depending on the amount of impervious area and the size of the lot. Staff proposes no change to the fee structure in FY 2015-16. (Increasing the fee would require the City to conduct a property-owner voting procedure in accordance with State Proposition 218.) The average annual fee will continue to be \$16 in the Belle Haven neighborhood, \$18 in the Willows, \$20 in Central Menlo Park and \$26 in Sharon Heights. The annual fee for a typical commercial property downtown along Santa Cruz Avenue with a 5,000 square-foot lot will remain at \$26.25.

**Schedule**

If the Council adopts the resolution authorizing collection of the regulatory fee at existing fee rates to implement the local City of Menlo Park Storm Water Management Program for FY 2015-16, staff will forward the fee database directly to the County for preparation of the FY 2015-16 tax bills.

**IMPACT ON CITY RESOURCES**

The following table shows the projected budget for the Storm Water Management Program for FY 2015-16.

<b><i>Proposed FY 2015-16 Budget</i></b>	
Projected Beginning Fund Balance	\$417,782
Estimated Revenues (based on impervious area per parcel):	\$336,520
Estimated Expenses	(\$353,035)
<b>Projected Ending Fund Balance</b>	<b>\$401,627</b>

The current fee structure is expected to generate revenues of \$336,520 in FY 2015-16. With an estimated \$417,782 carryover from the FY 2014-15 Storm Water Management Fund, sufficient funds will be available for the proposed FY 2015-16 expenditures program budget. The total stormwater program expenditures is \$447,437 of which the Storm Water Management Fund pays \$353,035 and the General Fund \$70,000.

The fee is subject to the requirements of Proposition 218 as a property-related fee, thus any increase would be subject to voter approval. Residual fund balance has made up the difference in recent years. As the fund balance is drawn down, the funding will not be sufficient to meet any new demands or unexpected expenses. With a projected FY 2015-16 end fund balance of \$401,267, and with the increased costs to implement current MRP requirements, there may be a need to increase fees in the near future.

The staff recommendation preserves funding at the current level which is sufficient to cover the cost of this program for FY 2015-16.

**ENVIRONMENTAL REVIEW**

An environmental review is not required.

**PUBLIC NOTICE**

Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting and publishing legal notices on June 5 and June 12, 2015 in *The Daily News*.

## **ATTACHMENTS**

### A. Resolution

Report prepared by:

*Eren Romero*

*Business Manager*

Report reviewed by:

*Ruben Nino*

*Assistant Public Works Director*

**RESOLUTION NO.****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZE COLLECTION OF A REGULATORY FEE AT EXISTING RATES TO IMPLEMENT THE LOCAL CITY OF MENLO PARK STORM WATER MANAGEMENT PROGRAM FOR FISCAL YEAR 2015-16**

WHEREAS, Section 402(p) of the Clean Water Act (33 U.S.C. 1251 et seq.) as amended by the Water Quality Control Act of 1987, requires that all large and medium-sized incorporated municipalities must effectively prohibit non-storm water discharges into storm sewers; and further requires controls to reduce the discharge of pollutants from storm water systems to waters of the United States to the maximum extent practicable; and

WHEREAS, the City of Menlo Park, in conjunction with all of the incorporated cities in San Mateo County, has prepared the Storm Water Management Plan, which has a General Program to be administered and funded through the San Mateo County Flood Control District, and a specific program for each city, to be administered and funded by each city; and

WHEREAS, the Menlo Park specific program includes those efforts and programs required to be undertaken by the City of Menlo Park to support and address its responsibility to regulate and enforce local pollution control components under the Storm Water Management Plan; and

WHEREAS, the Menlo Park City Council is authorized and/or mandated by Ordinance No. 859 adopted on July 12, 1994, and including the following federal and/or state statutes: the federal Clean Water Act as amended in 1987; the National Pollutant Discharge Elimination System Permit Application Regulations for Stormwater Discharges; the California Constitution, Article XI, Section 7 of the California Water Code Section 13002; and Part 3 of Division 5 of the California Health and Safety Code, to impose a regulatory fee to enforce the local storm water pollution control components of the San Mateo County Stormwater Management Plan upon the businesses, entities, residents, and unimproved properties of the City of Menlo Park; and

WHEREAS, that the City Council of the City of Menlo Park conducted a noticed public hearing to consider this resolution as part of an overall plan addressing, regulating, and reducing non-point source pollution discharges within the City of Menlo Park, and including regulatory fees necessary to ensure local compliance with the federal and/or state statutes.

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

1. That the Assistant Public Works Director for the City of Menlo Park is the authorized collection agent for the regulatory fees authorized and/or mandated by federal

and/or state statutes, and is hereinafter empowered to collect, contract for collection, enforce, and/or institute other proceedings necessary for the collection of the regulatory fee.

2. That the Assistant Public Works Director is hereby directed to file, or cause to be filed, the amount of regulatory fees as described and shown on the attached Exhibit "A" including the diagram shown on the County Assessor's maps to be imposed and the parcels upon which such regulatory fees are imposed, with the County Auditor and/or the County Tax Collector of the County of San Mateo no later than early August 2015. For each parcel upon which a regulatory fee has been imposed, the regulatory fee shall appear as a separate item on the tax bill and shall be levied and collected at the same time and in the same manner as the general tax levy for City purposes.
3. That the Assistant Public Works Director is authorized to enter into those agreements necessary to have the County of San Mateo perform the regulatory fee collection services required; and the City Council hereby authorizes the County of San Mateo to perform such services, and for the City to pay the County of San Mateo for the reasonable costs of those collection services so provided.

BE IT FURTHER RESOLVED that said Council authorized the establishment of a Regulatory Fee imposed to pay for costs to implement the Storm Water Management Program in accordance with Exhibit "A" attached hereto and incorporated herein by this reference.

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a Public Hearing held by the City Council of the City of Menlo Park on the sixteenth day of June, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Menlo Park this sixteenth day of June, 2015.

Pamela Aguilar  
City Clerk



**EXHIBIT "A"**

**CITY OF MENLO PARK**

**Storm Water Management Program Regulatory Fee**

**Fiscal Year 2015-16**

**All Residential/Commercial/Industrial**

All residential/commercial/industrial properties and other non-residential properties shall pay \$.00525 per square foot of impervious area.

Exempt from fee: Federal, State, County, Flood Plain, and City Government parcels.

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## PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 16, 2015

Staff Report #: 15-096

### **PUBLIC HEARING:**

**Adopt a Resolution Recommending that the San Mateo County Flood Control District Impose Basic Charges at Existing Rates and Increase the Additional Charges by 2.53 Percent for Funding the Fiscal Year 2015-16 Countywide National Pollutant Discharge Elimination System General Program**

---

### **RECOMMENDATION**

Staff proposes that the City Council adopt a resolution recommending that the San Mateo County Flood Control District impose basic charges at existing rates and increase the additional charges by 2.53 percent for funding the FY 2015-16 Countywide National Pollution Discharge Elimination System (NPDES) General Program.

### **POLICY ISSUES**

The City Council is the authorizing authority to enable the County to collect fees on behalf of the City for participation in the regional program and for compliance with the NPDES permit.

### **BACKGROUND**

Two types of stormwater related fees and charges are funded by Menlo Park property owners: a local regulatory fee, applicable to the City of Menlo Park only, and a countywide fee, which is applicable to general program activities benefitting all agencies within San Mateo County. The City Council is currently scheduled to consider authorization of both fees. The following background information is specific to the countywide program.

In 1991, the San Francisco Bay Regional Water Quality Control Board (Board) issued a NPDES Municipal Storm Water Permit to San Mateo County and its 21 incorporated cities. The permit required the cities and County to implement a Stormwater Management Program (SWMP) to reduce the pollution of waterways. Since the original permit was issued, the Board has reviewed the permit and required that the SWMP be updated every five years.

Since 1992, the San Mateo County Flood Control District has been collecting fees on behalf of the cities to pay for the portion of the SWMP that benefits all agencies in the County. This has been an effective approach in minimizing the costs of implementing the SWMP. The charges imposed by the County Flood Control District pay for the costs of the General Program (program elements benefiting all 21 co-permittees). A detailed description of the services provided by the General Program are included below.

The Board adopted the Municipal Regional Stormwater Permit (MRP) in October 2009, with an effective date of December 1, 2009 and which expired on November 30, 2014. The permit was administratively extended until the new permit regulations have been thoroughly reviewed by County and City Staff. The MRP incorporates the following 14 provisions (C.2 through C.15) with goals, tasks, schedules, and reporting requirements to be completed in order to be in compliance with the NPDES permit. The MRP is available on the City's website under "Public Works - Stormwater Quality."

<u>Provision</u>	<u>Title</u>
C.2	Municipal Operations
C.3	New Development and Redevelopment
C.4	Industrial and Commercial Site Controls
C.5	Illicit Discharge Detection and Elimination
C.6	Construction Site Control
C.7	Public Information and Outreach
C.8	Water Quality Monitoring
C.9	Pesticides Toxicity Control
C.10	Trash Load Reduction
C.11	Mercury Controls
C.12	Polychlorinated Biphenyls (PCBs) Controls
C.13	Copper Controls
C.14	Polybrominated Diphenyl Ethers (PBDE), Legacy Pesticides and Selenium
C.15	Exempted and Conditionally Exempted Discharges

## **ANALYSIS**

The San Mateo Countywide Water Pollution Prevention Program (Program) is responsible for coordinating the activities that benefit all 21 agency co-permittees involved with the implementation of the Stormwater Management Plan. The Program also ensures adherence to the conditions set forth under the Countywide NPDES permit. The following NPDES Permit items are funded by fees generated throughout the County and used to administer the General (Countywide) Program.

### **Program Coordination**

- A Regional Permit Coordinator chairs two main committees - Stormwater and Technical Advisory Committees and seven major subcommittees - Municipal Government Maintenance, Industrial and Illicit Discharge, New Development/Redevelopment, Trash and Parks Maintenance Integrated Pest Management Public Information and Participation and Watershed Monitoring. The Permit Coordinator interfaces between the committees and subcommittees, consultant administrator and the Regional Board, and helps establish the annual budget.
- A consultant administrator attends all subcommittee meetings, produces meeting minutes, reports on current legislation affecting municipalities, and helps the Program agencies meet the requirements of the General Permit.

### **Develop and Implement Performance Standards**

- The consultant administrator develops training materials, graphs, spreadsheets, documents, and timelines that assist the municipalities in reporting on and complying with the various permit requirements.

### **Performance Monitoring**

- The consultant administrator develops, distributes, collects, tabulates various performance-monitoring report information, and submits it to the Regional board
- The consultant administrator evaluates the effectiveness of implemented controls in the areas of municipal maintenance; commercial, industrial, and illicit discharge; public information/participation; new development/redevelopment; and watershed monitoring.

### **Publications and Education Programs**

- The consultant administrator develops and implements the public information and participation program including website development, brochures, outreach programs in the local schools and training flyers, as required by the General Permit educate the public.

### ***Funding***

The total budget for the Countywide SWMP proposed for FY 2015-16 is \$3,560,182, a decrease of 5 percent from the FY 2014-15 budget of \$3,830,880. The budget must be approved by the City and County Association of Governments (C/CAG), which deals with issues that affect the quality of life in general in San Mateo County, including storm water runoff. The proposed program FY 2015-16 budget will be presented to the C/CAG board on June 11, 2015 for approval. The proposed budget utilizes outside revenue in the form of Measure M – Vehicle Registration Fee, grant revenues, and a portion of the program's reserves.

The fee collected by the County consists of two separate charges covering the “Basic” and “Additional” Fees. The Basic Fee does not change from year-to-year, whereas the Additional Fee was structured to change by a percentage equal to the movement in the Consumer Price Index (Bureau of Labor, Urban Wage Earners), a 2.53 percent increase from February 2014 to February 2015. As a result, the County is proposing that the “Additional” Fee be increased for FY 2015-16.

Fee increases to be collected by the County vary, depending upon the land use category. The Additional Fee is proposed to increase next fiscal year by \$0.04 per parcel for Miscellaneous, Agricultural, Vacant, and Condominium land uses and by \$0.10 per parcel for all other land uses and single family residence. The current and proposed annual fees are shown in the following table on the next page:

Land Use Category	Proposed Fee FY 2015-16		Current Fee FY 2014-15		Proposed Total Fee Increase per Parcel
Single Family Residence (per parcel)	Basic	\$3.44	Basic	\$3.44	\$0.10
	Additional	<u>\$3.32</u>	Additional	<u>\$3.22</u>	
	Total	\$6.76	Total	\$6.66	
Miscellaneous, Agriculture, Vacant, and Condominium (per parcel)	Basic	\$1.72	Basic	\$1.72	\$0.04
	Additional	<u>\$1.66</u>	Additional	<u>\$1.62</u>	
	Total	\$3.38	Total	\$3.34	
All Other Land Uses (per parcel)	Basic	\$3.44	Basic	\$3.44	\$0.10
	Additional	<u>\$3.32</u>	Additional	<u>\$3.22</u>	
	Total	\$6.76	Total	\$6.66	
		(\$6.76 for the first 11,000 sq. ft.; \$0.62 for each additional 1,000 sq. ft.)		(\$6.66 for the first 11,000 sq. ft.; \$0.62 for each additional 1,000 sq. ft.)	
		*\$0.32 Basic fee, \$0.30 Additional fee		*\$0.32 Basic fee, \$0.30 Additional fee	

**IMPACT ON CITY RESOURCES**

The estimated share of County revenues to be collected on behalf of the City of Menlo Park from the FY 2015-16 Countywide program is \$84,848 based on the above rates per parcel. By adopting the attached resolution, Council is authorizing the County to levy these fees on Menlo Park properties and to use the revenue for Countywide storm water management activities. If the Council chooses not to have the County collect these fees, the impact on City resources will be approximately \$84,848 as the City is required by the NPDES permit to participate in the program.

**ENVIRONMENTAL REVIEW**

Environmental review is not required for this action.

## **PUBLIC NOTICE**

Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting, and the publishing notices on June 5, 2015 and June 12, 2015.

## **ATTACHMENTS**

### A. Resolution

Report prepared by:

*Eren Romero*

*Business Manager*

Report reviewed by:

*Ruben Nino*

*Assistant Public Works Director*

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## RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
RECOMMENDING THAT THE SAN MATEO COUNTY FLOOD CONTROL  
DISTRICT IMPOSE BASIC CHARGES AT EXISTING RATE AND INCREASING  
THE ADDITIONAL CHARGES BY 2.53 PERCENT FOR FUNDING THE SCOPE  
OF WORK FOR THE FISCAL YEAR 2015-16 COUNTYWIDE NATIONAL  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL  
PROGRAM**

WHEREAS, the Environmental Protection Agency, under amendments to the 1987 Federal Clean Water Act, imposed regulations that mandate local governments to control and reduce the amount of stormwater pollutant runoff into receiving waters; and

WHEREAS, under the authority of California Porter-Cologne Water Quality Act, the State Water Resources Control Board has delegated authority to its regional boards to invoke permitting requirements upon counties and cities; and

WHEREAS, in July 1991, the San Francisco Bay Regional Water Quality Control Board notified San Mateo County of the requirement to submit an NPDES Permit Application by November 30, 1992; and

WHEREAS, in furtherance of the NPDES Permit Process, San Mateo County in conjunction with all incorporated cities in San Mateo County has prepared a San Mateo Countywide Stormwater Management Plan which has a General Program as a fundamental component of the Management Plan; and

WHEREAS, the San Francisco Bay Regional Water Quality Control Board, after a Public Hearing, approved the Renewed NPDES Permit CAS0029921, effective July 21, 1999, and which expired July 20, 2004; and

WHEREAS, with the complete and timely application by the San Mateo Countywide Stormwater Pollution Prevention Program for Permit renewal submitted on January 23, 2004, the San Francisco Bay Regional Water Quality Control Board administratively extended the expiration of said Permit until such time as a Public Hearing is held and the application is considered; and

WHEREAS, the San Francisco Bay Regional Water Quality Control Board adopted NPDES Permit CAS612008 on October 14, 2009, effective December 1, 2009.

WHEREAS, the San Mateo County Flood Control District Act, as amended by the State Legislature in 1992 (Assembly Bill 2635), authorized the San Mateo County Flood Control District ("District") to impose charges to fund storm drainage programs such as the NPDES Countywide General Program; and

WHEREAS, the Basic Annual Charges and Additional Annual Charges for FY 2015-16, when adopted, would be necessary to fund a \$3,560,182 Budget for FY 2015-16, and are as follows:

**Basic Annual Charges;**

- Single Family Residence: \$3.44/APN
- Miscellaneous, Agriculture, Vacant, and Condominium: \$1.72/APN
- All Other Land Uses: \$3.44/APN for the first 11,000 square feet plus \$0.32 per 1,000 additional square feet of parcel area.

Additional Annual Charges (Adjusted Annually by C.P.I.);

- Single Family Residence: \$3.32/APN
- Miscellaneous, Agriculture, Vacant, and Condominium: \$1.66/APN
- All Other Land Uses: \$3.32/APN for the first 11,000 square feet plus \$0.30 per 1,000 additional square feet of parcel area.

WHEREAS, the charges are in the nature of a sewer service charge in that they are intended to fund a federally mandated program the purpose of which is to create waste treatment management planning processes to reduce the amount of pollutants in discharges from property into municipal storm water systems which, in turn, discharge into the waters of the United States; and

WHEREAS, the City of Menlo Park has held a meeting upon the proposal to fund the Countywide NPDES General Program through the San Mateo County Flood Control District; the City Council makes the below resolve following that meeting.

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

1. The City of Menlo Park respectfully requests the San Mateo County Board of Supervisors, acting as the governing board of the San Mateo County Flood Control District, to impose those basic charges at existing rate and increasing the additional charges necessary to fund the FY 2015-16 Countywide NPDES General Program; and
2. The City of Menlo Park requests that all properties within the territorial limits of said City be charged the basic and additional annual charges in accordance with said charges stated above; and
3. The City Clerk is hereby directed to forward copies of this Resolution to the Clerk of the San Mateo County Board of Supervisors, the San Mateo County Flood Control District, the San Mateo County Engineer, and to the NPDES Coordinator of C/CAG.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela Aguilar  
City Clerk



## **PUBLIC WORKS DEPARTMENT**

**Council Meeting Date: June 16, 2015**

**Staff Report #: 15-104**

**PUBLIC HEARING:**                    **Adopt a Resolution to Abandon Public Right-of-Way, Sidewalk Easements, and Public Utility Easements Within the Mid-Peninsula Housing Project at 1221-1275 Willow Road**

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### **RECOMMENDATION**

Staff recommends that the City Council in connection with the Mid-Peninsula Housing Project at 1221-1275 Willow Road:

- 1) Adopt a resolution (Attachment A) to abandon Public Right-of-Way, Sidewalk Easements, and Public Utility Easements adjacent to the property at 1221-1275 Willow Road,
- 2) Authorize the City Manager to approve a Purchase and Sales agreement (Attachment B) for the fee transfer portion of the frontage road.

### **POLICY ISSUES**

The City is legally required to go through a three step process to abandon right-of-way and easements. This item is before the City Council for the final step, which is a Public Hearing regarding the abandonment.

### **BACKGROUND**

On May 5, 2015, the City Council adopted a Resolution of Intention (No. 6263) to abandon public right-of-way, sidewalk easements (SE), and public utility easements (PUE) adjacent to the property at 1221-1275 Willow Road, setting a date for a public hearing by City Council (June 16, 2015) and referring the matter to the Planning Commission for a recommendation on General Plan consistency.

On May 18, 2015, the Planning Commission reviewed the proposed abandonment and determined that it was consistent with the City's General Plan. A detailed history of the proposed abandonment was provided in the May 18, 2015 Planning Commission staff report (Attachment C). The Planning Commission recommended to the City Council that the public right-of-way, SEs, and PUEs adjacent to the property at 1221-1275 Willow Road be abandoned as proposed (Attachment D).

Mid-Peninsula Housing will be applying for State tax credit (Round II) on July 1<sup>st</sup>. As part of the application, approval of the frontage road abandonment and a Purchase and Sales agreement is required.

## **ANALYSIS**

The Applicant's project as proposed is dependent on the right-of-way and PUEs being abandoned, and the existing SE and PUE no longer make sense in their current configurations given the new site plan. The proposed abandonment addresses specific concerns regarding site access, pedestrian and vehicular circulation, and safety. The abandonment would formalize the existing circulation and parking on site, which is currently located in the public right-of-way, and more clearly delineate what is public versus private property.

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. In addition, a new 20' by 4' PUE will be established to allow the City of East Palo Alto access to its water line. All of the utility companies with an interest in the PUE have been notified. No objections to the proposed abandonments have been received.

### *Purchase and Sales Agreement*

The portion of frontage road that is perpendicular to Willow Road is to be transferred to the Mid-Peninsula Housing Project, Sequoia Belle Haven (formerly Menlo Gateway), via Fee Transfer. It is 27.46' wide by 140.06' in length and is located directly adjacent to the southern (left) property line of the subject site. The transfer of property for the below market fee of one dollar (\$1.00) is part of the City's overall contribution to the project.

### *Abandonment Procedure*

Should the City Council consider the abandonment favorably, a Resolution ordering the vacation and abandonment of the public right-of-way, SEs, and PUEs will be recorded.

## **IMPACT ON CITY RESOURCES**

The fee for staff time to review and process the abandonment has been waived by the City Council in accordance with provision 16.98.050 (Fee Waivers) of the Affordable Housing Overlay (AHO), and will be considered as part of the City's overall contribution to the project.

## **ENVIRONMENTAL REVIEW**

The proposed 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 publishing a legal notice in The Daily News, a local newspaper, on May 29<sup>th</sup> and June 5<sup>th</sup>, 2015; and posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

## **ATTACHMENTS**

- A. Resolution of Abandonment
- B. Purchase and Sale Agreement
- C. May 18, 2015 Planning Commission Staff Report
- D. Planning Commission Resolution

Report prepared by:

*Theresa Avedian*  
*Senior Civil Engineer*

Report reviewed by:

*Ruben Nino*  
*Assistant Public Works Director*

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**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK FOR THE VACATION AND ABANDONMENT OF PUBLIC RIGHT OF WAY, SIDEWALK EASEMENTS, AND PUBLIC UTILITY EASEMENTS WITHIN THE PROPERTY AT 1221-1275 WILLOW ROAD**

WHEREAS, on May 5, 2015, the City Council of the City of Menlo Park adopted Council Resolution No. 6263 declaring the intention of said City Council to abandon the Public Right of Way, Sidewalk Easements, and Public Utility Easements within the property at 1221-1275 Willow Road in the City of Menlo Park; and

WHEREAS, the Planning Commission of the City of Menlo Park held a Public Hearing on this subject on May 18, 2015, to consider the aforementioned proposed abandonment and has reported to the City Council that said proposed abandonment conforms with the City's General Plan and has recommended that it be abandoned as proposed; and

WHEREAS, a Public Hearing was held before the City Council of the City of Menlo Park regarding the foregoing matter on June 16, 2015; and

WHEREAS, notice of said Public Hearing was duly made by publication, mailing, and posting as required by law, and proof thereof is on file with the City Clerk of the City of Menlo Park; and

WHEREAS, no protests were filed with or received by said City Council; and

WHEREAS, the City Council finds that the public convenience and necessity require that utility easements be reserved within the area to be vacated.

IT APPEARING to the City Council of the City of Menlo Park that the Public Right of Way, Sidewalk Easements, and Public Utility Easements should be abandoned for the reason that they are no longer needed and it would allow the Applicant to proceed with the construction of the multi-family affordable housing project proposed for the site, and that public convenience, necessity, and the best interests of the citizens of Menlo Park will be served by such abandonment.

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 AND IT IS HEREBY RESOLVED by the City of Menlo Park

- A) that said City Council does hereby abandon, to the full extent permitted by law, the Public Right of Way, Sidewalk Easements, and Public Utility Easements within the property at 1221-1275 Willow Road, described on

the legal plats, Exhibit B, attached hereto and by the legal description of said public utility easement on file in the Engineering Division, and said Exhibits and legal descriptions are incorporated herein and made a part hereof; and

- B) that this Resolution shall not be recorded until the property owners of 1221-1275 Willow Road submit verification of adequate financing to complete the Sequoia Belle Haven project for which the Property is being abandoned; and property owners shall submit a complete building permit application package to the City of Menlo Park.
- C) that said abandonment is consistent with the General Plan; and
- D) that said abandonment is exempt under current California Environmental Quality Act Guidelines.

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 sixteenth day of June, 2015 by the following votes:

AYES:

NOES:

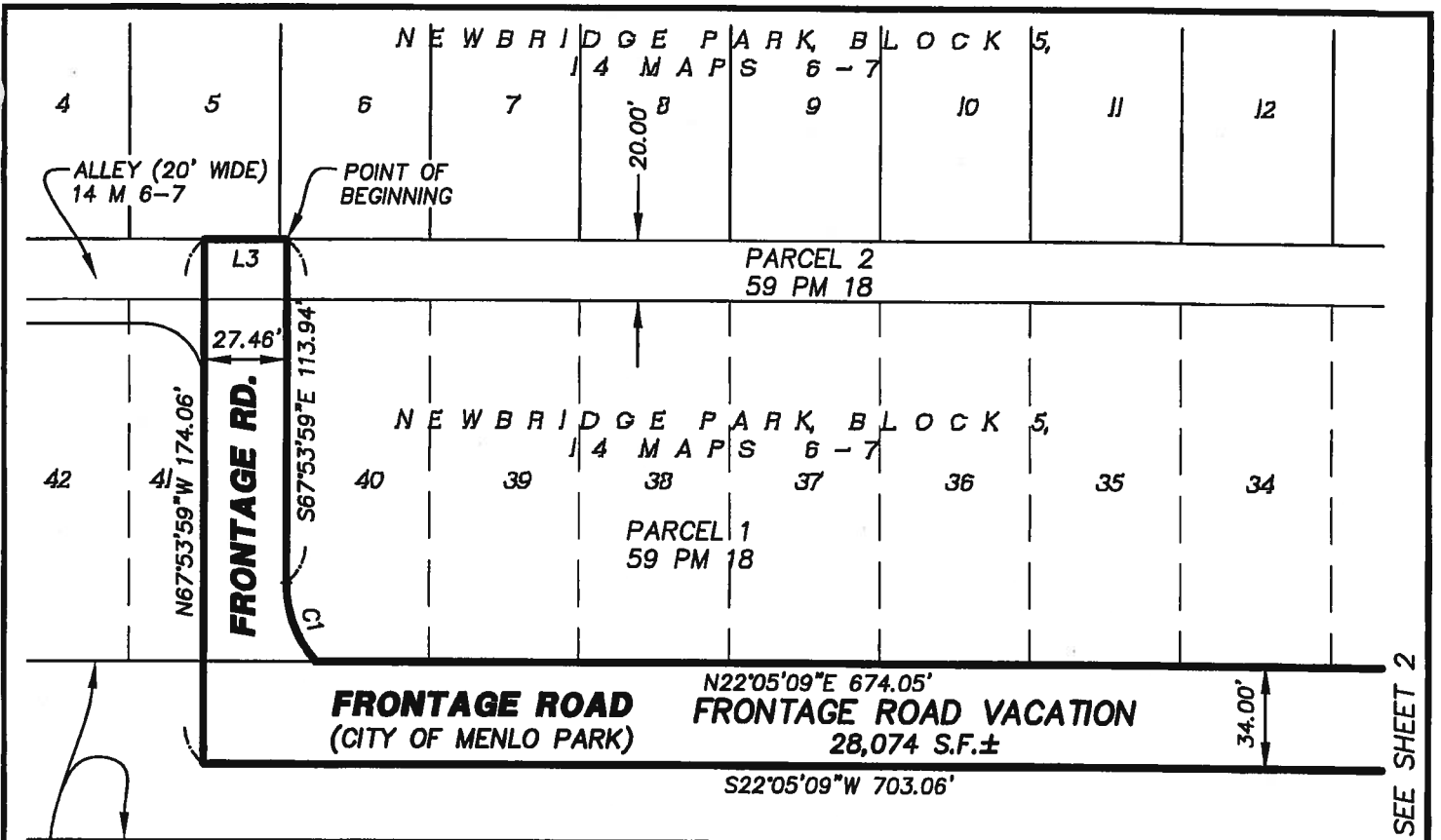
ABSENT:

ABSTAIN:

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

Pamela I. Aguilar  
City Clerk

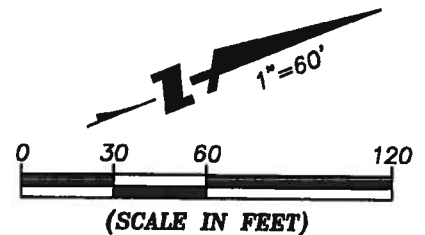




RELINQUISHMENT OF HIGHWAY  
RIGHT-OF-WAY IN THE CITY OF  
MENLO PARK, DOC. NO. 94101801

← TO NEWBRIDGE STREET

**WILLOW ROAD**  
(STATE ROUTE 114)  
WIDTH VARIES

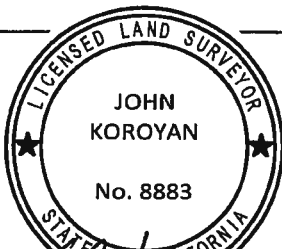


**LINE TABLE**

LINE	BEARING	LENGTH
L3	N22°04'55"E	27.46'

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH
C1	40.00'	40°46'23"	28.46'



*John Koroyan*

**ALBERNI  
STREET**

LOCATION: MENLO PARK, SAN MATEO COUNTY, CALIFORNIA

K:\Sur13\136051 Menlo Gateway\DWG\Plats\Frontage Road Vacation.dwg

**EXHIBIT "B"**  
PLAT TO ACCOMPANY LEGAL DESCRIPTION



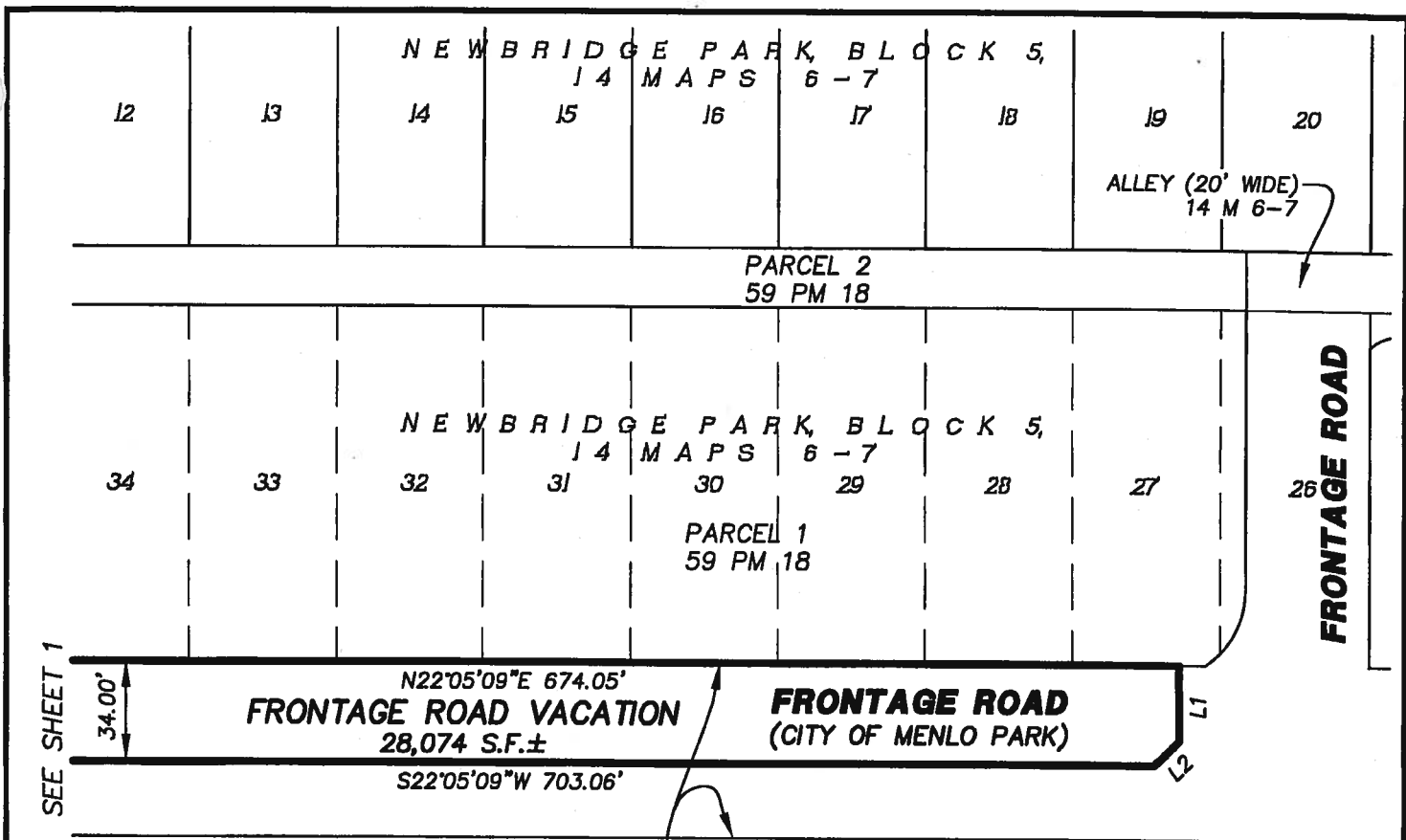
1650 TECHNOLOGY DRIVE  
SUITE 650  
SAN JOSE, CA 95110  
408-467-9100  
408-467-9199 (FAX)

Subject FRONTAGE ROAD VACATION

Job No. 20136051

By JG Date 06-03-15 Chkd. JVK

SHEET 1 OF 2

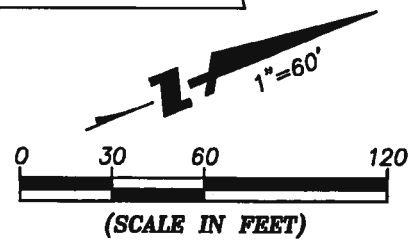


SEE SHEET 1

RELINQUISHMENT OF HIGHWAY  
RIGHT-OF-WAY IN THE CITY OF  
MENLO PARK, DOC. NO. 94101801

**WILLOW ROAD**  
(STATE ROUTE 114)  
WIDTH VARIES

TO IVY DRIVE →



LINE TABLE		
LINE	BEARING	LENGTH
L1	S67°52'28\"E	25.85'
L2	S22°54'51\"E	11.53'

**O'BRIAN  
DRIVE**

LOCATION: MENLO PARK, SAN MATEO COUNTY, CALIFORNIA  
K: \Sur13\136051 Menlo Gateway\DWG\Plats\Frontage Road Vacation.dwg

**EXHIBIT "B"**  
PLAT TO ACCOMPANY LEGAL DESCRIPTION



1650 TECHNOLOGY DRIVE  
SUITE 650  
SAN JOSE, CA 95110  
408-467-9100  
408-467-9199 (FAX)

Subject FRONTAGE ROAD VACATION  
Job No. 20136051  
By JG Date 06-03-15 Chkd. JVK  
SHEET 2 OF 2

**PURCHASE AND SALE AGREEMENT**

This Purchase and Sale Agreement (the “Agreement”) is made as of June \_\_\_\_, 2015, by and between the City of Menlo Park, a California Municipal Corporation (the “Seller”) and Sequoia Belle Haven, L.P., a California limited partnership (the “Buyer”), with reference to the following facts and purposes.

**RECITALS**

- A. The Seller is the owner of the real property as described in Exhibit A (the “Property”).
- B. Buyer desires to purchase from Seller and Seller desires to sell the Property to the Buyer.

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, the Buyer and the Seller (the “Parties”) agree as follows:

1. Purchase and Sale of the Property.

Subject to the terms and conditions set forth below, Seller agrees to sell the Property to the Buyer.

2. Purchase Price.

The purchase price for the Property will be One Dollar (\$1.00).

3. Opening Escrow.

Prior to Closing (as defined below), the Parties will establish an escrow (“Escrow”) with Old Republic Title Company (“Escrow Holder”).

4. Escrow and Closing.

(a) The date for Closing will be established through the mutual agreement of the Parties, but in no event will the date of Closing be later than December 31, 2016. This Agreement will terminate and be of no further force and effect if the Closing has not occurred on or before December 31, 2016.

(b) Subject to satisfaction of the contingencies hereinafter described, Escrow Holder will close this Escrow (the “Closing”) by recording one or more grant deeds and other

documents required to be recorded and by disbursing the funds and documents in accordance with the joint escrow instructions of Buyer and Seller.

(c) The Closing is contingent on the following: (1) Buyer shall submit verification of adequate financing to complete the Sequoia Belle Haven project for which the Property is being purchased; and (2) Buyer shall submit a complete building permit application package to the City of Menlo Park.

5. Costs of Escrow.

All costs of Escrow will be paid by Buyer.

6. Indemnification. Buyer agrees to indemnify, defend and hold Seller and its officers, employees and agents harmless from and against any and all claims, demands, liabilities, losses, costs, and expenses, including, without limitation, attorneys' fees and costs of litigation, which arise out of or in connection with this Agreement; provided, however, that this indemnification shall not extend to any claim arising solely from the Seller's negligence or negligent failure to perform its obligations under this Agreement.

7. Conveyance by Deed.

At the Closing, the Seller will convey title to the Property from the Seller to the Buyer by a grant deed in a form approved by the Buyer and deliver possession of the Property to Buyer.

8. Property Taxes and Assessments.

Property taxes, assessments, utilities and all other charges related to the Property will be prorated between the Seller and the Buyer as of the date of closing. Such prorations will be made on the basis of a 365-day year.

9. "As Is".

Buyer is purchasing the Property "as is" and Seller makes no representations as to the condition of the Property or its suitability for the purpose for which Buyer is acquiring the Property.

10. No Brokers.

Each party represents to the other that it has not had any contact or dealings regarding the Property, or any communication in connection with the subject matter of this transaction, through any real estate broker or other person who can claim a right to a commission or finder's fee. If any broker or finder makes a claim for a commission or finder's fee based upon a contact, dealings, or communications, the party through whom the broker or finder makes this claim will indemnify the other party, defend with counsel of the indemnified party's choice, and hold the indemnified party harmless from all expense, loss, damage and claims, including the indemnified party's attorneys' fees, if necessary, arising out of the broker's or finder's claim.

11. Notices.

Unless otherwise provided herein, any notice, tender or delivery to be given pursuant to this Agreement by either party may be accomplished by personal delivery in writing or by first class certified mail, return receipt requested. Any notice by such mailing will be deemed received four (4) days after the date of mailing. Mailed notices will be addressed as set forth below, but each party may change its address by written notice in accordance with this Section 11.

To Buyer:                   c/o MidPen Housing Corporation  
303 Vintage Park Drive, Suite 250  
Foster City, CA 94404

To the Seller:             City of Menlo Park  
Attn: \_\_\_\_\_  
701 Laurel Street  
Menlo Park, CA 94025

12. Assignment.

The Buyer will have no right, power, or authority to assign this Agreement or any portion hereof or to delegate any duties or obligations arising hereunder, either voluntarily, involuntarily or by operation of law, except for an assignment to MidPen Housing Corporation or an affiliate thereof, to which Seller's consent shall not be unreasonably withheld.

13. General Provisions.

(a) Headings. The title and headings of the various sections hereof are intended for means of reference and are not intended to place any construction on the provisions hereof.

(b) Invalidity. If any provision of this Agreement will be invalid or unenforceable the remaining provisions will not be affected thereby, and every provision hereof will be valid and enforceable to the fullest extent permitted by law.

(c) Attorneys' Fees. In the event of any litigation between the Parties hereto to enforce any of the provisions of this Agreement, the prevailing party shall be entitled to all costs and expenses, including reasonable attorneys' fees incurred by the prevailing party, all of which may be included as part of the judgment rendered in such litigation.

(d) Entire Agreement. The terms of this Agreement are intended by the Parties as a final expression of their agreement and may not be contradicted by evidence of any prior or contemporaneous agreement. The Parties further intend that this Agreement constitute the exclusive statement of its terms and that no extrinsic evidence whatsoever may be introduced in any judicial proceedings involving this Agreement. No provision of this Agreement may be amended except by an agreement in writing signed by the Parties hereto or their respective successors in interest. This Agreement will be governed by and construed in accordance with the laws of the State of California.

(e) Successors. This Agreement will be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of the Parties hereto.

(f) Time of the Essence. Time is of the essence in this Agreement.

(g) Cooperation of Parties. The Seller and the Buyer will, during the Escrow period, execute any and all documents reasonably necessary or appropriate to close the purchase and sale pursuant to the terms of this Agreement.

*[Remainder of page left intentionally blank.]*

IN WITNESS WHEREOF, the Parties have executed this Agreement on or as of the date first above written.

**SELLER:**

City of Menlo Park

By: \_\_\_\_\_

Its: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_

**BUYER:**

Sequoia Belle Haven, L.P.,  
a California limited partnership

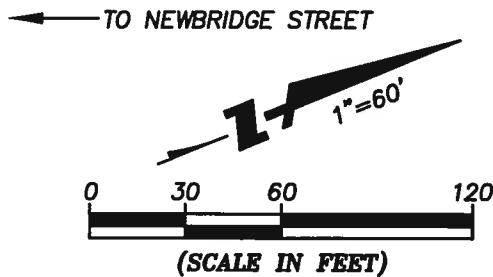
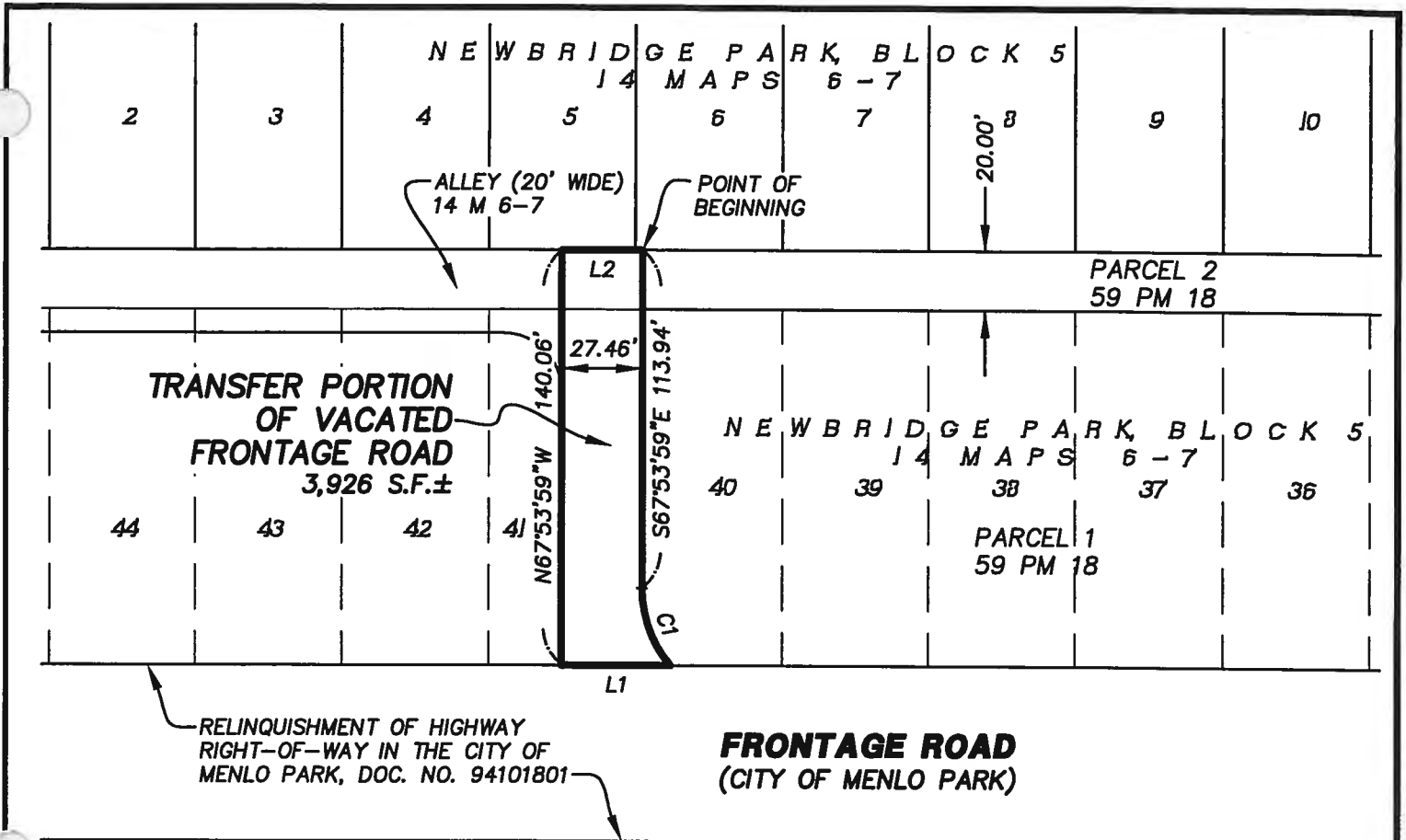
By: Sequoia Belle Haven LLC,  
a California limited liability company,  
its general partner

By: Mid-Peninsula The Farm, Inc.,  
a California nonprofit public benefit corporation,  
its sole member/manager

By: \_\_\_\_\_  
Jan Lindenthal,  
Assistant Secretary

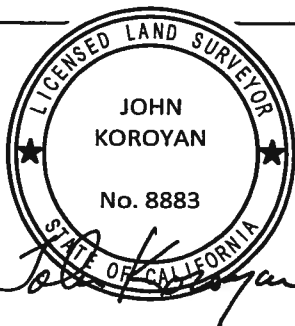
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**WILLOW ROAD**  
(STATE ROUTE 114)  
WIDTH VARIES

LINE TABLE		
LINE	BEARING	LENGTH
L1	S22°05'09"W	37.17'
L2	N22°04'55"E	27.46'



CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	40.00'	40°46'23"	28.46'

ALBERNI  
STREET

LOCATION: MENLO PARK, SAN MATEO COUNTY, CALIFORNIA

K: \Sur13\136051 Menlo Gateway\DWG\Plats\Frontage Road Transfer.dwg

PLAT TO ACCOMPANY LEGAL DESCRIPTION



1650 TECHNOLOGY DRIVE  
SUITE 650  
SAN JOSE, CA 95110  
408-467-9100  
408-467-9199 (FAX)

Subject TRANSFER PORTION  
OF VACATED FRONTAGE ROAD  
Job No. 20136051  
By JG Date 03-23-15 Chkd. JVK  
SHEET 1 OF 1

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# PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION  
MEETING OF MAY 18, 2015  
AGENDA ITEM D4

**LOCATION:** 1221-1275 Willow Road

**APPLICANT:** MidPen Housing

**OWNER:** Menlo Gateway Inc.  
(an entity of MidPen Housing)

**APPLICATION:** Planning Commission Review for Consistency with the General Plan Related to the Proposed Abandonment of Right-of-Way, Sidewalk Easement, and Public Utility Easements

## PROPOSAL

The applicant has applied for the abandonment and vacation of public right-of-way along Willow Road and a swath of land perpendicular to the alley access from Newbridge Street, and multiple public utility easements (PUE) located at 1221-1275 Willow Road. The proposed abandonment of the right-of-way and easements is necessary to facilitate the development of a new 90-unit affordable, senior residential development.

## ANALYSIS

### Site Location

The subject site is located mid-block between Newbridge Street and Ivy Drive in the Belle Haven neighborhood at 1221-1275 Willow Road. The site is surrounded by a commercial vacant lot to the north, a mix of single-family residential and commercial uses in the City of East Palo Alto as well as a mix of commercial, institutional, office and research and development in the City of Menlo Park's M-2 zoning district across the street on the east side of Willow Road, a neighborhood market to the south at the corner of Newbridge Street, and R-1-U zoned single-family residential uses to the west.

The site was recently rezoned R-4-S (AHO) (High Density Residential, Special with the Affordable Housing Overlay) in 2013 when it was identified as a housing opportunity

site as part of the Housing Element process. The 2.7-acre site was formerly zoned R-3 (Apartment) and contains 48 apartment units within multiple one-story buildings.

At the May 18, 2015 meeting, the Planning Commission will also be conducting a study session on the proposed residential development as part of the R-4-S compliance review process. The study session will provide an opportunity for members of the Commission and public to provide feedback on the proposal's compliance with the R-4-S development regulations and design standards. There is no formal action by the Planning Commission on the R-4-S compliance review. Following the study session and review of the comments received, the Community Development Director will make a determination the proposed residential development's compliance with the R-4-S zoning district requirements. The proposed development has been designed with the intent that the right-of-way and PUEs would be abandoned.

#### Previous Right-of-Way Abandonments

The subject site is located between two properties where right-of-way along Willow Road has already been abandoned. The first property is located at the corner of Willow Road and Newbridge Street. The City abandoned a portion of the right-of-way in 2001. The proposed abandonment discussed below would match the same right-of-way alignment. The second property on the 1200 block of Willow Road with a right-of-way abandonment is located at the corner of Willow Road and Ivy Drive. In 2004, the City abandoned all of the right-of-way up to the curb line of Willow Road, a greater abandonment than proposed at the subject property.

#### Project Description

The applicant, also the current property owner, wishes to comprehensively redevelop the site with a new 90-unit senior residential complex. MidPen proposes to redevelop the site to address both physical and functional needs, and this represents the first step of a process to revitalize the entire Menlo Gateway Apartments (also located on the 1300 block of Willow Road). The proposed right-of-way and PUE abandonment addresses specific concerns regarding site access, pedestrian and vehicular circulation, and safety. The abandonment would formalize the existing circulation and parking at site, which is currently located in the public right-of-way, and more clearly delineate what is public versus private property. Overall, the proposed project would increase the supply of affordable housing in Menlo Park given the scarcity and high cost of available land. All of the units, except one for the manager's unit, will be deed restricted for extremely low and low-income residents for a period of not less than 55 years. The City Council, in September 2014, adopted a resolution to authorize a loan for up to \$3.2 to assist with the development of the proposed project.

From the existing curb at Willow Road to the existing property line at 1221-1275 Willow Road, there is an additional 59 feet, 3 inches of public right-of-way. This area currently contains a median and a frontage road with a parking lot used by residents of MidPen's apartments. A decorative block wall with metal railing, mostly covered with plantings, is

located in the median and separates Willow Road from the frontage road. The frontage road is only accessible via the alleyways from Newbridge Street or Ivy Drive.

To facilitate the proposed 90-unit affordable senior development, the applicant is proposing to abandon two different portions of right-of-way. The first section is a partial vacation of a frontage road along Willow Road. The applicant proposes to vacate 34 feet of right-of-way, leaving 25 feet, 3 inches of right-of-way adjacent to the roadway curb on Willow Road. The width of the proposed abandonment was a compromise between the City and the applicant, and allows MidPen to achieve on-site circulation and parking while allowing the City to maintain flexibility for future improvements to Willow Road. The proposed right-of-way abandonment would align with the adjacent right-of-way of the property to the south of the site in front of the market. The second proposed right-of-way abandonment is located perpendicular to the alley entrance from Newbridge Street and the frontage road. The area of land is approximately 37 feet by 93 feet, and is located directly adjacent to the southern (left) property line of the subject site. In addition to the right-of-way abandonment, the applicant is seeking to abandon several PUEs on the property as well as a public sidewalk easement.

The property contains a PUE along the rear of the property line, which is proposed to remain. In conjunction with the abandonment, the applicant is proposing to establish a new 30-foot PUE for the entire width of the property and a smaller 20-foot by 20-foot PUE for a portion of the frontage road that connects between the alleyway and the existing PUE at the rear of the property. The proposed 30-foot PUE would begin four feet back from the front property line. Within this four-foot deep area, the applicant will also establish a new 20-foot wide PUE, approximately one-third into the property from Newbridge Street, for the benefit of the City of East Palo Alto who maintains a water line in this area. The proposed fence along the front property line will need to be coordinated with the location of the PUEs so the two do not conflict.

A summary of the location, type and size of the easements proposed to be abandoned is shown in the table below and a comprehensive exhibit of the right-of way and PUEs are shown in Attachment B.

<b>Right-of-Way and Easement Location</b>	<b>Abandonment Type</b>	<b>Size</b>
Portion of frontage road located perpendicular to alley entrance from Newbridge Street	ROW	37.11' x 93.94'
Portion of frontage road located between the existing front property line and Willow Road	ROW	34' x 720.11'
Along the existing front property line for a depth of 8 feet	PUE and Sidewalk Easement	8' x 683.09'

Right-of-Way and Easement Location	Abandonment Type	Size
Portion of private property along the front property line near the intersection of the two frontage roads at the lower left corner of the site	PUE	10' x 10'
Portion of private property along the front property line, approximately 200 feet north lower left corner of the site	PUE	5' x 10'

All of the utility companies with an interest in the PUEs have been notified. All of the companies, except for Comcast who has yet to respond, have no objections to the proposed abandonments, subject to certain criteria noted below. Pacific Gas and Electric (PG&E) has indicated that they are presently operating and maintaining utility facilities within the frontage road area to be abandoned. Therefore, PG&E is requesting a permanent easement to benefit PG&E to allow access to the site to construct, operate, repair and/or to conduct other operations of their facilities. The applicant's proposed 30-foot PUE along the property frontage should address this issue. In addition, PG&E has indicated that they are also operating and maintaining utility facilities within the smaller PUEs within the existing property boundaries. After all of the facilities are removed, PG&E would not have any objection to the abandoning of the easements. The City of East Palo Alto also contains water facilities within the proposed abandonment area. Therefore, a new 20-foot by 4-foot PUE to benefit the City of East Palo will be established.

Abandonment Procedure

The three step process for abandonment of the right-of-way and PUEs is as follows:

- 1) The City Council considers adopting a Resolution of Intention to Abandon the Easement, sets dates for the Public Hearings and refers it to the Planning Commission.
- 2) The Planning Commission considers the proposed abandonment for consistency with the General Plan. The Planning Commission's recommendation and input, if any, received from utilities and/or affected parties is submitted to City Council (included in the staff report to Council) for the Public Hearing.
- 3) A Public Hearing is set where the City Council will consider the Planning Commission's recommendation and adopts a Resolution Ordering the Abandonment of the PUE and EAE.

The City Council reviewed and approved a Resolution of Intention to abandon the easements at its May 5, 2015 meeting. The resolution established the Planning Commission public hearing date for May 18, 2015 and the final City Council hearing date for June 16, 2015.

The purpose of the Planning Commission review is to determine whether the proposed abandonment is consistent with the General Plan, as discussed in more detail in the

following section. The Planning Commission's determination is forwarded to the City Council for consideration. Prior to the City Council's public hearing, staff will post at least three notices regarding the proposed abandonment in conspicuous places on the subject property. At the June 16, 2015 meeting, the Council will consider the Commission's recommendation, as well as other comments from the public, prior to taking final action on the request.

### General Plan Consistency

The Land Use and Circulation Elements of the General Plan does not contain specific goals or policies that directly address the proposed right-of-way and PUE abandonment. The proposed abandonments also would not appear to conflict with existing General Plan philosophy, which generally promotes orderly development, the maintenance of the City's economic vitality and fiscal health, the protection of people and property from exposure to health and safety hazards, and the minimization of adverse impacts of development to the City's public facilities and services. The City is currently undergoing an update of the City's Land Use Element of the General Plan. Future plans for the larger M-2 Area and Willow Road have not yet been determined, but the proposed right-of-way abandonment would still provide flexibility for public improvements for the remaining 25 feet of right-of-way adjacent to the existing curb of Willow Road. The proposed abandonment is consistent with the right-of-way on the adjacent property to the south.

As noted earlier, the City has contacted the affected utility agencies about the proposed abandonments, and there have been no objections to the proposal since alternate easements have been established for PG&E and the City of East Palo Alto. The removal of the sidewalk easement on private property would be replaced with a new sidewalk located in the public right-of-way. The proposed abandonment of the easements would not negatively impact other properties, and would allow for the comprehensive redevelopment of the site with a 90-unit, affordable senior development. Staff believes the proposal is consistent with the General Plan.

Action on this item is in the form of a recommendation to the City Council. The Planning Commission's recommendation is submitted to the Council in the form of a resolution, included as Attachment C.

### Correspondence

Staff has not received any correspondence regarding the proposal.

## Conclusion

The proposed abandonments would not conflict with the General Plan land use and circulation goals and policies. The proposed abandonments would not negatively impact other properties and would benefit the subject site by allowing redevelopment of underutilized land. Easements for specific utilities have been created and coordinated with the respective agencies, and there have been no objections to abandon the right-of-way and PUEs. Staff recommends that the Planning Commission find that the proposed right-of-way and PUE abandonments are consistent with the General Plan.

## **ENVIRONMENTAL REVIEW**

The proposed plan line abandonment is categorically exempt under Class 5 (Section 15305, "Minor Alterations in Land Use Limitations") of the current California Environmental Quality Act (CEQA) Guidelines.

## **RECOMMENDATION**

1. Make a finding that the proposed abandonment is categorically exempt under Class 5 (Section 15305, "Minor Alterations in Land Use Limitations") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Adopt Resolution No. 2015-01 determining that abandonment of the public utility easements and emergency access easement on 1221-1275 Hamilton Avenue is consistent with the General Plan (Attachment C).

Report prepared by:

*Deanna Chow*  
*Senior Planner*

Report reviewed by:

*Justin Murphy*  
*Assistant Community Development Director*

## **PUBLIC NOTICE & APPEAL PERIOD**

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject properties. Planning Commission action will be in the form of a recommendation to the City Council.



## **ATTACHMENTS**

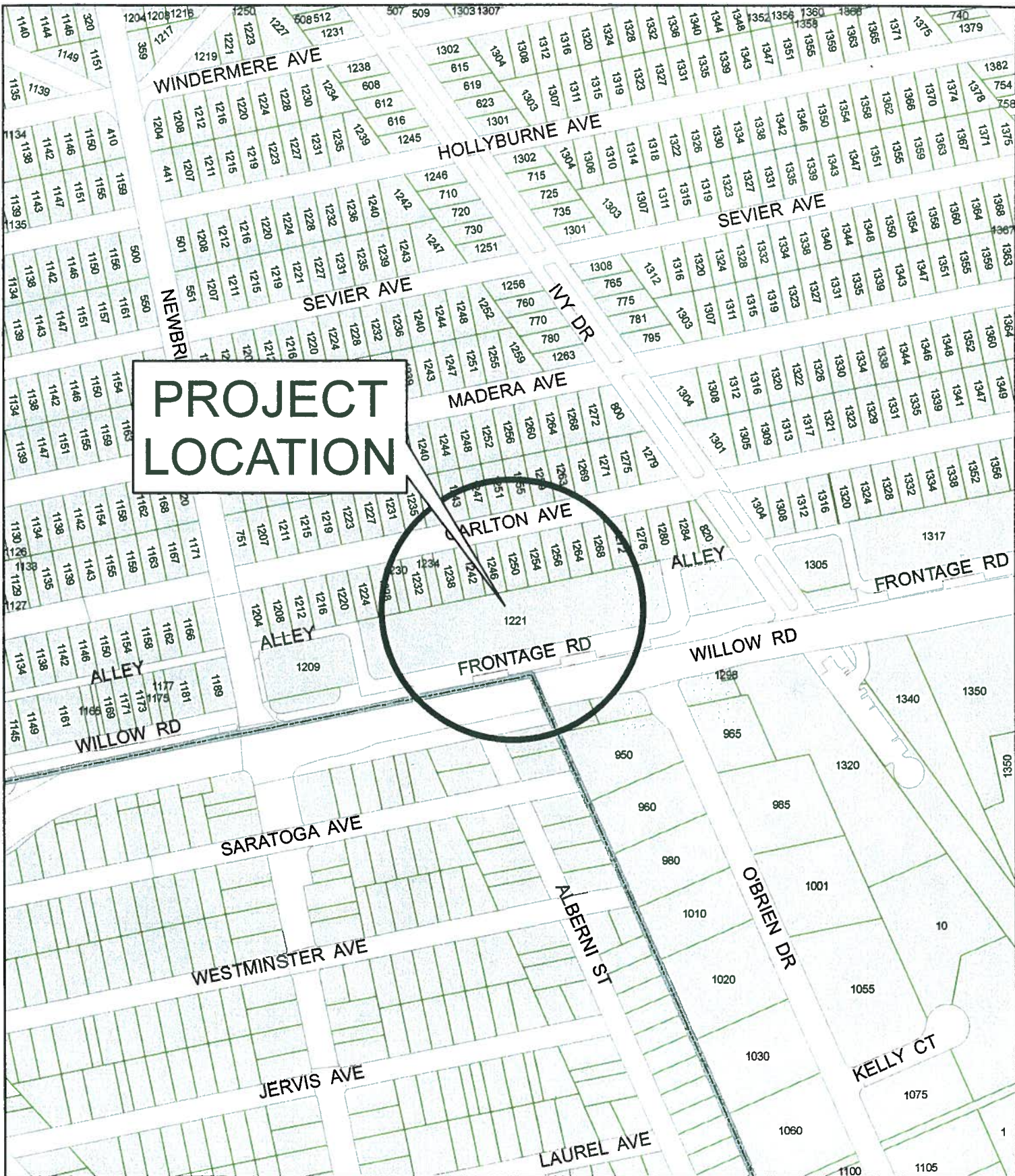
- A. Location Map
- B. Exhibit of Proposed Abandonment Areas
- C. Draft Resolution of the Planning Commission of the City of Menlo Park Determining that Abandonment of the Public-Right-Way and Public Utility Easements on 1221-1275 Willow Road is Consistent with the General Plan

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

## **EXHIBITS TO BE PROVIDED AT MEETING**

None

V:\STAFFRPT\PC\2015\051815 - 1221 Willow Road - ROW and PUE abandonment.doc

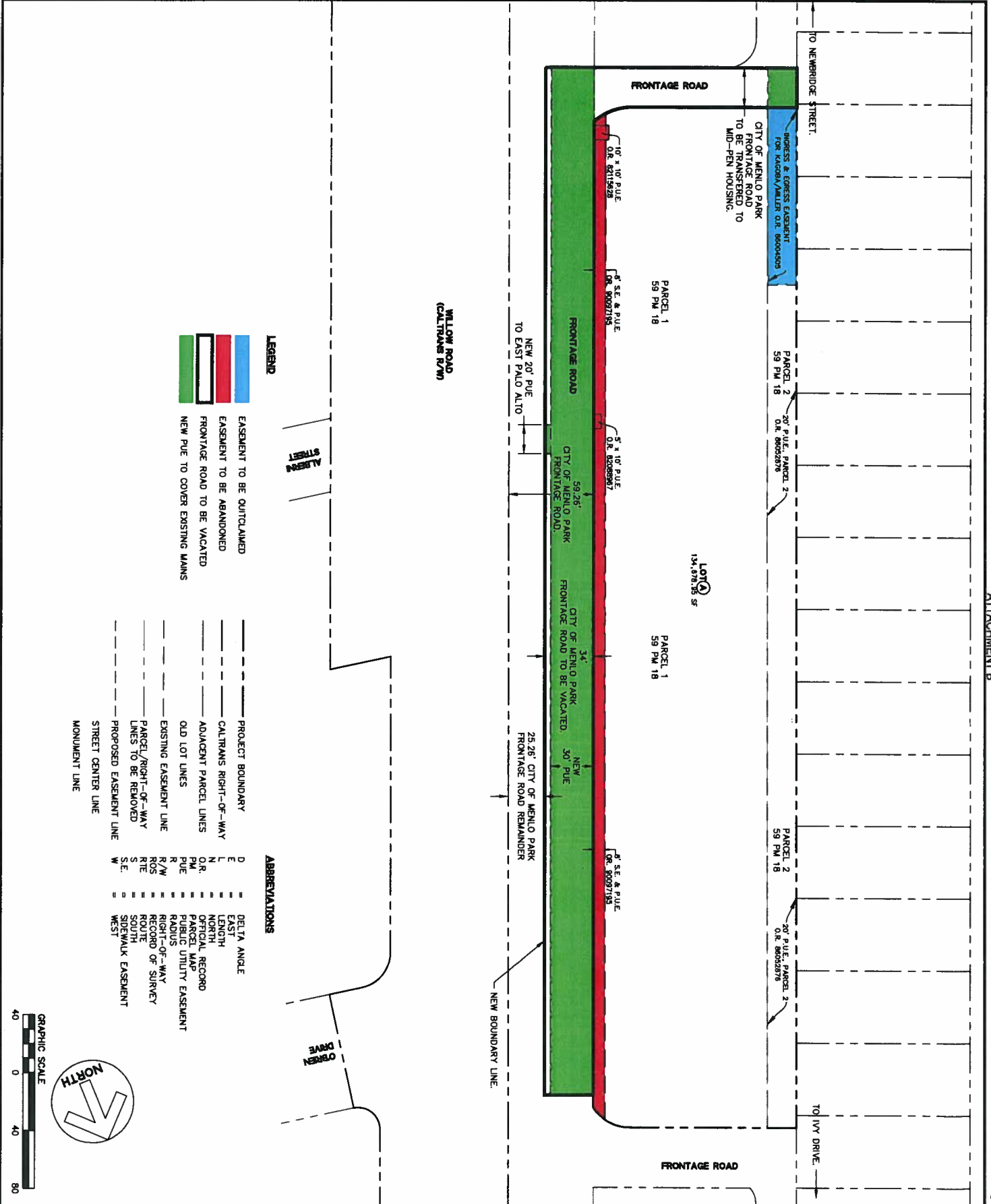


**PROJECT  
LOCATION**



**CITY OF MENLO PARK**  
 LOCATION MAP  
 1221 WILLOW ROAD





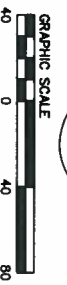
**LEGEND**

- EASEMENT TO BE OUTCLAIMED
- EASEMENT TO BE ABANDONED
- FRONTAGE ROAD TO BE VACATED
- NEW PUE TO COVER EXISTING MANS

**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 ELEVATION
- 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
- R/E ROUTE
- S.E. SPERMALUK EASEMENT
- W WEST



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

**BKF**  
 ENGINEERS / SURVEYORS / LANDSCAPE ARCHITECTS  
 1650 TECHNOLOGY DRIVE  
 SUITE 850  
 SAN JOSE, CA 95110  
 408-467-9100  
 408-467-9199 (FAX)

Date:	No.	Revisions
04.30.15		
Scale: 1" = 30'		
Design: FCG		
Drawn: FCG		
Approved: JN		
Job No: 20136051		



**DRAFT RESOLUTION NO. 2015-01**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK DETERMINING THAT ABANDONMENT OF THE RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS ON 1221-1275 WILLOW ROAD IS CONSISTENT WITH THE GENERAL PLAN**

WHEREAS, the Planning Commission of the City of Menlo Park has considered the abandonment of right-of-way and public utility easements at 1221-1275 Willow Road as required for the development of a 90-unit, affordable senior residential development located in the R-4-S (AHO) zoning district; and

WHEREAS, the Planning Commission has held a public meeting on this subject on May 18, 2015, as required by law, having provided public notification by publishing a legal notice in the local newspaper and notification of property owners and occupants within a 300-foot radius of the subject property;

WHEREAS, the Planning Commission of the City of Menlo Park has determined that said abandonments are consistent with the General Plan in that alternate easements for specific utility companies have been provided and there has been no objections to the abandonment proposal; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Menlo Park hereby recommends that the proposed right-of-way and public utility easements at 1221-1275 Willow Road, as shown in attached Exhibit, to be abandoned as proposed.

I, Arlinda Heineck, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted by a majority of the total voting members of the Planning Commission of the City of Menlo Park at a meeting held by said Commission on the 18th day of May, 2015, by the following vote:

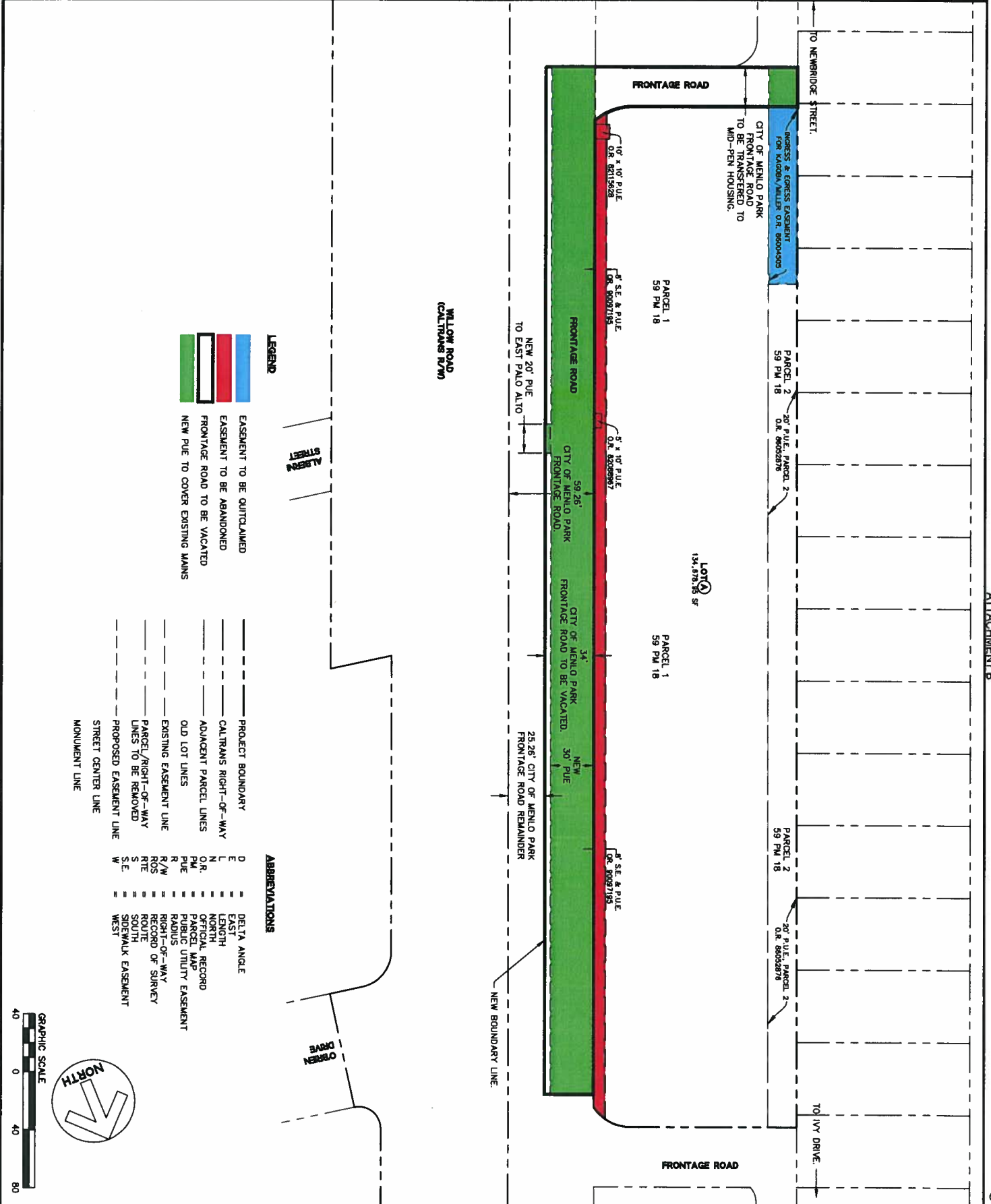
AYES:	Commissioners:
NOES:	Commissioners:
ABSTAIN:	Commissioners:
ABSENT:	Commissioners:

I further certify that the foregoing copy is a true and correct copy of the original of said resolution on file in the office of the Community Development Department, City Hall, Menlo Park, California.

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

---

Arlinda Heineck  
Community Development Director  
City of Menlo Park



**LEGEND**

- EASEMENT TO BE OUTCLAIMED
- 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



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

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

Date:	No.	Revisions
04.30.15		
Scale: 1" = 30'		
Design: FCG		
Drawn: FCG		
Approved: JN		
Job No: 20136051		

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**RESOLUTION NO. 2015-01**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK DETERMINING THAT ABANDONMENT OF THE RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS ON 1221-1275 WILLOW ROAD IS CONSISTENT WITH THE GENERAL PLAN**

WHEREAS, the Planning Commission of the City of Menlo Park has considered the abandonment of right-of-way and public utility easements at 1221-1275 Willow Road as required for the development of a 90-unit, affordable senior residential development located in the R-4-S (AHO) zoning district; and

WHEREAS, the Planning Commission has held a public meeting on this subject on May 18, 2015, as required by law, having provided public notification by publishing a legal notice in the local newspaper and notification of property owners and occupants within a 300-foot radius of the subject property;

WHEREAS, the Planning Commission of the City of Menlo Park has determined that said abandonments are consistent with the General Plan in that alternate easements for specific utility companies have been provided and there has been no objections to the abandonment proposal; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Menlo Park hereby recommends that the proposed right-of-way and public utility easements at 1221-1275 Willow Road, as shown in attached Exhibit, to be abandoned as proposed.

I, Arlinda Heineck, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted by a majority of the total voting members of the Planning Commission of the City of Menlo Park at a meeting held by said Commission on the 18th day of May, 2015, by the following vote:

AYES: Commissioners: Combs, Goodhue, Kadvany, Kahle, Onken, Strehl  
NOES: Commissioners: None  
ABSTAIN: Commissioners: None  
ABSENT: Commissioners: Ferrick

I further certify that the foregoing copy is a true and correct copy of the original of said resolution on file in the office of the Community Development Department, City Hall, Menlo Park, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City this 18<sup>th</sup> day of May, 2015.

---

Arlinda Heineck  
Community Development Director  
City of Menlo Park

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## FINANCE DEPARTMENT

Council Meeting Date: June 16, 2015  
Staff Report #: 15-097

**REGULAR BUSINESS:**                    **Adopt Resolutions: Adopting the 2015-16 Budget and Capital Improvement Program; Establishing the Appropriations Limit for 2015-16; Establishing a Consecutive Temporary Tax Percentage Reduction in Utility Users' Tax Rates; and Adopting the Salary Schedule for 2015-16**

---

### RECOMMENDATION

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

1. Adopt the City of Menlo Park 2015-16 budget and capital improvements program (Attachment A and Exhibit A);
2. Establish the City's appropriations limit for the 2015-16 fiscal year (Attachment B);
3. Establish a consecutive temporary reduction in Utility Users' Tax rates to continue the current one percent tax rate on all utilities as of October 1, 2015 (Attachment C); and
4. Adopt the salary schedule for 2015-16 (Attachment D and Exhibit A).

### POLICY ISSUES

Adoption of the aforementioned resolutions is consistent with the provisions of the City's municipal code, Council policies, and California Government Code.

### BACKGROUND

The City Manager's proposed fiscal year 2015-16 budget was delivered to Council on May 22, 2015, and it was posted to the City's website that same day. The City Manager also introduced the budget to the public via a comprehensive budget workshop, which was held on May 26, 2015 at the Belle Haven Senior Center. Finally, a public hearing on the proposed budget was held on June 2, 2015. At the June 2<sup>nd</sup> public hearing, Council made no modifications to the budget.

As noted in the public hearing staff report, the operating budget was developed using the guidance Council provided at its January 26, 2015, goal setting workshop, and all of Council's priority goals have been included in the fiscal year 2015-16 budget being proposed for adoption. In addition, the capital improvement program has been reviewed

by all of the appropriate boards and commissions, with their feedback provided to Council at the May 19, 2015, Council meeting where the 5-year capital improvement program was presented.

In addition to adopting the fiscal year 2015-16 budget and capital improvement program, there are three other actions included as a part of this agenda item. These actions include adopting resolutions related to the City’s appropriations limit, Utility Users’ Tax, and employee salary schedule. Each of these actions is discussed in more detail in the following section of this report.

**ANALYSIS**

**Fiscal Year 2015-16 Proposed Budget**

The Citywide budget being proposed for adoption for fiscal year 2015-16 is \$78.1 million and includes appropriations for 33 funds in the following fund categories:

<b>Fund Category</b>	<b>FY 2015-16 Proposed Budget</b>
General Fund	\$49,268,045
Special Revenue Funds	\$10,119,101
Capital Projects Funds	\$3,659,953
Enterprise Funds (Water)	\$8,966,293
Internal Service Funds	\$4,190,332
Debt Service Funds	\$1,908,371
<b>Total</b>	<b>\$78,112,095</b>

The resolution to adopt the fiscal year 2015-16 budget and capital improvement program is included as Attachment A to this report. The resolution includes an accompanying exhibit that outlines the appropriations by fund that establishes the \$78,112,095 Citywide budget.

**Fiscal Year 2015-16 Appropriations Limit**

The appropriations limit, which was originally established in 1979 by Proposition 4, places a maximum limit on the appropriations of tax proceeds that can be made by the state, school districts, and local governments in California. The appropriations limit is set on an annual basis and is revised each year based on population growth and cost of living factors. The purpose of the appropriations limit is to preclude state and local governments from retaining excess revenues, which are required to be redistributed back to taxpayers and schools. California Government Code requires that the City annually adopt an appropriations limit for the coming fiscal year. The resolution to adopt the appropriations limit for fiscal year 2015-16 is included as Attachment B to this report.

The appropriations limit for the City of Menlo Park for fiscal year 2015-16 is \$51,750,376, while the proceeds of taxes subject to the appropriations limit is \$31,225,941. Therefore, the City is well below its appropriations limit for fiscal year 2015-16.

### **Utility Users' Tax (UUT) Rate Considerations**

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

A resolution making the finding that the continuation of the tax reduction will not have an adverse impact on the City's ability to meet its financial obligations is included as Attachment C. Should Council not adopt this resolution, the original tax percentages will be automatically reinstated as of October 1, 2015.

The Utility Users' Tax Ordinance also requires the City to review the need for the tax every other year and approve a resolution affirming that the UUT is necessary for the financial health of the City. This action was taken as part of the budget adoption for fiscal year 2014-15, and as such, no action is required as part of the fiscal year 2015-16 budget adoption.

The fiscal year 2015-16 budget estimates total UUT revenues of \$1.18 million. This projection is based on the assumption that Council will establish a continuation of the temporary tax reduction that keeps that UUT at the current one percent rate.

### **Salary Schedule**

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

The resolution adopting the salary schedule for 2015-16 is included as Attachment D, with Exhibit A to the attachment containing the actual salary schedule. All current classifications represented by the various bargaining units, as well as unrepresented employees, are included. There have been a number of changes to the salary schedule since it was approved as part of the fiscal year 2014-15 budget adoption. Each of those changes was approved by Council action. Other than the inclusion of the recently-approved change to the City Manager's salary, there are no new changes included in this version of the salary schedule, and salary ranges for all unrepresented employees remain unchanged from the previous fiscal year.

## IMPACT ON CITY RESOURCES

The fiscal year 2015-16 budget being proposed for adoption provides for the following Citywide:

Resources	\$82,207,347
Requirements	<u>\$78,112,095</u>
Resources over Requirements	\$4,095,252

As demonstrated by the table, across all City funds, aggregate fund balance is expected to grow by \$4,095,252 in 2015-16. In the General Fund, revenues of \$48,112,802 are projected, and the proposed expenditure appropriation is \$49,268,045. This leaves an operating deficit in the amount of \$1,155,243 and establishes an estimated unrestricted ending fund balance in fiscal year 2015-16 of \$27.1 million. It is important to note that despite an estimated operating deficit in fiscal year 2015-16, the estimated unrestricted ending fund balance of \$27.1 million represents 55% of total expenditures, which keeps unrestricted fund balance at the upper limit of Council's reserve policy. Additionally, as discussed in the City Manager's budget message and during the public hearing, this budget represents an investment in our community and utilizes the surpluses from fiscal years 2013-14 and 2014-15 to accelerate spending to fund core services and Council goals in fiscal year 2015-16. Further, even with the expectation of deficits over the next three fiscal years, fund balance in the General Fund is expected to grow \$3.1 million between the end of fiscal year 2012-13 and the end of fiscal year 2017-18 and remain within Council's fund balance policy range.

In total, resources for the other funds are expected to exceed requirements by nearly \$5.3 million in fiscal year 2015-16. This accumulation of fund balance is predominantly in the special revenue funds related to development impact fees such as the Below Market Rate Housing Fund, the Transportation Impact Fund, and the Construction Impact Fund. This accumulation of fund balance will be utilized for future projects and is restricted for specific uses.

## ENVIRONMENTAL REVIEW

Environmental review is not required.

## PUBLIC NOTICE

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

## ATTACHMENTS

- A. Resolution adopting the fiscal year 2015-16 budget and capital improvement program
- B. Resolution establishing the appropriations limit for fiscal year 2015-16

- C. Resolution temporarily reducing the Utility Users' Tax rate effective October 1, 2015
- D. Resolution establishing the salary schedule for fiscal year 2015-16
- E. Hyperlink: [Proposed FY 2015-16 Budget](#)

Report prepared by:  
*Drew Corbett*  
*Finance Director*

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**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO  
PARK ADOPTING THE BUDGET FOR FISCAL YEAR 2015-16 AND  
ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR THE  
FISCAL YEAR**

WHEREAS, the City of Menlo Park, acting by and through its City Council, having considered the proposed budget document dated June 2, 2015 and related written and oral information at the meeting held June 16, 2015, and the City Council having been fully advised in the matter and good cause appearing therefore.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby adopt the budget for the fiscal year 2015-16 as set forth in the proposed budget presented to the City Council; and

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

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela Aguilar  
City Clerk

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EXHIBIT A

	General Fund	Literacy Grants	Public Library	Vintage Oaks Landscape	Sharon Hills Park	Supplemental Law Enforcement Services	Transportation Impact Fees	Solid Waste Service	Landfill Post-Closure	Downtown Parking Permits	Recreation In-Lieu	Bedwell Bayfront Park Maintenance
<b>OPERATING BY DEPARTMENT</b>												
City Council	424,666											
City Attorney	371,572											
City Manager's Office	2,175,093											
Community Development	5,140,492											
Community Services	7,860,090											
Finance	1,581,183							57,223				
Human Resources	1,371,783											
Library	2,544,568	233,301	20,843									
Police	16,400,105					100,000				21,400		
Public Works	8,527,949			8,942	13,000		30,002	300,851	385,393	117,649		108,535
<b>Total Operating</b>	<b>46,397,501</b>	<b>233,301</b>	<b>20,843</b>	<b>8,942</b>	<b>13,000</b>	<b>100,000</b>	<b>30,002</b>	<b>358,074</b>	<b>385,393</b>	<b>139,049</b>	<b>0</b>	<b>108,535</b>
<b>CIP Expenditures *</b>												
Administration Building Carpet Replacement												
Administration Building Emergency Generator												
Atherton Channel Flood Abatement												
Automated Library Return Renovation												
Bay Levee Project												
Belle Haven Pool Deck Lighting											30,000	
Belle Haven Youth Center Playground											206,337	
Chilco street and Sidewalk Installation												
Chrysler Pump Station Improvements												
City Admin Space Renovation												
City Buildings (Minor)												
Citywide Bicycle & Pedestrian Visibility Project							487,000					
Climate Action Plan												
Cost of Service/Fee Study												
Downtown Parking Structure Study							22,101			221,010		
Downtown Parking Utility Underground												
Downtown Streetscape Improvement Project												
Dumbarton Rail Corridor Planning Support							150,000					
El Camino Real/Ravenswood NB Right Turn Lane Design and Construction							48,726					
Emergency Water Tank												
General Plan Update												
Haven Avenue Streetscape Improvement							700,000					
High Speed Rail Coordination												
Information Technology Master Plan												
Jack Lyle Park Restroom												
Library Landscaping											173,199	
Library Space Needs Study												

	Francis Mack Trust	Library Donations	Housing Fund	Below Market-Rate Housing	Measure A Tax	Highway Users Tax	Landscape/Tree Assessment	Sidewalk Assessment	Storm Water Management (NPDES)	Construction Impact Fee	Miscellaneous Funds	Library GO Bond 1990
<b>OPERATING BY DEPARTMENT</b>												
City Council												
City Attorney				2,000								
City Manager's Office												
Community Development												
Community Services			30,000	95,200								
Finance												
Human Resources												
Library	24,119	61,507										
Police												
Public Works					1,372,368	18,232	782,030	22,174	353,035	70,106		
<b>Total Operating</b>	24,119	61,507	30,000	97,200	1,372,368	18,232	782,030	22,174	353,035	70,106	0	0
<b>CIP Expenditures *</b>												
Administration Building Carpet Replacement												
Administration Building Emergency Generator												
Atherton Channel Flood Abatement												
Automated Library Return Renovation												
Bay Levee Project												
Belle Haven Pool Deck Lighting												
Belle Haven Youth Center Playground												
Chilco street and Sidewalk Installation					50,000							
Chrysler Pump Station Improvements												
City Admin Space Renovation												
City Buildings (Minor)												
Citywide Bicycle & Pedestrian Visibility Project												
Climate Action Plan												
Cost of Service/Fee Study												
Downtown Parking Structure Study												
Downtown Parking Utility Underground					30,555							
Downtown Streetscape Improvement Project												
Dumbarton Rail Corridor Planning Support												
El Camino Real/Ravenswood NB Right Turn Lane Design and Construction												
Emergency Water Tank												
General Plan Update												
Haven Avenue Streetscape Improvement												
High Speed Rail Coordination												
Information Technology Master Plan												
Jack Lyle Park Restroom												
Library Landscaping												
Library Space Needs Study												

	Recreation GO Bond 2002	General Capital Improvement	Library Addition	Water Capital Improvement	Water Operating	Workers' Compensation	Liability/Fire Insurance	Other Post-Employment Benefits	IT Services	Vehicle Replacement	TOTAL
<b>OPERATING BY DEPARTMENT</b>											
City Council											424,666
City Attorney					10,000	4,147	109,450				497,169
City Manager's Office									1,132,313		3,307,406
Community Development											5,140,492
Community Services											7,985,290
Finance					649,887	890,293	636,669				3,815,255
Human Resources						89,401		928,059			2,389,243
Library			40,000								2,924,338
Police											16,521,505
Public Works				13,293	7,883,360					400,000	20,406,919
<b>Total Operating</b>	0	0	40,000	13,293	8,543,247	983,841	746,119	928,059	1,132,313	400,000	63,412,283
<b>CIP Expenditures *</b>											
Administration Building Carpet Replacement		7,413									7,413
Administration Building Emergency Generator		10,417									10,417
Atherton Channel Flood Abatement		7,557									7,557
Automated Library Return Renovation		15,552									15,552
Bay Levee Project		90,000									90,000
Belle Haven Pool Deck Lighting											30,000
Belle Haven Youth Center Playground		23,663									230,000
Chilco street and Sidewalk Installation											50,000
Chrysler Pump Station Improvements		47,569									47,569
City Admin Space Renovation		7,557									7,557
City Buildings (Minor)		325,000									325,000
Citywide Bicycle & Pedestrian Visibility Project											487,000
Climate Action Plan		100,000									100,000
Cost of Service/Fee Study		100,000									100,000
Downtown Parking Structure Study		6,889									250,000
Downtown Parking Utility Underground		22,580									53,135
Downtown Streetscape Improvement Project		115,000									115,000
Dumbarton Rail Corridor Planning Support											150,000
El Camino Real/Ravenswood NB Right Turn Lane Design and Construction											48,726
Emergency Water Tank				125,205							125,205
General Plan Update		545,934									545,934
Haven Avenue Streetscape Improvement											700,000
High Speed Rail Coordination		50,000									50,000
Information Technology Master Plan		125,000									125,000
Jack Lyle Park Restroom		40,000									40,000
Library Landscaping		26,801									200,000
Library Space Needs Study		7,557									7,557

	General Fund	Literacy Grants	Public Library	Vintage Oaks Landscape	Sharon Hills Park	Supplemental Law Enforcement Services	Transportation Impact Fees	Solid Waste Service	Landfill Post-Closure	Downtown Parking Permits	Recreation In-Lieu	Bedwell Bayfront Park Maintenance
Menlo Park/East Palo Alto Connectivity Project							550,000					
Menlo Park-Atherton Bike/Pedestrian Improvements							900,260					
Nealon Park Sports Field Sod and Irrigation System Replacement												
Park Improvements (Minor)												
Playground Equipment Assessment and Replacement											3,367	
Radio Replacement												
Ravenswood Avenue/Caltrain Grade Separation							750,000					
Relocation of Dog Park at Nealon Park Reservoir Reroof											250,000	
Sand Hill Road Signal Interconnect							23,919					
Sand Hill Road Signal Modification Project							125,000					
Sidewalk Master Plan Implementation												
Sidewalk Repair Program												
Sidewalks on Santa Cruz Ave Study												
Storm Drain Improvements												
Street Resurfacing Project												
Tennis Court Electronic Key Upgrade												
Transit Improvements							150,000					
Urban Water Management Plan												
Water Main Replacement Project												
Water Rate Study												
Water System Master Plan												
Willow Oaks Dog Park Renovation											250,000	
Willow Road Improvements @ Newbridge							3,065					
Willow Road Signal Interconnect												
Willow Road Transportation Study							150,000					
<b>Total CIP</b>	0	0	0	0	0	0	4,060,071	0	0	221,010	912,903	0
<b>Transfers</b>	2,870,544											
<b>Debt Service</b>												
<b>TOTAL APPROPRIATION</b>	49,268,045	233,301	20,843	8,942	13,000	100,000	4,090,073	358,074	385,393	360,059	912,903	108,535

\* CIP Expenditures include the staffing costs for projects that will be continued from 2014-15.

	Francis Mack Trust	Library Donations	Housing Fund	Below Market-Rate Housing	Measure A Tax	Highway Users Tax	Landscape/Tree Assessment	Sidewalk Assessment	Storm Water Management (NPDES)	Construction Impact Fee	Miscellaneous Funds	Library GO Bond 1990
Menlo Park/East Palo Alto Connectivity Project												
Menlo Park-Atherton Bike/Pedestrian Improvements												
Nealon Park Sports Field Sod and Irrigation System Replacement												
Park Improvements (Minor)												
Playground Equipment Assessment and Replacement												
Radio Replacement												
Ravenswood Avenue/Caltrain Grade Separation												
Relocation of Dog Park at Nealon Park												
Reservoir Reroof												
Sand Hill Road Signal Interconnect												
Sand Hill Road Signal Modification Project												
Sidewalk Master Plan Implementation												
Sidewalk Repair Program								180,000				
Sidewalks on Santa Cruz Ave Study												
Storm Drain Improvements												
Street Resurfacing Project						123,225				306,379		
Tennis Court Electronic Key Upgrade												
Transit Improvements												
Urban Water Management Plan												
Water Main Replacement Project												
Water Rate Study												
Water System Master Plan												
Willow Oaks Dog Park Renovation												
Willow Road Improvements @ Newbridge												
Willow Road Signal Interconnect					7,047							
Willow Road Transportation Study												
<b>Total CIP</b>	0	0	0	0	87,602	123,225	0	180,000	0	306,379	0	0
<b>Transfers</b>												
<b>Debt Service</b>												446,750
<b>TOTAL APPROPRIATION</b>	24,119	61,507	30,000	97,200	1,459,970	141,457	782,030	202,174	353,035	376,485	0	446,750

\* CIP Expenditures include the staffing costs for projects that will be continued from 2014-15.

	Recreation GO Bond 2002	General Capital Improvement	Library Addition	Water Capital Improvement	Water Operating	Workers' Compensation	Liability/Fire Insurance	Other Post-Employment Benefits	IT Services	Vehicle Replacement	TOTAL
Menlo Park/East Palo Alto Connectivity Project											550,000
Menlo Park-Atherton Bike/Pedestrian Improvements											900,260
Nealon Park Sports Field Sod and Irrigation System Replacement		250,000									250,000
Park Improvements (Minor)		150,000									150,000
Playground Equipment Assessment and Replacement		8,386									11,753
Radio Replacement		100,000									100,000
Ravenswood Avenue/Caltrain Grade Separation											750,000
Relocation of Dog Park at Nealon Park											250,000
Reservoir Reroof				57,277							57,277
Sand Hill Road Signal Interconnect											23,919
Sand Hill Road Signal Modification Project											125,000
Sidewalk Master Plan Implementation		30,460									30,460
Sidewalk Repair Program		120,000									300,000
Sidewalks on Santa Cruz Ave Study		1,000,000									1,000,000
Storm Drain Improvements		16,225									16,225
Street Resurfacing Project		170,395									599,999
Tennis Court Electronic Key Upgrade		100,000									100,000
Transit Improvements											150,000
Urban Water Management Plan				25,000							25,000
Water Main Replacement Project				98,130							98,130
Water Rate Study				25,000							25,000
Water System Master Plan				79,140							79,140
Willow Oaks Dog Park Renovation											250,000
Willow Road Improvements @ Newbridge											3,065
Willow Road Signal Interconnect											7,047
Willow Road Transportation Study											150,000
											0
<b>Total CIP</b>	0	3,619,955	0	409,752	0	0	0	0	0	0	9,920,897
<b>Transfers</b>											2,870,544
<b>Debt Service</b>	1,461,621										1,908,371
<b>TOTAL APPROPRIATION</b>	1,461,621	3,619,955	40,000	423,045	8,543,247	983,841	746,119	928,059	1,132,313	400,000	78,112,095

\* CIP Expenditures include the staffing costs for projects that will be continued from 2014-15.

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO  
PARK ESTABLISHING APPROPRIATIONS LIMIT FOR FISCAL YEAR  
2015-16**

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

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

WHEREAS, the City of Menlo Park population percentage change over the prior year is 1.09 percent and the growth in the State of California per capita personal income cost of living change is 3.82 percent, both factors in calculating the appropriations limit.

NOW THEREFORE, BE IT RESOLVED that the City Council of Menlo Park at its regular meeting of June 16, 2015 hereby establishes the appropriations limit as the amount of \$51,750,376 for Fiscal Year 2015-16, calculated in accordance with the provisions of Division 9 (commencing with Section 7900) of the California Government Code.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela Aguilar  
City Clerk

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**RESOLUTION NO.**

**RESOLUTION OF THE CITY OF MENLO PARK ESTABLISHING A  
TEMPORARY TAX PERCENTAGE REDUCTION IN THE UTILITY  
USERS' TAX PERSUANT TO SECTION 3.14.130 OF THE CITY OF  
MENLO PARK MUNICIPAL CODE**

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

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

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

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

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

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

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

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

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

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

WHEREAS, the City Council re-established a temporary tax reduction in consideration of the adopted budget for the fiscal year 2014-15, effective October 1, 2014;

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

WHEREAS, the City Council now finds that a consecutive temporary tax reduction shall not adversely affect the City's ability to meet its financial obligations as contemplated in

the budget for the fiscal year 2015-16, considered and adopted at its regular meeting of June 16, 2015.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo at its regular meeting of June 16, 2015 hereby establishes a temporary reduction in the Utility Users' Tax rate, maintaining the current reduced rate of one percent (1.0%) for taxes imposed by sections 3.14.040 through 3.14.070 for a period of no more than twelve (12) months, effective October 1, 2015. No other provisions of the Utility Users' Tax Ordinance are affected by this resolution. Nothing herein shall preclude the City Council from modifying the tax rate set herein during said twelve month period.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela Aguilar  
City Clerk

**RESOLUTION NO.**

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

WHEREAS, pursuant to the Personnel System Rules, the City Manager prepared a compensation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the following compensation provisions shall be established in accordance with the City's Personnel System rules.

BE IT FURTHER RESOLVED that any previous enacted compensation provisions contained in Resolution No. 6013 and subsequent amendments shall be superseded by this Resolution.

BE IT FURTHER RESOLVED that the changes contained herein shall be effective June 16, 2015.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela Aguilar  
City Clerk

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**City of Menlo Park Salary Schedule  
(as of 06/16/15)**

**EXHIBIT A**

Job Title	Employee Unit	FLSA	Top Step	MIN/Annual	MAX/Annual	MIN/Hourly	MAX/Hourly
Library Page	SEIU	N	E	24,211.26	28,899.66	11.6400	13.8941
Recreation Leader	SEIU	N	E	24,211.26	28,899.66	11.6400	13.8941
Senior Recreation Leader	SEIU	N	E	28,899.66	34,496.31	13.8941	16.5848
Recreation Aide	SEIU	N	E	30,927.85	37,093.56	14.8692	17.8334
Transportation Driver	SEIU	N	E	32,327.64	38,571.06	15.5421	18.5438
Library Clerk	SEIU	N	E	33,003.09	39,390.60	15.8669	18.9378
Senior Library Page	SEIU	N	E	33,003.09	39,390.60	15.8669	18.9378
Teacher's Aide	SEIU	N	E	33,790.63	40,273.68	16.2455	19.3623
Night Clerk	SEIU	N	E	35,319.38	42,118.64	16.9805	20.2493
Gymnastics Instructor	SEIU	N	E	36,057.05	43,041.00	17.3351	20.6928
Literacy Assistant	SEIU	N	E	41,148.17	49,212.26	19.7828	23.6597
Office Assistant I	SEIU	N	E	41,148.17	49,212.26	19.7828	23.6597
Child Care Teacher - Title 22	SEIU	N	E	45,037.56	53,888.97	21.6527	25.9082
Office Assistant II	SEIU	N	E	46,055.02	55,153.59	22.1418	26.5161
Program Assistant	SEIU	N	E	46,055.02	55,153.59	22.1418	26.5161
Library Assistant I	SEIU	N	E	47,080.67	56,369.87	22.6349	27.1009
Accounting Assistant I	SEIU	N	E	50,333.88	60,402.25	24.1990	29.0395
Building Custodian I	SEIU	N	E	50,333.88	60,402.25	24.1990	29.0395
Child Care Teacher - Title 5	SEIU	N	E	50,333.88	60,402.25	24.1990	29.0395
Office Assistant III	SEIU	N	E	50,333.88	60,402.25	24.1990	29.0395
Human Resources Assistant	Confidential	N	OR	51,455.07	61,818.68	24.7380	29.7205
City Service Officer	SEIU	N	E	51,455.07	61,818.68	24.7380	29.7205
Library Assistant II	SEIU	N	E	51,455.07	61,818.68	24.7380	29.7205
Maintenance I - Community Services	SEIU	N	E	51,455.07	61,818.68	24.7380	29.7205
Maintenance I - Parks	SEIU	N	E	51,455.07	61,818.68	24.7380	29.7205
Maintenance I - Streets	SEIU	N	E	51,455.07	61,818.68	24.7380	29.7205
Maintenance I - Trees	SEIU	N	E	51,455.07	61,818.68	24.7380	29.7205
Maintenance I - Water	SEIU	N	E	51,455.07	61,818.68	24.7380	29.7205
Maintenance I - Building Maintenance	SEIU	N	E	53,888.97	64,681.10	25.9082	31.0967
Accounting Assistant II	SEIU	N	E	55,153.59	66,191.76	26.5161	31.8230
Building Custodian II	SEIU	N	E	55,153.59	66,191.76	26.5161	31.8230
Secretary	SEIU	N	E	55,153.59	66,191.76	26.5161	31.8230
Library Assistant III	SEIU	N	E	56,369.87	67,751.18	27.1009	32.5727
Maintenance II - Parks	SEIU	N	E	56,369.87	67,751.18	27.1009	32.5727
Maintenance II - Streets	SEIU	N	E	56,369.87	67,751.18	27.1009	32.5727
Maintenance II - Trees	SEIU	N	E	56,369.87	67,751.18	27.1009	32.5727
Police Records Officer	SEIU	N	E	56,369.87	67,751.18	27.1009	32.5727
Community Development Technician	SEIU	N	E	57,730.47	69,301.77	27.7550	33.3182
Development Services Technician	SEIU	N	E	57,730.47	69,301.77	27.7550	33.3182
Water Service Worker	SEIU	N	E	57,730.47	69,301.77	27.7550	33.3182
Custodial Services Supervisor	AFSCME	N	E	57,916.66	69,525.20	27.8445	33.4256
Community Services Officer	SEIU	N	E	59,042.09	71,003.29	28.3856	34.1362
Contract Specialist	SEIU	N	E	59,042.09	71,003.29	28.3856	34.1362
Maintenance II - Building Maintenance	SEIU	N	E	59,042.09	71,003.29	28.3856	34.1362
Police Records Training Officer	SEIU	N	E	59,042.09	71,003.29	28.3856	34.1362
Property and Court Officer	SEIU	N	E	59,042.09	71,003.29	28.3856	34.1362
Environmental Programs Specialist	SEIU	N	E	60,402.25	72,562.05	29.0395	34.8856
Librarian I	SEIU	N	E	60,402.25	72,562.05	29.0395	34.8856
Gymnastics Program Coordinator	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981

**City of Menlo Park Salary Schedule  
(as of 06/16/15)**

Job Title	Employee Unit	FLSA	Top Step	MIN/Annual	MAX/Annual	MIN/Hourly	MAX/Hourly
Program Supervisor - Title 22	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Program Supervisor - Title 5	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Recreation Program Coordinator	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Youth Services Coordinator	AFSCME	N	E	60,596.92	72,796.04	29.1331	34.9981
Administrative Assistant	SEIU	N	E	63,225.40	75,974.37	30.3968	36.5261
Deputy City Clerk	SEIU	N	E	64,681.10	77,867.65	31.0967	37.4364
Equipment Mechanic	SEIU	N	E	64,681.10	77,867.65	31.0967	37.4364
Maintenance III - Building Maintenance	SEIU	N	E	64,681.10	77,867.65	31.0967	37.4364
Maintenance III - Parks	SEIU	N	E	64,681.10	77,867.65	31.0967	37.4364
Maintenance III - Streets	SEIU	N	E	64,681.10	77,867.65	31.0967	37.4364
Maintenance III - Trees	SEIU	N	E	64,681.10	77,867.65	31.0967	37.4364
Maintenance III - Water	SEIU	N	E	64,681.10	77,867.65	31.0967	37.4364
Engineer Technician I	SEIU	N	E	64,909.61	78,077.77	31.2065	37.5374
Traffic Engineering Technician I	SEIU	N	E	64,909.61	78,077.77	31.2065	37.5374
Computer Support Technician	SEIU	N	E	66,191.76	79,616.83	31.8230	38.2773
Planning Technician	SEIU	N	E	66,191.76	79,616.83	31.8230	38.2773
Red Light Photo Enforcement Facilitator	SEIU	N	E	66,191.76	79,616.83	31.8230	38.2773
Librarian II	SEIU	N	E	67,751.18	81,612.50	32.5727	39.2368
Executive Secretary to the City Mgr	Confidential	X	OR	67,355.00	81,870.00	32.3822	39.3606
Water Quality Technician	SEIU	N	E	69,301.77	83,410.24	33.3182	40.1011
Belle Haven Family Serv Pgm Mgr	AFSCME	X	E	69,525.20	83,679.04	33.4256	40.2303
Literacy Program Manager	AFSCME	X	E	69,525.20	83,679.04	33.4256	40.2303
Accountant	SEIU	N	E	71,003.29	85,502.11	34.1362	41.1068
Code Enforcement Officer	SEIU	N	E	71,003.29	85,502.11	34.1362	41.1068
Communications Officer	SEIU	N	E	71,003.29	85,502.11	34.1362	41.1068
Engineering Technician II	SEIU	N	E	72,766.86	87,580.75	34.9841	42.1061
Traffic Engineering Technician II	SEIU	N	E	72,766.86	87,580.75	34.9841	42.1061
Communications Training Officer	SEIU	N	E	74,359.78	89,590.10	35.7499	43.0722
Recreation Supervisor	AFSCME	X	E	74,599.47	89,879.01	35.8651	43.2111
Business Manager - Development Serv	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
City Arborist	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Facilities Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Fleet Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Parks and Trees Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Streets Supervisor	AFSCME	X	E	76,219.24	91,871.99	36.6439	44.1692
Assistant Planner	SEIU	N	E	77,641.39	93,513.07	37.3276	44.9582
Economic Development Specialist	SEIU	N	E	77,867.65	93,867.41	37.4364	45.1286
Construction Inspector	SEIU	N	E	77,867.65	93,867.41	37.4364	45.1286
Financial Analyst	SEIU	N	E	77,867.65	93,867.41	37.4364	45.1286
Lead Communications Officer	SEIU	N	E	77,867.65	93,867.41	37.4364	45.1286
Management Analyst	SEIU	N	E	77,867.65	93,867.41	37.4364	45.1286
Senior Engineering Technician	SEIU	N	E	78,077.77	94,069.60	37.5374	45.2258
Librarian III	AFSCME	X	E	78,118.75	94,170.13	37.5571	45.2741
Revenue and Claims Manager	AFSCME	X	E	78,188.75	94,170.13	37.5907	45.2741
Transportation Management Coord	SEIU	N	E	79,616.83	95,959.94	38.2773	46.1346
Water System Supervisor	AFSCME	X	E	79,873.28	96,269.40	38.4006	46.2834
Human Resources Analyst	Confidential	X	OR	81,607.25	96,559.00	39.2343	46.4226
Branch Library Manager	AFSCME	X	E	81,875.60	98,655.57	39.3633	47.4306
Building Inspector	SEIU	N	E	82,539.71	99,499.45	39.6826	47.8363
Associate Planner	SEIU	N	E	85,190.01	102,677.14	40.9567	49.3640

**City of Menlo Park Salary Schedule  
(as of 06/16/15)**

Job Title	Employee Unit	FLSA	Top Step	MIN/Annual	MAX/Annual	MIN/Hourly	MAX/Hourly
Assistant Engineer	SEIU	N	E	85,693.13	103,255.39	41.1986	49.6420
Support Services Manager	AFSCME	X	E	85,777.65	103,442.93	41.2393	49.7322
Environmental Programs Manager	AFSCME	X	E	87,677.16	105,730.64	42.1525	50.8320
Financial Services Manager	AFSCME	X	E	87,677.16	105,730.64	42.1525	50.8320
City Attorney	Exec	X	OR	N/A	108,000.00	N/A	51.9231
Police Officer	POA	N	E	89,677.95	109,004.06	43.1144	52.4058
Transportation Planner	SEIU	N	E	91,765.16	110,660.59	44.1179	53.2022
Senior Building Inspector	SEIU	N	E	92,639.11	111,714.50	44.5380	53.7089
Senior Planner	SEIU	N	E	93,513.07	112,768.41	44.9582	54.2156
Community Services Superintendent	Exec	X	OR	91,085.80	113,856.00	43.7913	54.7385
Public Works Superintendent	Exec	X	OR	91,085.80	113,856.00	43.7913	54.7385
Associate Engineer	SEIU	N	E	96,155.31	116,021.79	46.2285	55.7797
Children's Services Manager	AFSCME	X	E	96,269.40	116,223.91	46.2834	55.8769
Community Services Manager	AFSCME	X	E	96,269.40	116,223.91	46.2834	55.8769
Housing Manager	AFSCME	X	E	96,269.40	116,223.91	46.2834	55.8769
Plan Checker	SEIU	N	E	97,071.08	117,126.76	46.6688	56.3109
Police Corporal	POA	N	E	96,515.95	117,315.74	46.4019	56.4018
Technical Services Manager	AFSCME	X	E	98,655.57	119,104.37	47.4306	57.2617
City Clerk	Exec	X	OR	95,798.40	119,748.00	46.0569	57.5712
Transportation Engineer	SEIU	N	E	100,757.94	121,642.93	48.4413	58.4822
Assistant to the City Manager	Exec	X	OR	98,870.40	123,588.00	47.5338	59.4173
Senior Civil Engineer	AFSCME	X	E	105,901.22	127,982.04	50.9140	61.5298
Senior Transportation Engineer	AFSCME	X	E	105,901.22	127,982.04	50.9140	61.5298
Building Official	AFSCME	X	E	106,909.80	129,200.92	51.3989	62.1158
Police Sergeant	PSA	N	E	108,146.50	131,452.74	51.9935	63.1984
Information Services Manager	AFSCME	X	E	110,853.17	133,984.83	53.2948	64.4158
Economic Development Manager	Exec	X	OR	108,787.20	135,984.00	52.3015	65.3769
Assistant Community Development Director	Exec	X	OR	113,021.80	141,276.00	54.3374	67.9212
Development Services Manager	AFSCME	X	E	118,612.89	143,363.77	57.0254	68.9249
Police Lieutenant	Exec	X	OR	122,333.80	152,916.80	58.8143	73.5177
Engineering Services Manager	Exec	X	OR	125,587.20	156,984.00	60.3785	75.4731
Transportation Manager	Exec	X	OR	125,587.20	156,984.00	60.3785	75.4731
Assistant Director of Public Works	Exec	X	OR	125,587.20	156,984.00	60.3785	75.4731
Human Resources Director	Exec	X	OR	132,058.60	165,072.00	63.4897	79.3615
Police Commander	Exec	X	OR	139,200.00	174,000.00	66.9231	83.6538
Library Services Director	Exec	X	OR	139,603.20	174,504.00	67.1169	83.8962
Community Development Director	Exec	X	OR	143,146.60	178,932.00	68.8205	86.0250
Finance Director	Exec	X	OR	143,338.60	179,172.00	68.9128	86.1404
Community Services Director	Exec	X	OR	145,104.00	181,380.00	69.7615	87.2019
Public Works Director	Exec	X	OR	147,034.60	183,792.00	70.6897	88.3615
Assistant City Manager	Exec	X	OR	151,373.80	189,216.00	72.7759	90.9692
Police Chief	Exec	X	OR	154,666.60	193,332.00	74.3589	92.9481
City Manager	Exec	X	OR	N/A	217,500.00	N/A	104.5673

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## COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: June 16, 2015

Staff Report #: 15-107

### REGULAR BUSINESS:

**Authorize the City Manager to 1) Release the Notice of Preparation for the ConnectMenlo (General Plan & M-2 Area Zoning Update) Environmental Impact Report, 2) Release the Notice of Preparation for the Facebook Campus Expansion Project Environmental Impact Report located at 300-309 Constitution Drive, and 3) Amend a Contract with ICF International to Complete the Environmental and Fiscal Review for the Facebook Campus Expansion Project, Including Future Augments as Necessary**

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### RECOMMENDATION

Staff recommends the City Council authorize the City Manager to release the Notice of Preparation for both the ConnectMenlo (General Plan & M-2 Area Zoning Update) and the Facebook Campus Expansion Project environmental impact reports (EIRs). Additionally, staff recommends that the City Council amend the current contract with ICF International (ICF) to complete the environmental and fiscal review for the Facebook Campus Expansion Project.

A single staff report on these items has been prepared given the coordinated effort required in the preparation of the traffic study and water supply assessment, which will be analyzed in the General Plan Update and Facebook Campus Expansion project EIRs.

### POLICY ISSUES

#### ConnectMenlo

The General Plan and M-2 Zoning update process will consider a number of policy issues. The maximum potential development contained in the Notice of Preparation (NOP) will be used to establish the project description in the EIR and fiscal impact analysis (FIA), and for development of General Plan and zoning policies and standards. The establishment of the maximum potential development to be studied in the EIR and FIA should not be construed as the City Council approving the maximum potential development, but it would set the upper limit that could be approved.

## **Facebook Campus Expansion Project**

The proposed Facebook Campus Expansion Project will ultimately require the Council to consider certain land use entitlements. Staff will be identifying policy issues during the Council's review of the project and public benefit related to the Development Agreement. Releasing the NOP and amending the contract with ICF would allow the City to continue conducting the environmental and fiscal review of the project proposal and does not imply an endorsement of the project. The policy implications of the project proposal are considered on a case-by-case basis, and will be informed by additional analysis as the project review proceeds.

## **BACKGROUND**

### **ConnectMenlo**

Since Summer 2014, the City has embarked on the General Plan update process known as ConnectMenlo. A number of meetings and events have occurred to help educate and inform, share ideas, and gather input on the potential for change in the M-2 Area of the City and the overall citywide circulation system. Members of the community, property owners and other interested parties from varying organizations have been involved, and broad community outreach continues to be a key aspect of the process. The General Plan Advisory Committee (GPAC), comprised of Council, Commission and community representatives has also played an important role in helping guide the process. The past six months have been focused on creating and fine-tuning the M-2 Area maximum potential development for purposes of conducting the environmental and fiscal reviews. Most recently, the ConnectMenlo team has conducted a number of meetings and events to engage with the community to focus on key issues such as housing and transportation, and to solicit feedback on the M-2 Area map. These meetings are briefly summarized in the June 8, 2015 Planning Commission staff report (Attachment A). Meeting summaries from the ConnectMenlo-sponsored Housing Commission meeting, joint Transportation and Bicycle Commission meeting, and June GPAC meeting are included as Attachment B, and more information, including presentations, handouts and videos of the Commission meetings, is available for review on the ConnectMenlo webpage at [www.menlopark.org.connectmenlo](http://www.menlopark.org.connectmenlo).

### **Facebook Campus Expansion Project**

While the City was in the process of conducting outreach and receiving public input on the ConnectMenlo General Plan Update, Facebook submitted an application for the redevelopment of the former TE Connectivity Campus. The campus is located at 300-309 Constitution Drive, along Bayfront Expressway, between Chilco Street and the recently completed Building 20 (formerly identified as the Facebook West Campus). Previously, in December 2014, Facebook received Planning Commission approval of a use permit to convert an existing approximately 180,000 square foot warehouse and distribution building to offices and ancillary employee amenities, located at 300 Constitution Drive (Building

23), near the Constitution Drive entrance to the site, along Chilco Street. Facebook intends to begin construction on the Building 300 project in the near future. Building 23 is not part of the Facebook Campus Expansion Project review. In addition, neither is the 56-acre property that Facebook acquired from Prologis referred to as the Menlo Science and Technology Park along Willow Road.

### *Project Overview*

The proposed project includes the demolition of existing buildings and the construction of two new office buildings, encompassing approximately 967,000 square feet (a net increase of approximately 127,000 square feet). The buildings would be constructed over surface parking, similar to the design of Building 20. The project would contain approximately 3,800 parking spaces. The buildings would have a similar architectural style, height, and massing as Building 20. The application also includes the potential for a 200-room limited service hotel of approximately 175,000 square feet. The hotel is anticipated to be located near the corner of Chilco Street and Bayfront Expressway. The project would include publicly accessible open space and a new pedestrian/bicycle bridge over Bayfront Expressway, providing a more direct connection from the campus and the Belle Haven neighborhood to the Bay Trail. The project would be constructed in phases, based on when the existing tenants (Pentair and TE Connectivity) vacate the property. Select plan sheets from the project plans are included in Attachment C.

The proposed project would comply with the existing floor area ratio (FAR) of the existing M-2 zoning district, but the project would require some modifications and/or exceptions to existing zoning requirements in order to exceed the maximum building height and to accommodate a potential hotel use. In summary, the entitlement process for the Facebook Campus Expansion Project includes the following review and permit approvals:

- Rezoning from M-2 (General Industrial District) to M-2-X (General Industrial District, Conditional Development) and Conditional Development Permit;
- Zoning Ordinance Text Amendment;
- Development Agreement;
- Heritage Tree Removal Permits;
- Below Market Rate Housing Agreement;
- Lot Line Adjustment;
- Environmental Review; and
- Fiscal Impact Analysis (FIA).

A more detailed discussion of the requested land use entitlements is available in the City Council Informational Item staff report from May 16, 2015 (Attachment D). Additionally, all previous reports and related items for this project are available on the City maintained project page at the following website address:

<http://menlopark.org/995/Facebook-Campus-Expansion-Project>

### *Overall Project Review Process*

The requested land use entitlements for the Facebook Campus Expansion Project ultimately will require final action by the City Council. The general schedule for the project will require multiple public hearings with the Planning Commission, a public outreach meeting, reviews by other City Commissions (e.g. Housing, Environmental Quality, Bicycle, and Transportation), and multiple City Council meetings. A more detailed project timeline, including meeting dates and project milestones will be developed for Council review in the fall of 2015, but the target completion date for the environmental review and land use entitlements is July 2016.

### **ANALYSIS**

The General Plan and M-2 Area Zoning Update (ConnectMenlo) and the Facebook Campus Expansion Project are two separate projects, and the Facebook Campus project does not require a General Plan Amendment. Given the timing and the geographic location of these two projects, staff believes it would be best to conduct the transportation and water supply analyses in a combined fashion, while each project would proceed with separate EIRs and approval processes. The issues relevant to each project, and the issues of overlap, are identified below.

#### **ConnectMenlo Maximum Potential Development and Release of NOP**

On June 8, 2015, the Planning Commission considered the GPAC's recommendation regarding the M-2 Area maximum potential development map. The map, which is included as Attachment E, reflects the input from the community, workshops, online and paper surveys, property owners, and refinements from the GPAC. The map is generally consistent with the land use map that was presented at the joint Planning Commission/City Council study session in March 2015, with the exception of two modifications: 1) a reduction in maximum stories from eight to six on the former Prologis site and 2) an expansion of mixed use and office land uses on a few parcels in the Haven Avenue area to provide greater synergy and flexibility for future development. Under the existing M-2 zoning regulations, residential and hotel uses are not permitted. As depicted on the map, the combination and location of land uses are intended to create two distinct live/work/play areas, one in the Jefferson Drive area and the second along Willow Road. The proposed maximum potential development could result in the following in the M-2 Area above what is currently allowed through the existing General Plan and Zoning:

- Approximately 2.1 million square feet of non-residential, non-hotel development;
- Approximately 4,500 new housing units;
- Approximately 5,500 new jobs; and
- Approximately 600 new hotel rooms.

Approximately 8.75 million square feet is currently built and/or approved in the M-2 area, where the current General Plan would allow approximately 10.5 million square feet of non-residential uses. The maximum potential development represents an additional 2.1 million square feet for a potential net new total of 3.85 million square feet. Although there are no

specific development proposals associated with the General Plan update, the expectation is that the housing will vary in size and affordability and the hotels would be at a range of price points to satisfy market demand.

At the Planning Commission meeting on June 8, 2015, the Commission considered both written and public comments. One piece of correspondence was received following the release of the Planning Commission staff report is included as Attachment F, and all other correspondence received since the joint study session was included in the June 8, 2015 Planning Commission staff report. While commenters shared sentiments for support of well-planned growth and preservation of existing community diversity, particularly in the Belle Haven neighborhood, there were also comments expressing concern about the amount of housing being considered within the project area, the desire for more citywide discussion on what the area should be, and the desire for greater clarity in terminology in what is meant by “maximum.”

In its discussion, the Commission recognized that the maximum potential development represents what could be considered the “worst case scenario” for study purposes. Other factors such as the development regulations, which will be the focus of discussions in the upcoming months, potential environmental impacts and mitigation measures, and the ability to fund desired amenities and infrastructure needs, will be important considerations in the process to ultimately determine the appropriate development for the M-2 area. The establishment of the maximum potential development levels is needed to initiate the Notice of Preparation (NOP), which is the first step in the EIR process. The draft NOP is included as Attachment G.

The NOP will be distributed to all responsible agencies that may have discretionary approval over the project and trustee agencies that are responsible for natural resources potentially affected by the project. The NOP solicits input from these agencies as well as the public on the scope and content of the environmental information to be included in the EIR. Once the NOP is released, a 30-day public review period begins. Following the City Council’s review and direction on June 16, 2015, staff anticipates releasing the NOP on June 18, 2015. In September 2015, staff is scheduled to conduct an EIR scoping session at a Planning Commission meeting. A scoping session allows the public and staff to learn about potential concerns and further refine issues to be studied in the EIR. This step in the process allows members of the public another opportunity to comment on the content of the EIR. Comments received during the public scoping are considered in preparing the Draft EIR analysis.

With a vote of 5-0-2, with Commissioner Strehl absent for the vote and Commissioner Combs recused, the Planning Commission supported the GPAC’s recommendation for the Draft M-2 Area Maximum Potential Development map and associated figures and to release the NOP for the EIR. One Commissioner expressed interest in studying additional retail in the former Prologis site, but the consultant explained that the amount of retail shown may already be more than what the market could support.

On June 16, 2015, the City Council should review and make any refinements to the maximum potential development for the M-2 Area and the NOP. The Council's action is not only necessary to keep the environmental review and ConnectMenlo process on schedule, but is also critical to form the project background and commence the proposed Facebook Campus Extension project EIR. The timing and scope of the two documents is discussed in further detail below.

### *ConnectMenlo Next Steps*

During the summer of 2015, ConnectMenlo is scheduled to enter into the next phase and begin discussion on goals, policies, programs and development regulations. The goals and policies will reinforce the Guiding Principles that have been accepted, while the creation of the development regulations and design standards will better define and guide future development in where uses can be located, in how buildings should look and feel, and in how community amenities are incorporated in the area. The GPAC is scheduled to meet in the latter part of June to begin the review of the General Plan policies. The original meeting date of June 25 is being rescheduled to June 30 to allow for greater participation by the GPAC members. This modified date should not impact the overall schedule. A summary of the upcoming schedule through September 2015 is included in Attachment H.

### **Facebook Campus Expansion Project NOP Release**

The Facebook Campus Expansion Project requires the preparation of an EIR. As part of the EIR process, a NOP must be released. Consistent with the ConnectMenlo project, the NOP will be distributed to all responsible agencies that may have discretionary approval over the project and trustee agencies that are responsible for natural resources potentially affected by the project. The NOP solicits input from these agencies as well as the public on the scope and content of the environmental information to be included in the EIR. Council review of the NOP would allow City staff to release and distribute the NOP and begin the 30-day public review period. If authorized, staff anticipates releasing the NOP around June 18, 2015, with the Planning Commission EIR Scoping Session and Study Session scheduled for the July 13, 2015 meeting. A scoping session allows the public and staff to learn about potential concerns and further refine issues to be studied in the EIR. This step in the process allows members of the public another opportunity to comment on the content of the EIR. Comments received during the public scoping are considered in preparing the Draft EIR analysis. The Council's authorization of the release of the NOP would allow staff and the City's consultant (ICF) to continue to review and process the application in a timely fashion. The authorization allows for the environmental review to continue and does not require the Council to discuss or comment on the merits of the project. The draft NOP is included as Attachment I.

### **Coordinated Traffic and Water Analyses**

Both the ConnectMenlo and Facebook Campus Extension projects will be preparing separate EIRs as part of the environmental review process. An EIR is an informational document that will help inform decision-makers and the public regarding potential

significant environmental impacts of a project, possible ways to minimize those impacts, and identify reasonable alternatives to the project. The EIRs will evaluate a number of environmental factors from aesthetic resources to hydrology and water quality to transportation and circulation. The release of the NOP is the first step in the EIR process. The ConnectMenlo EIR will be prepared by PlaceWorks per Council's approval of the ConnectMenlo scope of work in June 2014 and the EIR for the Facebook Campus Extension project will be prepared by ICF, who previously conducted environmental review for the City on the various projects, including the previous Facebook Campus project. Although two separate EIRs will be prepared, coordination between the two documents is necessary to comprehensively review and understand the potential impacts that could be generated from implementation of each project.

As part of the ConnectMenlo scope of services, TJKM Transportation Consultants is under contract to prepare the traffic analysis for ConnectMenlo's EIR. Staff has since approached TJKM to prepare an expanded scope to cover the proposed Facebook Campus Expansion project. Due to the timing of ConnectMenlo and Facebook's environmental review process, a coordinated traffic study is necessary to ensure the analysis comprehensively considers all planned developments. Therefore, staff intends to study both projects in one analysis to ensure possible traffic impacts are evaluated adequately and efficiently. The combined traffic analysis needs to be completed first to inform the additional analyses related to air quality, greenhouse gas emissions, and noise. The traffic study is a critical path item for both projects and the timing of the traffic study analysis will impact the overall review time for each project's environmental review.

One other technical analysis will be conducted in a coordinated fashion. A single water supply assessment (WSA) will be prepared by Eler & Kalinowski, Incorporated (EKI) as part of the ConnectMenlo project. Therefore, each project would have its own EIR, with a common traffic study and a common WSA.

### **Facebook Campus Expansion Project Contract Amendment**

With regard to the Facebook Campus Expansion Project, ICF already initiated work on the environmental review up to the City Manager's contracting authority of \$56,000 as mentioned in the May 16, 2015 Information Item staff report. To continue the environmental review work, an amendment to the current scope of work with ICF is necessary. The authorization to amend the contract with ICF does not require the Council to make a decision on the merits of the project. The additional cost for ICF to complete the environmental and fiscal review is approximately \$703,107 for a total of approximately \$758,295. The draft scope of work for the Facebook Campus Expansion Project from ICF, which includes the scope of the traffic analysis from TJKM, is included as Attachment J. As part of the scope of work, BAE would prepare a fiscal impact analysis and Keyser Marston Associates would prepare a housing needs analysis. Each firm prepared comparable documents for the previous Facebook Campus project. The applicant has reviewed and consents to the scope of work outlined by ICF and its subconsultants. Staff believes that contracting with ICF to complete the environmental review for the project would result in quality work products and efficiencies based on past experience with similar projects. At

this time, the Council's authorization of an amendment to the contract with ICF would allow the Facebook Campus Expansion Project to continue to move forward through the review process in a timely manner. Staff is also seeking authorization for future augments to the contract amount if deemed necessary with the consent of the applicant.

## **IMPACT ON CITY RESOURCES**

The General Plan Update scope of services and budget was approved by the City Council on June 17, 2014. For the Facebook Campus Expansion Project, the applicant is required to pay planning permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project. The applicant is also required to bear the cost of the associated environmental review and fiscal analysis. For the environmental review and fiscal analysis, the applicant deposits money with the City and the City pays the consultants. In addition, public benefits negotiated as part of the Development Agreement would serve to help offset any potential impacts of the Project.

## **ENVIRONMENTAL REVIEW**

The General Plan and M-2 Zoning update, and the Facebook Campus Expansion Project are subject to the California Environmental Quality Act (CEQA). Separate EIRs will be prepared as part of the process for each project, but a single traffic study and WSA will be prepared that considers both projects.

## **PUBLIC NOTICE**

Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting. In addition, the City has prepared a project page for the proposals, which is available at the following addresses: <http://menlopark.org/connectmenlo> and <http://menlopark.org/995/Facebook-Buildings-21-22>. The project pages provide up-to-date information about the project, allowing interested parties to stay informed of its progress. The "Notify Me!" feature of the City's website allows users to subscribe to updates for ConnectMenlo and the Greater M-2 Area, which sends email bulletins to users when the respective pages are updated.

## **ATTACHMENTS**

- A. ConnectMenlo Planning Commission Staff Report from June 8, 2015 (ConnectMenlo) – without attachments
- B. Housing Commission Meeting, Joint Transportation and Bicycle Commission Meeting, and June GPAC Meeting Summaries (ConnectMenlo)
- C. Facebook Campus Expansion Project Plans, Select Plan Sheets (Facebook)
- D. 300-309 Constitution Drive Facebook Campus Expansion Project City Council Staff Report from May 16, 2015 (Facebook) – without attachments
- E. Draft M-2 Area Maximum Potential Development Map (ConnectMenlo)
- F. Correspondence from Patti Fry on ConnectMenlo, dated June 8, 2015 (Connect Menlo)



- G. Draft Notice of Preparation (ConnectMenlo)
- H. Upcoming ConnectMenlo Schedule (ConnectMenlo)
- I. Draft Notice of Preparation (Facebook)
- J. Facebook Campus Expansion Project Scope of Work Phase II (Facebook)

Report prepared by:

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*Senior Planner*

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*Justin Murphy*  
*Assistant Community Development Director*

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## MEMORANDUM

**DATE:** June 8, 2015

**TO:** Planning Commission

**FROM:** Deanna Chow, Senior Planner  
Community Development Department

**RE:** **Agenda Item F2: Review and Provide a Recommendation Regarding the Notice of Preparation with a Maximum Potential Development to be Studied in the General Plan Update Environmental Impact Report**

### BACKGROUND

The General Plan serves as the City's comprehensive and long range guide to land use and development in the City's jurisdiction, and is required by State law. In late Summer 2014, the City of Menlo Park kicked off its General Plan Land Use and Circulation Element Update known as ConnectMenlo. A list of the events and activities to date are listed in Attachment A for reference. The events and activities have varied in content, format and purpose, some being more educational in nature like the symposiums while other events, such as the workshops and focus groups, were aimed at soliciting opinions and ideas. In addition, a number of meetings with the General Plan Advisory Committee (GPAC), Planning Commission and City Council have occurred and will occur to receive feedback and direction on the process and policies to be considered.

On March 31, 2015, the City Council and Planning Commission conducted a joint study session to review and provide feedback on the "Refined Draft M-2 Area Preferred Alternative" map. The study session staff report, map, correspondence, and presentation are available for review at the following link:

<http://www.menlopark.org/809/Presentations-and-Staff-Reports>.

The "Refined M-2 Preferred Alternative" map is the result of input from the public at community workshops and via surveys as well as guidance from the GPAC, and

shows the potential types and locations of land uses in the future, as well as potential infrastructure improvements such as new roadway and bicycle/pedestrian connections for the greater M-2 area. The total building square footage, number of housing units, hotel rooms, and jobs associated with potential new development are estimated based on the Refined Draft M-2 Area Preferred Alternative map, which is now being referred to as the Draft M-2 Area Alternative (Maximum Potential Development). The Planning Commission and City Council recognized the complexity of the topic, and requested more time in the schedule for additional dialogue and outreach with the broader community.

On April 14, 2015, the Council approved a modified schedule which included seven additional meetings between April 30 and June 18, 2015. The revised schedule results in a delay in the release of the Notice of Preparation (NOP) for the Environmental Impact Report (EIR) by approximately one month and a corresponding delay to the overall project schedule by one month, ending in July 2016.

## **ANALYSIS**

Since mid-April, the ConnectMenlo team conducted a number of meetings and events to engage with the community to focus on key issues such as housing and transportation, and to solicit feedback on the M-2 area maximum potential development map. These meetings and events are summarized below. Additional information related to these items, including presentations, meeting summaries, and handouts, is available for review on the ConnectMenlo webpage at [www.menlopark.org/connectmenlo](http://www.menlopark.org/connectmenlo).

- *Community Amenities Survey* – Following the March workshops, the City launched its third online survey to receive input on a number of benefits and improvements the community would like to see in Belle Haven and the M-2 Area. Participants were asked to prioritize broad topics such as transportation and community-serving retail, as well as specific implementation items within each topic. The results, which are available on the project webpage, will help inform the City about which community amenities should be prioritized as development in the M-2 Area occurs. The next steps are to:
  - Assign cost estimates for each program to get an idea of how much the program will cost to fund.
  - Engage M-2 property and business owners regarding the structure to implement the community benefits program.
  - Share the results with the Menlo Park Planning Commission and City Council to help the City determine which programs/projects should be funded first. The meetings are targeted for August 24 and September 8, 2015, respectively.
- *Open House* – The City hosted two open houses, one of which was held on Saturday, May 2, the second on Thursday, May 7. The purpose of the open houses was for participants to learn more about the ConnectMenlo process

and to provide feedback on the M-2 Area maximum potential development and other topic areas such as transportation. Attendees were encouraged to visit the five information “stations” and engage in dialogue with staff, the consultants, and each other. In addition, several of the major M-2 property owners, including representatives from Facebook, CS Bio and Tarlton Properties, hosted a station to share their ideas about the future of their properties and to receive input from the community. The second component of the open house was a facilitated question and answer session.

- *City Manager’s Budget Workshop* – Throughout the ConnectMenlo process, there have been questions regarding what are the City revenue sources and how and where City funds are allocated. On May 26, 2015, the City Manager hosted a budget workshop, which included a “Budget 101” session to provide a broad overview of how City budgets work and a preview the City’s fiscal year 2015-16 budget.
- *Housing Commission Meeting* – Housing has been one of the key components in the land use discussion. How much housing? What is the right mix of housing to build? Will there be affordable housing? How can the City address displacement of our current community members? These have been some of the questions that have been raised throughout the process. On May 28, 2015, ConnectMenlo, in conjunction with the Housing Commission, hosted a panel of four housing experts to share their perspectives on a variety of housing-related issues, such as housing economics, affordable housing policies and strategies, anti-displacement policies, and local housing implementation. The panel agreed that housing is a regional issue that needs to be addressed locally through both the production of more housing units that “fit” the community needs and a complimentary strategy for community stabilization, but not to the exclusion of new growth.
- *Joint Transportation/Bicycle Commission Meeting* – In addition to housing, transportation has been a key topic throughout the ConnectMenlo process. Jeff Tumlin of Nelson Nygaard was invited to speak to the Commissions and community to share ideas about ways to respond to growth and change while creating safe streets, options for getting around town, and new metrics for measuring performance.

### GPAC Meeting

The GPAC conducted a meeting on June 3 to review the May open houses, results from the community amenities survey, and to provide a recommendation to the Planning Commission and City Council regarding the maximum potential development to be studied in the Notice of Preparation (NOP) for the Environmental Impact Report (EIR). Correspondence received since the March 25 GPAC meeting is provided at the following link: <http://menlopark.org/DocumentCenter/View/6965>.

In addition, the GPAC considered one additional piece of correspondence from Facebook, included as Attachment B, as well as the comments that were recorded at the community open houses in May, which are included as Attachment C. Comments related to the land use map include the desire to study a broad range of housing options, ideas about where and where not to include a grocery store, support for transit on the Dumbarton rail corridor, and a question about whether mixed-use is feasible at the MidPen site on the 1300 block of Willow Road.

The GPAC's discussion primarily focused on two issues: 1) maximum stories on the former Prologis site on Willow Road and 2) a property owner's request to expand the mixed use designation to a few properties on Haven Avenue. A few members of the public also provided comments at the meeting, including clarification on the square footages and stories of residential buildings, ideas for outreach, housing in-lieu fees, and questions about the survey results.

With regard to building height at the former Prologis site, several members expressed discomfort with the maximum residential height of eight stories, particularly along Willow Road. To reflect an earlier version of the land use map, members suggested that the maximum height be reduced to six stories, with an average of 4.5 stories. The range of heights would still provide modulation in the design and maintain the overall development figures while being sensitive to the neighborhood context. At the meeting, Facebook representatives indicated that they have no plans for eight story buildings, so a change to six stories would be a more accurate reflection of what is desired by the property owner. Although the map shows increased heights from existing conditions on the Prologis and Tarlton properties, the GPAC confirmed that there would be no changes to the current two story height limit along O'Brien Drive adjacent to the single-family residences.

The proposed change to the Haven Avenue area stems from a request from a property owner who owns land between existing R-4-S-residentially zoned property and proposed mixed use and hotel land uses. The property owner felt that to not change this land area would be a lost opportunity. The GPAC agreed that a change in land use for mixed use and office would be appropriate in the area and provide greater flexibility for the future.

The GPAC recommended (8-1; with Zumstein opposed and Bims, Butz, Mueller and Royse absent) to accept the Draft M-2 Area Alternative map with changes to reduce the maximum height to six stories at the Prologis site and an expansion of office and mixed-use land uses in a portion of the Haven Avenue area. These proposed modifications would not materially change the overall maximum potential development to be studied in the EIR.

#### Draft M-2 Area Alternative (Maximum Potential Development)

The M-2 Area Alternative map, inclusive of the GPAC's recommendations, is included as Attachment D. The map reflects the input from the community

workshops, online and paper surveys, property owners, and refinements from the GPAC at their meeting in March. The combination and location of land uses are intended to create two distinct live/work/play areas, one in the Jefferson Drive area and the second along Willow Road.

The maximum potential development will be used to establish the project description in the EIR and fiscal impact analysis (FIA), and for developing General Plan and zoning policies and standards. The Draft M-2 Area Alternative map could potentially result in new development for the area, including:

- Up to 2.1 million square feet of non-residential buildings beyond what is currently allowed in the General Plan;
- Approximately 4,500 new housing units;
- Approximately 5,500 new jobs; and
- Approximately 600 new hotel rooms.

The Planning Commission should review and make a recommendation on the maximum potential development for the M-2 Area at its meeting on June 8. The recommendation will be forwarded to the City Council for consideration at its June 16, 2015 meeting.

#### Notice of Preparation

The Notice of Preparation (NOP) is typically the first public step in the environmental review process. The NOP is distributed to all responsible agencies who may have discretionary approval over the project, as well as trustee agencies who are responsible for natural resources potentially affected by the project. The NOP solicits input from these agencies as well as the public on the scope and content of the environmental information to be included in the EIR.

At the Planning Commission meeting of June 8, the Commission will have an opportunity to provide feedback on the draft NOP before it is officially released to the public. The draft NOP is included as Attachment E, with the maximum potential development figures shown on page six.

Once the NOP is released, a 30-day public review period begins. Staff anticipates releasing the NOP on June 18, 2015, following the City Council's review of the maximum potential development and draft NOP. In September 2015, staff is scheduled to conduct an EIR scoping session at a Planning Commission meeting. A scoping session allows the public and staff to learn about potential concerns and further refine issues to be studied in the EIR. This step in the process allows members of the public another opportunity to comment on the content of the EIR. Comments received during the public scoping are considered in preparing the Draft EIR analysis.

## Upcoming Milestones

Following the Planning Commission meeting, the City Council will review and provide guidance on the maximum potential development. The figures will be included in the NOP, with the intent of releasing the NOP on June 18, 2015. The end of the NOP review period would be July 20, 2015.

During the summer of 2015, ConnectMenlo will enter its next phase and begin discussing goals, policies, programs and development regulations. The GPAC is scheduled to meet on June 25, 2015 to begin review of the draft General Plan policies, followed by a meeting in late July to review the drafts of the Land Use and Circulation Elements and the Zoning Ordinance Update. A community workshop and meetings with the Planning Commission and City Council are scheduled in August and September, respectively. A summary of the upcoming schedule through September 2015 is included as Attachment F.

## **RECOMMENDATION**

The Draft M-2 Area Alternative map represents collective input from the community, property owners and GPAC through an extensive outreach process. The map translates into the maximum potential development for the M-2 area, and will be used for study purposes in the EIR and FIA. Staff recommends that the Planning Commission concur with the GPAC's recommendation, and in turn, recommend that the City Council accept the Draft M-2 Area Alternative map and associated maximum potential development figures and release NOP to begin preparation of the EIR.

## **ENVIRONMENTAL REVIEW**

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

## **PUBLIC NOTICE**

Public notification consisted of publishing a legal notice in the local newspaper and by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting. In addition, the City sent an email update to subscribers of the ConnectMenlo project page, which is available at the following location: [www.menlopark.org/connectmenlo](http://www.menlopark.org/connectmenlo). This page provides up-to-date information about the project, allowing interested parties to stay informed of its progress and allow users to sign up for automatic email bulletins, notifying them when content is updated or meetings are scheduled.



## **ATTACHMENTS**

- A. ConnectMenlo Schedule as of June 2015
- B. Correspondence from Fergus O'Shea of Facebook, dated May 21, 2015
- C. Summary of May 2 and May 7, 2015 Open Houses
- D. Draft M-2 Area Alternative (Maximum Potential Development) map
- E. Draft NOP for General Plan Update
- F. ConnectMenlo Schedule through September 2015

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## CONNECTMENLO

menlo park land use & mobility update

# Housing Commission Meeting Summary

*The Housing Commission meeting was conducted to hear ConnectMenlo housing-related topics on May 28, 2015 (7:00 – 9:00 pm) in the Menlo Park Senior Center at 100 Terminal Avenue.*

### **HOUSING COMMISSIONERS PRESENT**

Carolyn Clarke, Chair  
 Julianna Dodick, Vice-Chair  
 Sally Cadigan  
 Michele Tate

### **CITY STAFF AND CONSULTANTS PRESENT**

Justin Murphy, Assistant Community Development Director  
 Deanna Chow, Senior Planner  
 Clay Curtin, Assistant to the City Manager and Housing Commission Liaison  
 Charlie Knox, PlaceWorks  
 Rosie Dudley, PlaceWorks

## MEETING PURPOSE

The primary purposes of this Commission meeting was to hear from a panel of housing experts on a variety of housing-related issues, including housing economics, affordable housing policies and strategies, anti-displacement policies, and local housing implementation within a regional setting.

## MEETING SUMMARY

Carolyn Clarke, Chair of the Housing Commission brought the meeting to order, provided an overview of the agenda and asked the Commissioners to introduce themselves. She then turned it over to the ConnectMenlo team to begin the meeting.

The City of Menlo Park's Assistant Community Development Director, Justin Murphy, provided an overview of the existing demographics and housing policies in the City. PlaceWorks Principal Charlie Knox introduced the panelists:

- Wayne Chen, Acting Housing Division Manager, City of San Jose
- Pilar Lorenzana-Campo, Deputy Policy Director, Non-Profit Housing Association of Northern California
- Daniel Saver, Housing Staff Attorney, Community Legal Services
- Libby Seifel, Principal, Seifel Consulting Inc.

Mr. Knox then moderated the discussion by asking each panelist specific housing-related questions which have been raised throughout the ConnectMenlo process. Ms. Seifel asked the audience how long they have lived in Menlo Park and if they rent or own their homes. The vast majority of attendees were home owners. She explained that renters are the most vulnerable in the current market and cited a study: Moving Silicon Valley Forward, which outlines why building affordable housing is so

## HOUSING COMMISSION MEETING SUMMARY

important to reduce traffic. While the number of jobs in the Bay Area is increasing, 67 percent of them are paying \$50,000 or less per year which means the workforce cannot afford the housing on the market.

Ms. Lorenzana-Campo spoke about the jobs/housing fit which is more than the discussion of balancing jobs per residents. The “fit” measures the number of low-wage jobs in each city and compares it to the number of homes that are affordable to the employees using the benchmark that an individual should not pay more than 30 percent of income on his/her housing. Currently, Menlo Park has a fit ratio of 5:1, which means five low-wage workers are competing for each affordable unit. Typically, one high-paying job comes with four low-paying jobs. These figures mean that people will have to drive far distances between home and work which will not only exacerbate traffic, but also lead to unstable health and communities. It is a good time for Menlo Park to consider these issues, and review its housing policies and how to improve the jobs/housing fit.

Mr. Chen described how San Jose and other cities throughout the Bay Area are facing similar housing shortages and displacement issues. San Jose is diverse, with many distinct neighborhoods with working class populations. Unlike some of its neighbors, San Jose is housing-rich and jobs-poor. Thus, it has aimed to create urban villages through its general plan (like Santana Row, The Alameda, and Willow Glen) that build housing along with retail and office space. The financing of these villages requires a new tax strategy, developer agreements and other creative incentives to create jobs. One technique the City of San Jose has used is to treat construction of affordable housing as a community benefit.

Mr. Saver described strategies to address and minimize displacement. When existing residents are forced out due to the price of housing, cities lose established communities. By focusing on community stabilization and neighborhood preservation, cities can preserve existing social networks in communities. Menlo Park and other cities throughout the Bay Area must address both direct and indirect displacement. Examples of direct displacement are when buildings are redeveloped and replaced with new buildings thus occupants have to leave or renters are evicted. Forced eviction is another example. A method to address direct displacement is to strengthen Menlo Park’s laws to require “just cause for eviction” as is done in San Francisco, Berkeley, and Palo Alto. The City could craft the language as it chooses to define just cause (e.g. if tenant fails to pay rent, destroys property or owners are moving in, etc.). It could offer relocation money to help occupants find new housing similar to Mountain View which provides three months’ rent.

Examples of indirect displacement are increases in housing costs that are unaffordable to the occupant. Currently, Menlo Park property owners can raise the rent by any amount so long as they give 60 days notice. A common concern is that landlords do not need to keep up the property because they know the demand outweighs the supply of housing. Rent stabilization, similar to what Prop 13 does for home owners in limiting the amount property taxes can increase per year, could set the maximum increment of increase allowed on rental property.

Following the panel discussion, Mr. Knox turned it back to the Commission and public to ask questions. The comments and responses are summarized below.

See the project website for a copy of the discussion: [www.menlopark.org/connectmenlo](http://www.menlopark.org/connectmenlo)

## HOUSING COMMISSION MEETING SUMMARY

### COMMENTS

Question 1: If we build more housing it could help solve some of our housing problems, but people are getting displaced now. How can we build fast enough to address people being displaced now?

*Pilar Lorenzana-Campo: We can't build fast enough. We have to build and preserve at the same time. We do need to build more housing and build the right kind of housing. Looking at housing data across the Bay Area, we built 90 percent of what the rich needed and 23 percent of what the poor needed. Menlo Park is underbuilding. In the years between 2007-2013, we built 43 percent of what is needed for households earning \$77K and above, and only 20 percent of a range of housing for people earning less than \$77K. We need to start building and better use tools to protect existing residents.*

*Daniel Saver: There are creative ways to link the neighborhood preservation strategies with jobs/housing fit. We could have a time-limited rent stabilization program that would expire once the housing/jobs fit were equal. We can create innovative solutions that address the problems.*

Question 2: Thank you, this is very valuable information. In these new communities you've worked in, what is integrating the new urban villages and communities of color? How was the 60 percent of the City's affordable housing selected to be placed in Belle Haven rather than the rest of Menlo Park? How will the new 4,500 new units being planned and the cars that come with them be accommodated?

*Wayne Chen: The question we have to ask ourselves is: Does the market function for everyone? That's what public agencies face when addressing these questions. Community land trusts are being used in some cities. Not all cities have the resources to do this. A new bill has been issued that requires 25 percent of public land being sold be reserved for affordable housing. It doesn't apply to all cities or transit authorities. Inclusionary housing policy for San Jose was challenged and awaiting Supreme Court decision on whether the land use authority can be returned to the City of San Jose. Menlo Park has a density bonus that allows developers to build more densely if they supply affordable housing. Menlo Park and the region need new partnerships and mechanisms to contribute to improving the community. A commercial linkage fee is one way to do that as are development agreements.*

*Libby Seifel: In San Francisco's Eastern Neighborhoods Plan, the City of San Francisco set up area-specific impact fees that fund the community amenities. Menlo Park could explore incentives that dissuade commercial property owners to hold on to property for a long time (which has resulted from Prop 13). For example property owners could be offered a tax benefit when they sell which could open more sites up for housing. MidPen Housing looked at Silicon Valley's land trust to assess potential donation of stocks to fund a land trust. One model is the Peninsula Open Space land trust; it is a good example of how to do this.*

*When thinking about rezoning we could ask for or require dedication of land for housing as part of corporate expansion. It can be leveraged with tax credits to provide more workforce housing that is affordable. We understand the feeling that this area is being "dumped on". There are some opportunities along El Camino Real., but the M-2 area has more underutilized land. The area should be developed carefully with sensitivity to address the spectrum of housing needs that will continue to increase as the area grows. When looking at the need between housing and supply—we have been undersupplying housing for a very long time all along the coast. We need to enable developers to get through the process more quickly to build diverse housing. In North Bayshore the City of Mountain View is addressing the need for more housing and integrating it with tech center growth.*



## CONNECTMENLO

menlo park land use & mobility update

# Transportation and Bicycle Commissions Hearing

*The Transportation and Bicycle Commissions held a joint session to hear ConnectMenlo transportation-related topics on June 1, 2015 (7:00 – 9:00 pm) in the Menlo Park Senior Center at 100 Terminal Avenue.*

### **TRANSPORTATION COMMISSIONERS PRESENT**

Bianca Walser, Chair  
Philip Mazzara, Vice Chair  
Maurice Shiu  
Penelope Huang  
Adina Levin  
Jason Pfannenstiel  
Michael Meyer

### **BICYCLE COMMISSIONERS PRESENT**

William Kirsch, Chair  
Cindy Welton, Vice Chair  
Jonathan Weiner  
Lydia Lee  
Fred Berghout

### **CITY STAFF AND CONSULTANTS PRESENT**

Justin Murphy, Assistant Community Development  
Director  
Nikki Nagaya, Transportation Manager  
Rene Baile, Transportation Engineer  
Kristiann Choy, Senior Transportation Engineer  
Deanna Chow, Senior Planner  
Charlie Knox, PlaceWorks  
Rosie Dudley, PlaceWorks  
Jeff Tumlin, Nelson\Nygaard  
Jessica Alba, Nelson\Nygaard

## MEETING PURPOSE

The primary purposes of this joint Commission meeting was to learn from internationally renowned transportation planning expert, Jeff Tumlin of Nelson\Nygaard about methods to meet the City's long-term transportation goals and evaluate Menlo Park's transportation investments.

## MEETING SUMMARY

William Kirsch, Chair of the Bicycle Commission brought the meeting to order, provided an overview of the agenda, and introduced the Bicycle Commission. Bianca Walser, chair of the Transportation Commission introduced the Transportation Commissioners. Then Mr. Kirsch introduced Charlie Knox, the lead consultant hired by the City to conduct the ConnectMenlo Process. Mr. Knox provided a brief overview of the planning process and described how this meeting fits into the schedule and process, and explained that transportation policies and programs for the Circulation Element are being developed. He then introduced Mr. Tumlin who described the evolution of America's love affair with the automobile, how it has shaped our cities and our lifestyles, and how cities are addressing the resulting congestion now. He outlined 10 methods to manage parking and transportation demand—the critical tools for revitalizing city centers and creating sustainable places.

## TRANSPORTATION AND BICYCLE COMMISSIONS MEETING SUMMARY

Following his presentation, the Commissioners opened the meeting up to public comments and then provided their own comments/questions following those from the public.

See the project website for a copy of this presentation: [www.menlopark.org/connectmenlo](http://www.menlopark.org/connectmenlo)

## COMMENTS

### PUBLIC COMMENTS

Question 1: How broad is the area measured when studying per capita vehicle miles traveled (VMT)?

*Tumlin: The right metric depends on each application. It can be applied to a single development or an entire region. Cities can measure it citywide or set a different target for each neighborhood depending on their goals.*

Question 2: How do you measure VMT results?

*Tumlin: Compare it against the regional average. For example, if the target is a citywide traffic management, you can distribute that reduction and compare to existing VMT in that part of the city. It is important to understand what the data is assessing.*

Question 3: Parking costs—how do you determine the cost per spot?

*Tumlin: Estimating the cost depends on what you include in the figure and land values of an area, so they do range. Assume land has value in Menlo Park. Structured parking is usually cheaper than a surface lot parking spot but surface lots occur as a product of the development regulations. Parking spaces can generally range from \$20,000 to \$75,000 per space.*

Question 4: What do you suggest we say to shop owners to justify charging for parking since they often are opposed?

*Tumlin: Many people are still afraid to charge for parking because the shopping center parking lots are free. Most successful shopping districts don't try to compete with shopping centers and instead focus on creating their own value. The transaction of paying at a meter is more irritating than actually paying for a parking space and should be made easier for drivers. If parking is in abundance, it's OK to be free, but if there is high demand, it should have a fee. If you require every store to have a gigantic parking lot, you use up space that could be used for something else. Parking management and congestion pricing are the only ways to control congestion. Developers should decide optimal number of parking spaces needed in their developments—retail or otherwise, rather than being required to meet an outdated parking ratio requirement.*

Question 5: Very supportive of congestion pricing and Dumbarton rail. But in regard to biking more, it's just not always feasible. How can I get across the bridge on a bike? There will be more trips not less if residents have to work across the Bay. How do we keep existing residents happy and able to get to their jobs in Silicon Valley? In addition, Belle Haven residents need access from Belle Haven to Downtown Menlo Park and can't always bike if it's dark out or traveling with young children.

*Tumlin: We understand that there still will be the need to drive; not everyone will be able to bike and not drive. The policies we put forth need to make it easier for people to get around without driving and thereby reduce the number of cars on the street so driving*

## TRANSPORTATION AND BICYCLE COMMISSIONS MEETING SUMMARY

*is easier for those who do need to drive to their destinations. Multi-modal improvements and congestion pricing can get enough people off the streets to make a difference.*

Question 6: How can the Dumbarton rail be used for bike/ped and BRT/transit as well?

*Tumlin: Rail technology is not necessarily the best technology to use on Dumbarton rail. Constraints on either side in Union City and Redwood City limit how many trains can come through. It could be better served with rubber tire transit improvements that can easily fan out and connect to existing transit hubs on both sides of Bay. Think hard about what the best way to use it. The ped/bike trail should be incorporated into the ROW along with transit.*

*Councilmember Keith: The Dumbarton Rail committee was just unfunded as of last week. We can still look at trails, Congestion pricing is an excellent idea; working with the Toll Authority should be a next step.*

Question 7: Is the Nexus Study still relevant? Does it need to be updated? Currently charges \$5/Sq Ft of office/retail/commercial space.

*Tumlin: It should be updated; fees are higher now. Need to work with a real estate economist to determine the ideal fee. Make sure fee can be spent on what the community/City needs. Neighboring cities should use the same fee.*

Comment: There is desire to use VMT measurement instead of LOS and get it integrated into CEQA process. It was passed in 2013/2014, however the rule-making process has proven difficult. “Sprawl” developers resist the VMT method since it accurately shows greater impacts of building far away from existing infrastructure and requires more vehicle trips. New rules are being drafted and may not be in place until 2016. In the meantime many EIRs are underway and if they have to use LOS, it will not result in the environments we’ve identified through this process. In addition, it would be helpful to use the air quality data and analysis in conjunction with traffic analysis—huge value in using VMT over LOS.

*Tumlin: Menlo Park can move forward without the state’s decision. Other cities have adopted the VMT criteria. We can use the General Plan process to adopt the process.*

*Knox: One of the goals of the General Plan is to look at multi-modal solutions/metrics to address Menlo Park’s circulation and integrate them into the Circulation Element. Could also use multi-modal LOS that looks at more than just vehicular level of service.*

Comment: I live in Menlo Oaks near Vintage Oaks, out of the city limits. We have a safety problem at the high school which is undergoing its EIR. Public comment is open until June 22. There is congestion that reduce speeds to 15 mph which reduces collision rates. However all of the students have to cross the carpool lane to get to the buses. About 73 percent of the students are picked up by car. Only 9 percent use the bus; they are not using the bus because of lack of space and it is standing room only. About 15 percent of kids are dropped off off-campus in the middle of the street on Arlington Way which also causes a safety problem. Consider relocating the bus stop to the County of San Mateo segment of the road (500 feet) to accommodate a longer bus stop that allows for more buses to stop at once.

*Tumlin: Several government jurisdictions given geographic boundaries result in efficient/ineffective plans.*



## TRANSPORTATION AND BICYCLE COMMISSIONS MEETING SUMMARY

*Commissioners: We have heard about the bike concerns around the school and went out to bike the area. Result: buffered a bike lane and narrowed vehicle lane to encourage more bicyclists and make it safer to ride. Who is approving this EIR? Perhaps the Commissions can add it to their agenda?*

*Nagaya: Sequoia Union High School District is the lead agency. Any member of the public or the Commission as a whole can submit a comment letter. The City can respond, but it does not have jurisdiction over it.*

## COMMISSION COMMENTS

Question 1: How have other cities budgeted for improvements? With development fees?

*Tumlin: The cities that are successful go after all of the resources they can get. Menlo Park is thriving. Development should be seen as a privilege. Make development approval process predictable and achievable. Figure out how to create value and maximize total community benefits. Make it transparent to developers. Development impact fees and community benefits are key. They should help raise revenue. Facilitate self-taxation in business improvement districts. Each commercial district should raise money for shared improvements for their specific area. Accommodate housing demand near transit. Menlo Park can continue to improve in these ways.*

Question 2: How to address the public safety value in Menlo Park? There is concern that changes to roads will affect emergency vehicle response time.

*Tumlin: There is a tension between total public safety and fire safety. On the one hand we want traffic to go slower to limit collisions, but on the other we want emergency vehicles to get to fires/accidents quickly. There are far more people dying in traffic collisions than in fires. There should be multiple streets in a grid system that allow for emergency vehicles to get around quickly. Carpool lanes can be used by emergency vehicles during emergencies. Also, landscaped areas can be designed in such a way to accommodate emergency access when necessary.*

Question 3: Can impact fees pay for non-vehicle improvements?

*Tumlin: There are many cities where 100 percent of fees are going to non-vehicle/driving improvements. There are some that use it for transit operations, as well, not just capital improvements. For example, the model used in San Francisco is constructed around the nexus that looks at connections to transit and the delay to access transit. Thus it justified that operation fees (paying for more bus drivers) could be paid for with the impact fees.*

Question 4: Bicycle infrastructure is very spotty around our schools and it seems shortsighted that we're not fixing the immediate surroundings (blocks and sidewalks) around schools. Are there regional efforts to make this a priority?

*Tumlin: There are state and regional funds for Safe Routes to School (SR2S) improvements. It's most successful when the schools/cities are prioritizing improvements within these areas. However it does get politically complicated to get them prioritized.*

Question 5: Wouldn't it be great for the City to have a staff member whose job it is to bike all around town to address bicycle issues.

*Tumlin: The problem is there is a long list of problems to address and not enough capacity to address them all at once.*

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## TRANSPORTATION AND BICYCLE COMMISSIONS MEETING SUMMARY

Question 6: How similar do the transportation metrics/guidelines look across cities?

*Tumlin: Performance metrics are reflective of local values and those vary from city to city. Menlo Park needs to distill a list of objectives and identify what data is readily available to determine a short list of transportation performance metrics. Different metrics make sense on different streets—each street will have a different threshold and need for sidewalk width, tree canopy, bike facilities, etc.*

*Knox: It is a customizable set of criteria and will differ for each neighborhood or type of street. We will use this General Plan process to provide these metrics and will be providing draft policy in the coming months.*

Comment: The Transportation Commission has a General Plan subcommittee. We should provide some policy recommendations. We have a street classification system that is based on vehicles.

*Tumlin: The typical set of designations defines the street based on how cars use them. Some streets are more important for pedestrians, bikes, cars, and some are used by all modes. It's important to look at how streets serve each mode and the land uses along them; they differ based on the surrounding land uses (residential vs. commercial).*



## CONNECTMENLO

menlo park land use & mobility update

# Menlo Park General Plan and M-2 Zoning Update General Plan Advisory Committee Meeting #6.5 Summary

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*General Plan Advisory Committee (GPAC) Meeting #6.5 was conducted on June 3, 2015 (6 – 8:00 pm) in the Oak Room of the Arrillaga Family Recreation Center at 700 Alma Street, Menlo Park, CA 94025.*

### **GPAC MEMBERS PRESENT**

Peter Ohtaki, City Council (Co-chair)  
David Bohannon, At-Large  
Vince Bressler, At-Large  
James Cebrian, Parks and Recreation Commission  
Kristin Duriseti, Environmental Quality Commission  
Adina Levin, Transportation Commission  
Katherine Strehl, Planning Commission  
Michele Tate, Housing Commission  
Matthew Zumstein, Bicycle Commission

### **CITY STAFF AND CONSULTANTS PRESENT**

Justin Murphy, Assistant Community Development  
Director  
Deanna Chow, Senior Planner  
Leigh Prince, City Attorney's Office  
Charlie Knox, PlaceWorks  
Rosie Dudley, PlaceWorks  
Terri McCracken, PlaceWorks  
Eric Panzer, PlaceWorks

## MEETING PURPOSE

The primary purposes of the meeting were to present the results of the community amenities survey, review the May 2 and 7 open houses as well as recent commission presentations and related meetings, discuss final changes to the M-2 Area maximum potential development for inclusion in the Notice of Preparation for the Environmental Impact Report, and review the project schedule and upcoming meetings.

PlaceWorks Principal Charlie Knox and Senior Associate Rosie Dudley welcomed everyone and conducted the meeting presentation, which included the following review topics and issues for discussion:

- May 2 & 7 Open Houses
- Budget, Housing & Transportation Meetings
- M-2 Area Maximum Potential Development & Draft Notice of Preparation
- Community Amenities Survey Results
- Upcoming ConnectMenlo Schedule

## GPAC MEETING #6.5 SUMMARY

As the presentation progressed, Charlie Knox solicited feedback from the GPAC members and members of the public on the various topics of the meeting. See the project website for a copy of this presentation: [www.menlopark.org/connectmenlo](http://www.menlopark.org/connectmenlo)

## COMMENTS

Committee members and members of the public were asked to provide feedback on the topics discussed in the presentation and then make a recommendation to the City Council and Planning Commission on the M-2 Area Maximum Potential Development map.

In addition to how the City's budget gets allocated which was addressed at the City's Budget 101 meeting, people want to have greater transparency in revenues and expenditures throughout the City.

*Consultant Response:* Noted.

Are housing/renter protections something that can be accomplished through the General Plan Update process?

*Consultant Response:* Policies directing the City to explore these options are already in place through the Housing Element, but additional policies could be considered through the General Plan Update.

Will housing issues and renter protections be presented as an agenda item before the City Council? It would be great if Housing Panel could be repeated for the Council.

*Consultant Response:* The notes from this GPAC meeting will be made available to the City Council, and will serve as an opportunity to engage the Council on this issue. The panel discussion was videotaped and will be available online.

Will the environmental review result in a negative declaration?

*Consultant Response:* No, there will not be a negative declaration because it is anticipated that the General Plan Update will have the potential for environmental impacts that need to be studied in depth. Therefore an EIR, the highest level of environmental review, will be conducted.

For the parcels along Haven Avenue that have been identified to have their land uses changed on the Maximum Potential Development map (Preferred Alternative), would they be office only or would they be mixed use?

*Consultant Response:* Based on the request of the property owner, the parcels could be office but the desired land use on the corner parcel would be mixed use offering flexibility for residential and ground-floor commercial.

How would the changes to the parcels along Haven Avenue affect the overall balance of jobs and housing, which is very important for the issues of traffic and displacement? With a variety of price points for housing, people are less likely to have to leave; and if you have more housing, it's less likely someone new will outbid someone else for housing.

*Consultant Response:* Other than a situation where a large employer can condition employees living in a certain location and/or not using single-occupant vehicles to get to work, having a larger amount of housing presents more

## GPAC 6.5 MEETING SUMMARY

opportunities to prevent displacement and car commuting. Menlo Park and Silicon Valley in general are underbuilt for all levels and types of housing. People who are choosing to drive long distances to work don't have housing available, even at higher price points. The Maximum Potential Development map (Preferred Alternative) does not include any decisions about what type of housing will be built (e.g., 1-bdrm, 2-bdrm, etc.). The market will decide that, and the area is short on all types of housing.

If the additional parcels along Haven are included as change areas, consideration should be given to matching the building heights of the proposed adjacent residential structures.

*Consultant Response:* This area could be noted as allowing a maximum of two stories, or another appropriate height, for office structures.

Does the number of stories in proposed buildings make a significant difference with respect to jobs housing balance and jobs housing fit?

*Consultant Response:* Changes in development in the Haven Avenue area specifically won't make much difference with respect to the overall M-2 Area. Across the entire M-2 Area, the number of housing units we are studying is 4,500. In general, shorter buildings would be more spread out on the landscape, with less open space between them. Going from 8 to 6 stories while maintaining the same amount of housing units or commercial space won't eliminate a large amount of open space, but going from 8 stories to 2 stories would.

Is the total amount of new commercial space closer to 2 million square feet or 2.5 million square feet?

*Consultant Response:* The total of 2.5 million includes roughly 500,000 square feet that would come from new hotels. There are currently approximately 8.75 million square feet of commercial space existing "on the ground" and this could increase to approximately 10.5 million square feet under the existing General Plan.

How were Belle Haven residents identified in the community amenities survey? According to the results, 136 Belle Haven residents responded. The survey required respondents to put down their address, in addition to another question that asked respondents if they were a Belle Haven resident. Was the number of Belle Haven respondents determined by address or by response to this latter question? Additionally, was there any effort to determine whether any of the addresses used were for a public place that was used to gather survey responses, such as the Senior Center? Finally, is it possible to see the answers that were provided by Belle Haven residents who gave their addresses, specifically?

*Consultant Response:* The detailed summary of the survey responses shows that there were 53 respondents that registered (and thus provided their specific addresses) on the online survey. The rest of the respondents (excluding 37 respondents) did not provide exact addresses, but did respond to the question about where they lived. We have not isolated the responses of Belle Haven residents nor verified addresses.

The necessity of new hotels has been discussed at prior meetings and several good justifications were presented by property owners. The effort to include hotels appears to have been driven by commercial interests rather than citizens or the City. Can the City comment on the necessity of hotels and how they will benefit residents of Belle Haven and Menlo Park?

## GPAC MEETING #6.5 SUMMARY

*Consultant Response:* In addition to keeping business travelers in Menlo Park, and thereby reducing auto trips, hotels provide the City with transient occupancy tax. This tax is one of the largest sources of tax revenue that the City has the right to assess, and these revenues go directly to the City. This source of revenue is therefore potentially very large and could be very beneficial for the City.

Recent informational and public meetings have been phenomenal, but how does the City respond to the concern there were multiple meetings per week, making it hard for people to attend all of them?

*Consultant Response:* These additional public meetings were added to the project in an effort to give people additional opportunities to engage, but in order to avoid excessive delays in the project schedule, it was necessary to schedule them as efficiently as possible. People might not have been able to attend all meetings, but the intent was to rapidly respond to the need to provide additional opportunities for public engagement before proceeding with the remainder of the project. Summaries of all of the meetings will be available on the ConnectMenlo website and recordings as well as summaries of the Commission meetings will be available online, as well.

With regard to housing and increases to housing, it would be helpful to have a side-by-side slide that illustrates the number of existing and planned housing units in different neighborhoods in Menlo Park.

*Consultant Response:* At the Housing Commission meeting, we distributed a handout that shows the existing housing and demographics in Belle Haven and Citywide. This is available online:  
<http://menlopark.org/DocumentCenter/View/7274>.

With regard to below market rate housing in-lieu fees, it would be ideal for those funds to be directed toward the creation of more housing. For example, rather than accept fees to allow a project to offset a fraction of an affordable unit, existing funding could be used to finance the construction of one additional affordable unit.

*Consultant Response:* Going forward, the City could explore a variety of ways to address the need for affordable housing. Specific policies for affordable housing are already part of the Housing Element, but additional policies could be adopted as part of the General Plan Update.

Are there currently proposals on the table to build 1,000 units of housing in the Jefferson area, as shown for the current preferred land use alternative?

*Consultant Response:* Among the mixed use portions of the Jefferson area you could fit up to 1,000 units of new housing, but there are no specific proposals being put forward yet.

*GPAC Response:* If you add up the entire Jefferson area, it's about 20 acres. Given the current density needs for projects to pencil out, it is necessary to develop at a level of at least 80 to 100 units per acre. At that density level the Jefferson area could see 1,600 to 2,000 units of new housing. However, the area is more likely to be a mix of office, housing, and some sort of supportive retail. Landowners think that this would be a positive outcome for the district and support moving in the direction of a mix of hotels, housing, and retail as part of a mixed-use urban environment.

## GPAC 6.5 MEETING SUMMARY

Conceptual renderings of 8-story buildings got people's attention in a negative way, but it is important to consider that height can be done well or done poorly. Higher buildings can allow for additional open space and more sensitive siting of buildings that takes into account topography and other natural features.

*Consultant Response:* The project process is not yet at the point of addressing these sort of specific design considerations, but they can be incorporated into in the zoning regulations and design standards for the M-2 Area.

What is the status of efforts to pursue creative zoning approaches? During economic development conversation the GPAC discussed transferable development rights (TDR, also referred to as "air rights") like they have in San Francisco. GPAC is being asked to make decision about heights without information about how exactly the taller buildings would be located and integrated. With respect to TDR, the understanding is that you can set a maximum that allows three stories by right, and if you want to go above three stories you need to add community benefits or potentially purchase air rights.

*Consultant Response:* Addressing this specific issue at this time blurs the boundary of where the decision-making should occur. Creating a degree of certainty is very important in communities so that citizen can feel confident about what will happen in the future and building heights are therefore important. The visualizations focused on illustrating the building heights so that people could directly address the potential built realities of allowing buildings of this size. A result of these images was additional public meetings to address this and other issues. Nevertheless, the purpose of the GPAC's discussion tonight is not the come up with specific zoning standards, and it is not possible to determine with complete certainty what the market will propose or build. The purpose of the GPAC's discussion is to decide what the maximum height will be for study purposes. The overall policy direction of allowing up to a certain height, and then allowing additional height with certain community benefits and amenities needs to be discussed further. The potential increases in height serve as a tool to motivate property owners and developers to provide these amenities.

*GPAC Response:* Developers and community want to know: What will the new development be required to provide? From the developer side, development sounds good, but developers want to know what they will be required to provide to develop in a certain way? An amorphous notion of what will be required is a problem for developers because it leads to potentially long, painful negotiations. Additionally, developers and property owners pay for land based on the development potential, requirements, and expected return on investment. More uncertainty makes land purchases more risky and can cause people to overpay for land.

Given that the next step in the General Plan Update process is the EIR, isn't the goal and purpose to determine what the maximum amount of allowed development will be and how that will be zoned for?

*Consultant Response:* Yes, the Maximum Potential Development map (preferred alternative) for the M-2 Area's land use will set the maximum amount of development to be analyzed in the EIR. This will translate into the level of benefits needed or other standards, such as limits on single-occupancy vehicle trips or water use. Creating the zoning regulations is the next step, but it's not possible to begin crafting the zoning until after decisions have been made about the overall maximum development potential. Eventual decisions about levels of community benefits and amenities will be decided on comprehensive analysis of land values, construction costs, pro formas, and project feasibility. An underlying purpose of the General Plan and Zoning update, as articulated by Council, is to get negotiations out of the way and have clear objective tools for defining community benefits for particular projects.

When is the EIR going to be prepared and when would it "hit the streets?" In the meantime, will the GPAC begin discussions regarding draft policies and programs, and will one of those be a draft discussion around public benefit pricing? Perhaps not with actual numbers, but with an approach that allows a dialog to start.

## GPAC MEETING #6.5 SUMMARY

*Consultant Response:* The EIR will be worked on over the course of the summer and fall and is expected to hit the streets in January. There will be a variety of internal drafts in the meantime, but January is when the Public Review Draft EIR will be made available. During this time there will be an effort to determine what would be allowed by right and what would be allowed based on provision of community benefits. The GPAC will review draft goals, policies and programs in late June. However, final decisions about zoning and public benefits will not be made until July 2016.

Previous projects have been subject to long and laborious processes to determine community benefits on a project by project basis. There is a strong desire to ensure that a long and drawn out process to determine community benefits does not occur at the tail end of the project in spring of 2016. Efforts to determine appropriate levels of community benefits should begin this summer. The process should therefore try to determine what types and levels of community benefits could be derived from the agreed upon maximum amount of development.

*Consultant Response:* This issue raises an important overarching issue, which is that a goal of the project is for applicants to be able to know what they will be allowed to build on a particular parcel and what they will be expected to provide in community benefits. For certain projects, applicants and the City Council would still have an opportunity to engage on precisely what community benefits are provided.

Menlo Park is conducting a nexus study, along with some other nearby communities. How does the nexus study process fit in with the General Plan Update?

*Consultant / City Response:* The purpose of the nexus study is to establish the connection between development activity and what that produces with regard to housing demand and other aspects of the local economy. For example, one tech or life sciences job could create four spinoff jobs. Making this determination helps to set fees for things such as affordable housing. This current nexus study is the affordable housing nexus study; this will help the City determine whether and how to change the established fee for the specific purpose of affordable housing.

It is difficult to decide whether or not to study 8 stories because on the one hand this height seems too tall and could create impacts that are too great. On the other hand, having 8-story buildings could provide additional benefits or allow greater flexibility to have more open space or other amenities. Although an average of 4.5 stories seems like a good idea, there appears to be too much uncertainty to decide about 8-story buildings.

*Consultant Response:* It was felt by some that 8 stories would be excessive for the areas to the east of Willow, and that 6 stories for residential would be a more appropriate maximum height—other aspects of built form notwithstanding. Building height discussions have noted the desire to step back away from existing residential areas and corridors like Willow. We could specify that commercial buildings could not be taller than the highest residential structures.

*Consultant Response:* Comment noted.

What was the outcome of discussions regarding the possibility for 8-story buildings in the area east of Willow? Alternatively, could seven story buildings be allowed as a compromise in the areas away from Willow and closer to Bayfront? Has Facebook commented on the building heights they would pursue?

*Consultant Response:* It was felt by some that 8 stories would be excessive for the areas to the east of Willow, and that six stories for residential would be a more appropriate maximum height—other aspects of built form notwithstanding.



## GPAC 6.5 MEETING SUMMARY

*Facebook Response:* Specific designs for new buildings have not yet been considered, but the heights of new office structures could be in the range of 3 to 4 stories. At this point, Facebook has no intent to build 8-story structures and is aiming for 3 to 6 stories. While 8 story buildings are feasible options, Facebook is not looking to pursue that option.

Increasing the average height to 5.5 stories was a big change that would have affected the building massing in the area east of Willow; and this was done with limited public input. Returning to the previous average of 4.5 stories would be more appropriate, especially given that there was insufficient conversation about the change to 5.5 stories. Allowing heights of 3 to 6 stories with an average of 4.5 seems the best approach.

*Consultant Response:* Based on response from GPAC and Facebook, the GPAC could elect to recommend returning to the average of 4.5 stories. Both sides of Willow Avenue could be shown as 3 stories of residential above retail.

Although this will set the parameters of what will be studied, this does not set anything in stone. Although this sets the maximum of what could be built, the City could elect to do less with the final plan. However, if suddenly peopled wanted considerably more development, it would not be possible if it wasn't shown in the Maximum Potential Development map and included in the EIR analysis.

*Consultant Response:* Although it is unlikely that the maximum buildout as studied would occur, it is possible for the City to eventually allow higher levels of development, or larger buildings, if the City decides to amend the General Plan in the future; it can amend it up to four times a year under State law.

Would the parcels along Willow include 8 story structures, leading to 8-story buildings immediately on Willow?

*Consultant Response:* The current vision, which was reflected in the renderings is to have three stories of residential above ground-floor along Willow Road at the Mid-Pen and former Prologis site. As you get further from the building frontage on Willow, heights could gradually step up to the allowed maximum.

- Above 6 stories it becomes very difficult for buildings to achieve net-zero energy use. The State will phase a requirement for net-zero energy in 2020, and this process needs to be cognizant of energy needs for buildings and their ability to be net-zero. It is important to support transit and lower carbon footprints, but it is also important to weigh the ability of buildings to generate their own energy under what will be State law.

## GPAC RECOMMENDATIONS TO CITY COUNCIL & PLANNING COMMISSION

Based on the input of the community and the GPAC's discussion, the GPAC recommends the Maximum Potential Development map (Draft Preferred Alternative) be amended with the following changes; 8-1, with Zumstein opposed and Bims, Butz, Mueller and Royse absent.:

- Expand the office and mixed use land uses to a small portion of parcels along Haven Avenue, opposite of the hotel and mixed use area, to create greater flexibility for future development in the area. Revert the area east of Willow Road to a maximum height of six stories, with an anticipated range of 3–6 stories for most areas, and an overall average height of 4.5 stories.

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**300-309**  
**CONSTITUTION DRIVE**

*FACEBOOK BUILDINGS 21 & 22*

*Prepared By:*  
*Gehry Partners, LLP*

*Development Application*  
*May 12, 2015*

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## PROJECT DESCRIPTION

### 301-309 CONSTITUTION DRIVE (FACEBOOK BUILDINGS 21 & 22)

#### I. INTRODUCTION

The proposed project involves the redevelopment of the existing 58 acre industrial site known as the TE Connectivity campus (formerly owned by Tyco Electronics Corporation ("TE")) with two new office buildings and an event space. In addition, the proposed project would enhance open space and connectivity through the former TE campus site by providing an approximately five-acre publicly accessible green space and a new pedestrian and bicycle bridge over Bayfront Expressway connecting the Belle Haven neighborhood to Bayfront Bedwell Park and the Bay Trail. The project sponsor is also evaluating the feasibility of developing a new, limited-service hotel on the site, which is included in the application and reflected in the site plan. Hibiscus Properties, LLC (a wholly-owned subsidiary of Facebook, Inc. ("Facebook")) is the project sponsor.

The site is located at 300 to 309 Constitution Ave within the City of Menlo Park. The site is bounded by Chilco Street to the west and the south (in part), Bayfront Expressway to the north, and Giant Properties, LLC's (also a wholly-owned subsidiary of Facebook, Inc.) new Building 20 (formerly known as the West Campus) to the east. A portion of the site abuts the Dumbarton rail corridor to the south.

## II. PROJECT OBJECTIVES

The Project has been designed to meet the following objectives:

- Expand the Facebook campus in a responsible way within Menlo Park.
- Develop a highly connected campus that provides flexible work space.
- Minimize traffic and greenhouse gas emissions by providing multiple transportation options to employees.
- Use highly-sustainable design techniques to promote energy and water efficiency.
- Connect the campus to the community by including public open space.
- Create a pedestrian/bicycle-friendly environment that enhances connectivity between the Belle Haven neighborhood and Bedwell Bayfront Park and the Bay Trail.
- Rehabilitate an existing industrial site and remediate hazardous materials where appropriate.
- Provide new green spaces, and increase habitat and landscaped areas with native, drought-tolerant plant species.

## III. EXISTING CONDITIONS AND SITE HISTORY

The site was formerly owned by Tyco Electronics (TE), and comprises ten existing industrial and warehouse buildings comprising approximately 1,020,300 square feet, as well as 728,740 square feet of surface parking (1,690 spaces). TE (and its predecessor Raychem before it) used and continues to use the site primarily for industrial activities. Pentair Thermal Controls also leases one of the buildings on the site. The TE Site is zoned M-2 (General Industrial) and M-2-X under the City's General Plan and can be built out to approximately 1,142,968 square feet of office space under the allowable 0.45 FAR.

In December 2014, the Planning Commission approved a conditional use permit to convert an existing approximately 184,460 square foot warehouse building (inclusive of mezzanine space which is slated for removal) located on the southwestern portion of the site for office uses without adding any additional net new square footage. That building is located at 300 Constitution Drive and is known as Facebook Building 23. It will contain approximately 180,108 square feet of floor area upon occupancy. The renovation of Building 23 is expected to be completed in the first quarter of 2016.

## IV. PROPOSED PROJECT

### A. OFFICE AND HOTEL USES

The proposed project provides for the demolition of nine existing buildings (comprising approximately 835,838 square feet of floor area) and construction of two new office buildings containing approximately 985,719 square feet, resulting in a net new addition of approximately 149,881 square feet of space. Building 21 would contain approximately 523,226 square feet of office and event uses and be located on the eastern portion of the site. The event space would be utilized for internal Facebook events and have the capacity to hold up to 2,000 people. Building 21 would be constructed as the first phase of the project. Building 22 would involve approximately 453,417 square feet of office uses and be located on the western portion of the site. Building 22 would be constructed as the second phase. Maximum building heights would be capped at 75'. When combined with the office space located within Building 23, the total office use at the site will be 1,165,827 gross square feet at an FAR of 0.45 (2% of this square footage would be used for mechanical and other spaces that do not count as occupied floor area). Building coverage would be approximately 50%.

As part of a future phase, the proposed project also contemplates a 200 room limited service hotel that would be located in the northwest corner of the site. That hotel would include approximately 174,800 square feet, and bring the proposed development FAR to just under 0.55.

The proposed office buildings would be consistent with the existing General Plan and M-2 General Industrial Zoning District, which allows office uses at a FAR of up to 0.45. A rezoning would be required in order to exceed the maximum 35' height limit and accommodate the proposed hotel.

### B. DESIGN APPROACH

The proposed design for the new office buildings embodies a similar approach to the newly completed Building 20. Parking is proposed to be provided at grade, with the main office spaces elevated above on a second level and limited mezzanine spaces planned on level three. This approach is intended to address the flood constraints on this site, which is located within an A1 Flood zone.

Buildings 21 and 22 are designed as rectangular buildings oriented in an east/west direction. The façades will have large curtain wall areas with bird friendly glazing periodically interrupted by enclosed walls, with exterior elevated terraces extending off the main building envelope shape. The perimeter of the buildings will have exposed open stairways for exiting on the north and south façades. The interior of the buildings will have a large floor to floor space with ample daylight from skylights and exterior glazing. The interior spaces will be divided by groupings of conference rooms.

The proposed project is organized around a public open space and pedestrian and bicycle corridor that runs through the middle of the site. This will allow visual permeability from the Belle Haven community north to the Bay from multiple locations. The proposed project would also include construction of a new pedestrian and bicycle bridge over Bayfront Expressway to allow for safe and convenient access to the Bay Trail and Bedwell Bayfront Park from the Belle Haven neighborhood. The perimeter of the site will have a generous landscaped buffer that includes bicycle and pedestrian pathways separated from the vehicle access roads.

#### C. SUSTAINABILITY

The project would employ sustainability strategies similar to those used in the construction of Building 20 such as the use of native and drought tolerant plant species, the installations of energy and water efficient conservation systems, and the use of recycled materials. Bird-safe design principles would be utilized where appropriate. The project contemplates pursuit of LEED gold equivalency with respect to the construction and performance of Buildings 21 and 22. Green roof parks are also being considered for both of the new office buildings.

#### D. ACCESS, CIRCULATION, CONNECTIVITY, AND PARKING

Access to the site is proposed from Constitution Drive and a new signalized intersection along Bayfront Expressway at the mid-point of the site. The circulation plan for the proposed project is in the early stages of development, and more traffic analysis is required to refine these concepts. A vehicular connection on the east end of the site to Building 20 is also being contemplated.

The buildings will be connected to one another and to the existing Building 20 to maintain effective employee access. These connections are likely to take the form of open bridges and other architectural features.

On-site circulation is intended to support a highly-connected, pedestrian-oriented environment. Pedestrian and bicycle paths will connect the new office buildings on the site to Building 20, as well as Facebook's Buildings 10 through 19 located on the other side of the Bayfront Expressway (formerly known as the Facebook East Campus). Facebook is also exploring additional intra-campus connectivity methods to enhance circulation and intends to expand an existing on-campus bicycle share program. Through-campus circulation will be provided for buses and private vehicles. Emergency vehicle access will be provided along the outside perimeter of the office buildings with access to the public open space from the south, as well as a connection to Chilco Street near the existing fire station. These routes for the proposed project will also connect with the existing emergency vehicle access routes that serve Building 20, and may provide access to the surface parking proposed for the project. The frontage along Chilco Street would also be improved as part of the proposed project.

Facebook proposes to add 2,196 surface parking spaces including spaces for handicapped, electric vehicles, van pools, and other modes of transportation, which would bring the total number of parking spaces on the site (including those that serve the existing Building 23) to 3,886.

Facebook is also studying the feasibility of activating the existing Dumbarton rail corridor which abuts the site, while preserving the viability of commuter rail operations in the future. Potential uses could include a new pedestrian/bicycle pathway adjacent to the rail. Although the City of Menlo Park does not have jurisdiction over the Dumbarton rail corridor and any proposed reuse of the rail line would be analyzed as a separate project, Facebook desires to work with the appropriate public agencies and coordinate these studies concurrently with the processing of the proposed project.

#### E. TRANSPORTATION DEMAND MANAGEMENT

Facebook will continue to implement its aggressive and highly-effective transportation demand management program to minimize adverse effects to the community from traffic, and is exploring a number of alternatives to reduce peak hour employee trips (and particularly trips from single occupancy vehicles). An Environmental Impact Report will be prepared pursuant to the California Environmental Quality Act for the proposed project, and Facebook anticipates that additional traffic reducing measures will be incorporated into the required analysis of feasible alternatives and mitigation measures.

#### F. PHASING

The proposed project would be constructed in phases. Facebook anticipates applying for a conditional development permit to construct Building 21 first in order to meet its near-term needs. The proposed open space and pedestrian/bicycle bridge is presently anticipated to be constructed as part of this first phase. The second phase of development would involve Building 22, which due to existing leaseholds will follow thereafter. Facebook does not presently intend to apply for any permits in the near term for the western portion of the TE site (Building 22 and the hotel) but desires to propose a preliminary master plan for the entire TE site in conformance with the General Plan that permits the plan to be included in the environmental review.

#### V. PROJECT APPROVALS

Upon certification of the EIR, it is anticipated that the following approvals by the City would be required:

- **Zoning Ordinance Amendment.** A zoning ordinance amendment would be required in order to allow the development of a hotel and extend the M-2 zoning district's 35 foot height limit.
- **Conditional Development Permit.** A CDP would be required to establish development regulations, such as a new height limit.
- **Development Agreement (TBD).** Facebook may consider requesting a Development Agreement with the City to create vested rights in project approvals. If requested, the Development Agreement would require approval by the City Council.
- **Architectural Control.** Architectural Control approval would be required for design review of the specific development proposed for Buildings 21 and 22.
- **Lot Line Adjustment/Lot Merger/Parcel Map.** A lot line adjustment, lot merger or parcel map may be required.
- **Tree Removal Permit.** A tree removal permit would be required for each heritage tree proposed for removal.
- **Mitigation Monitoring Plan.** Approval of the mitigation measures identified in the EIR and the Mitigation Monitoring Plan would be required by the City Council.





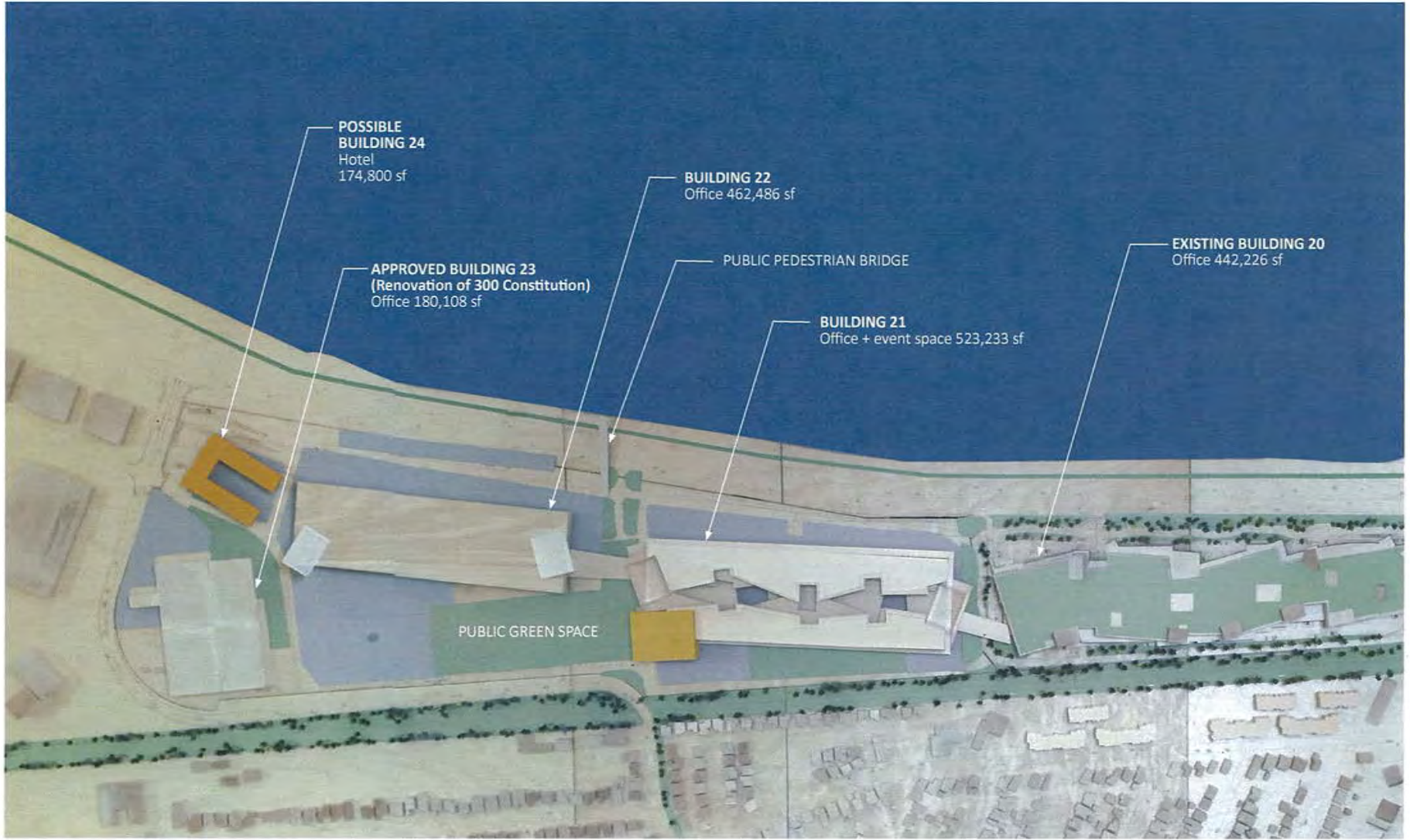
301-309 CONSTITUTION DRIVE - DEVELOPMENT APPLICATION  
FACEBOOK BUILDINGS 21 & 22  
GÉHRY PARTNERS, LLP  
MAY 12, 2015

AERIAL SITE VIEW LOOKING NORTH



301-309 CONSTITUTION DRIVE - DEVELOPMENT APPLICATION  
 FACEBOOK BUILDINGS 21 & 22  
 GEHRY PARTNERS, LLP  
 MAY 12, 2015

SITE OVERVIEW



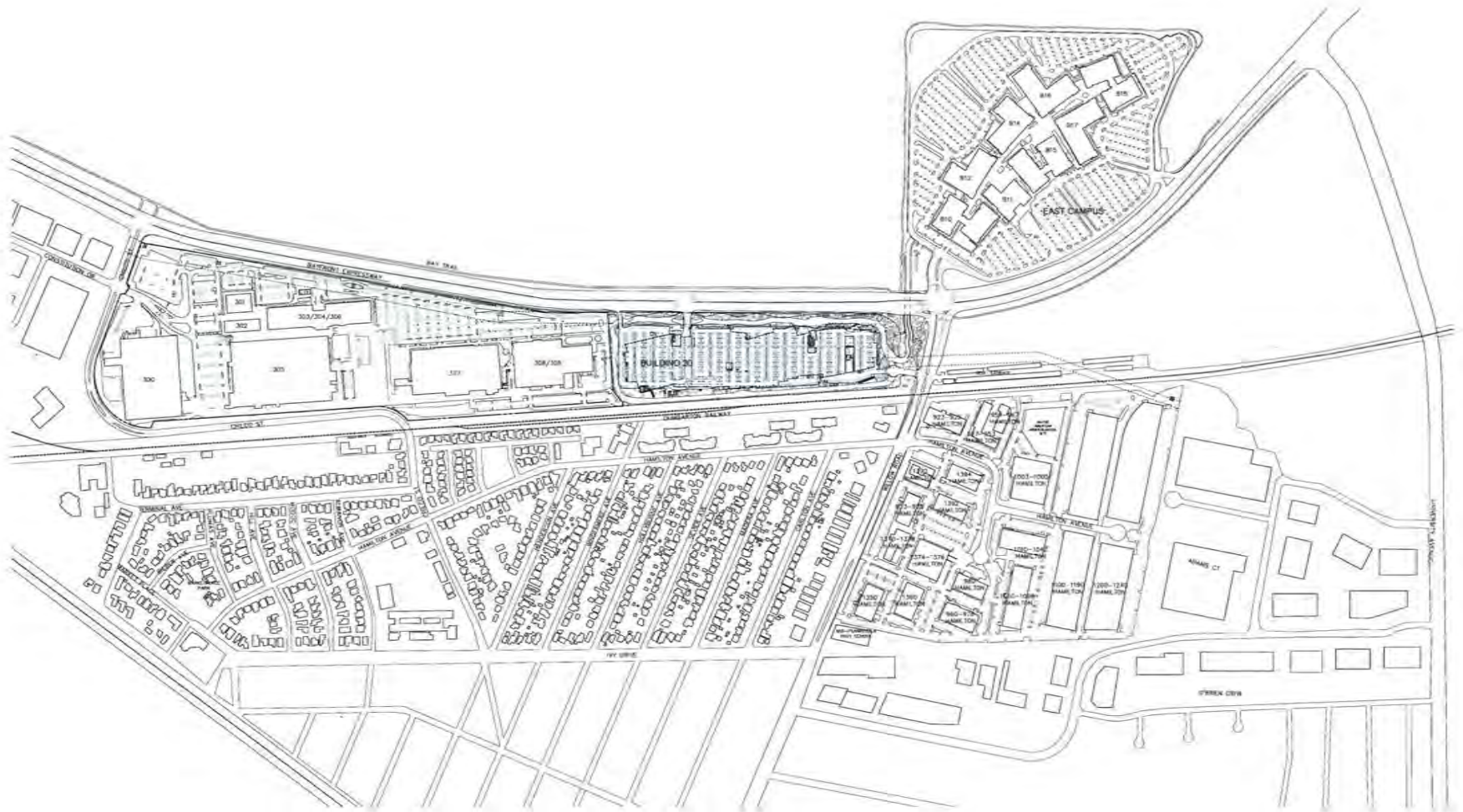
301-309 CONSTITUTION DRIVE - DEVELOPMENT APPLICATION  
 FACEBOOK BUILDINGS 21 & 22  
 GEHRY PARTNERS, LLP  
 MAY 12, 2015

ANNOTATED SITE MODEL

**PRELIMINARY DATA SHEET**

<b>LOCATION:</b> 300-309 CONSTITUTION DRIVE, MENLO PARK, CALIFORNIA						
<b>EXISTING USE:</b> WAREHOUSE/OFFICE USE				<b>APPLICANT:</b> HIBISCUS PROPERTIES, LLC		
<b>PROPOSED USE:</b> OFFICE WITH AN OPTION FOR HOTEL				<b>PROPERTY OWNER(S):</b> HIBISCUS PROPERTIES, LLC		
<b>ZONING:</b> M2				<b>APPLICATION(S):</b> DEVELOPMENT APPLICATION		
<b>DEVELOPMENT STANDARDS</b>		<b>PROPOSED DEVELOPMENT</b>		<b>EXISTING PROJECT</b>		<b>M-2 ZONING ORDINANCE</b>
LOT AREA	2,539,928	SF	2,539,928	SF	NA	SF MIN
AVERAGE LOT WIDTH	3,100	FT	3,100	FT	NA	FT MIN
AVERAGE LOT DEPTH	820	FT	820	FT	NA	FT MIN
<b>SETBACKS</b>						
FRONT (NORTH)	60	FT	60	FT	20	FT
REAR (SOUTH)	21	FT	21	FT	0	FT
SIDE (WEST)	46	FT	46	FT	10	FT
SIDE (EAST)	72	FT	81	FT	10	FT
<b>BUILDING COVERAGE</b>						
COVERAGE: (INCLUDES BUILDING ENCLOSURE & EXTERIOR)	1,142,968	SF	823,365	SF	1,142,968	SF MAX
	45%		32%		45%	MAX
<b>FAR (FLOOR AREA RATIO) OFFICE USE</b>	45%		40%		45%	
<b>FAR (FLOOR AREA RATIO) OFFICE USE + HOTEL</b>	52%					
<b>BUILDING COVERAGE</b>						
EXISTING BUILDINGS 301-309 CONSTITUTION AVE	NA	GSF	835,838	GSF		
BUILDING 23 - 300 CONSTITUTION RENOVATION	180,108	GSF	184,438	GSF		
BUILDING 21 - OFFICE BUILDING	523,233	GSF	NA			
BUILDING 22 - OFFICE BUILDING	462,486	GSF	NA			
POSSIBLE BUILDING 24 - HOTEL	174,800	GSF	NA			
<b>TOTAL SQUARE FOOTAGE FOR BUILDINGS</b>	<b>1,340,627</b>	<b>GSF</b>	<b>1,020,276</b>	<b>GSF</b>		
<b>BUILDING HEIGHT</b>	75	FT	73	FT		
<b>PARKING</b>						
PARKING PROVIDED ON SITE	3,886	SPACES	1,690	SPACES		
CALCULATED BASIS FOR PARKING:	OFFICE SPACE: 1 SPACE /300 SF, HOTEL 1 SPACE /ROOM + EMPLOYEES					

FLOOD ZONE - AE  
 BASE FLOOD ELEVATION (BFE) 10.3' NAVD '88  
 ALL ELEVATIONS REFER TO NAVD '88



101-309 CONSTITUTION DRIVE - DEVELOPMENT APPLICATION  
 4400 CONSTITUTION DRIVE, # 22  
 COUNTRY PARTNERS, LLC  
 MAY 13, 2013

EXISTING REGIONAL PLAN

**EASEMENT INFORMATION**

- ① PG&E EASEMENT
- ② WATER LINE EASEMENT
- ③ SANITARY SEWER EASEMENT
- ④ ROADWAY EASEMENT

**LEGEND**

- PROPERTY LINE
- - - EASEMENT

**AREA**

58.31 ACRES

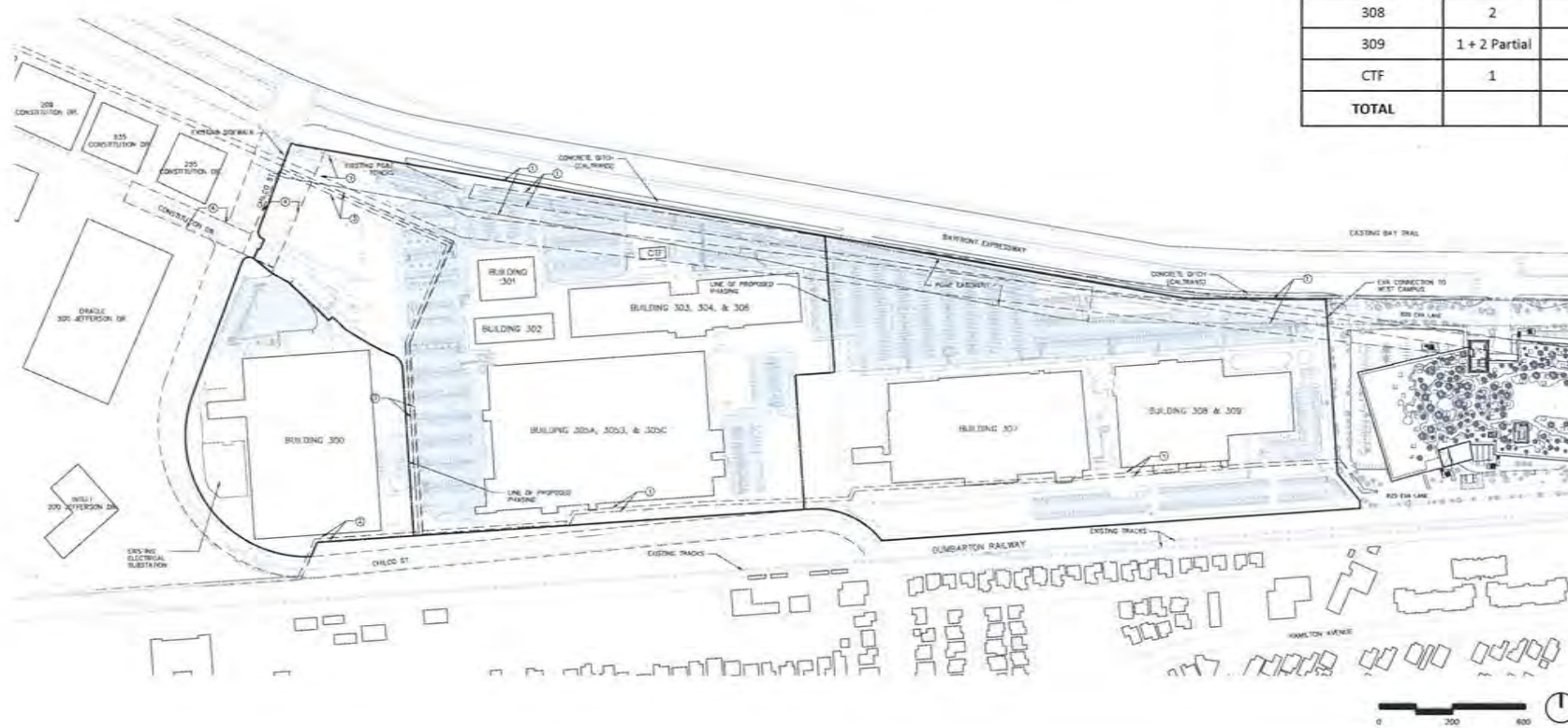
**EXISTING PARKING COUNT**

COMPACT PARKING	- 8
MOTORCYCLE PARKING	- 5
SECURITY PARKING	- 1
SERVICE VEHICLES PARKING	- 7
HANDICAP PARKING	- 29
STANDARD PARKING	- 1640
TOTAL	- 1690

**FLOOD\_ZONE**

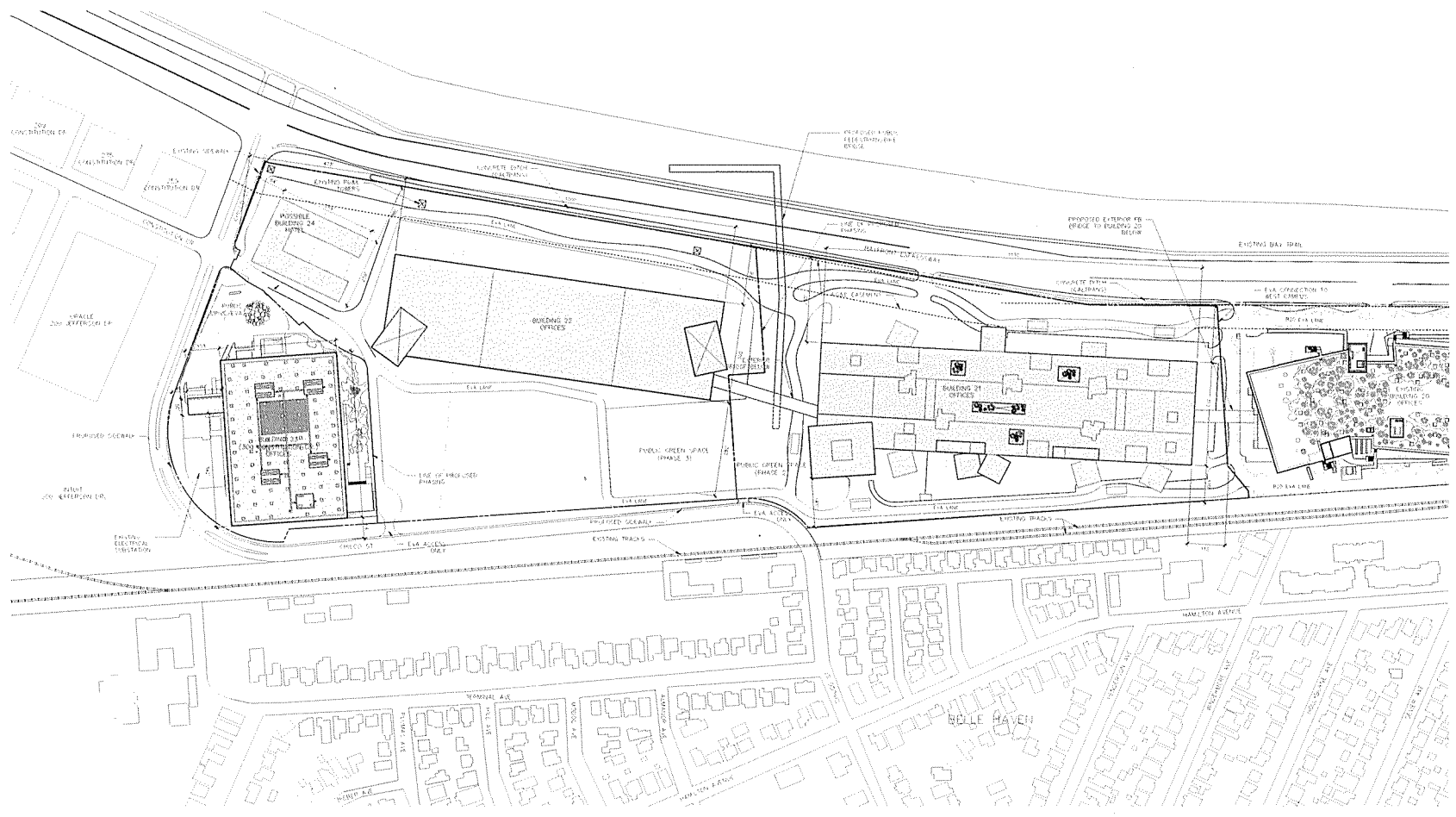
FEMA\_ZONE AE  
 BASE FLOOD ELEVATION IS 10.3 FEET (H&V 88)  
 \*PER FLOOD INSURANCE STUDY BY FEMA, OCTOBER 16, 2012

EXISTING SITE BUILDING AREAS		
BUILDING	# OF LEVELS	BUILDING SF
300	1 + 2 Partial	184,438
301	2	34,465
302	2	30,174
303 + 304 + 306	1	155,095
305A+305B+305C	1 + 2 Partial	289,718
307	1 + 2 Partial	156,414
308	2	120,029
309	1 + 2 Partial	47,708
CTF	1	2,235
<b>TOTAL</b>		<b>1,020,276</b>



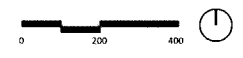
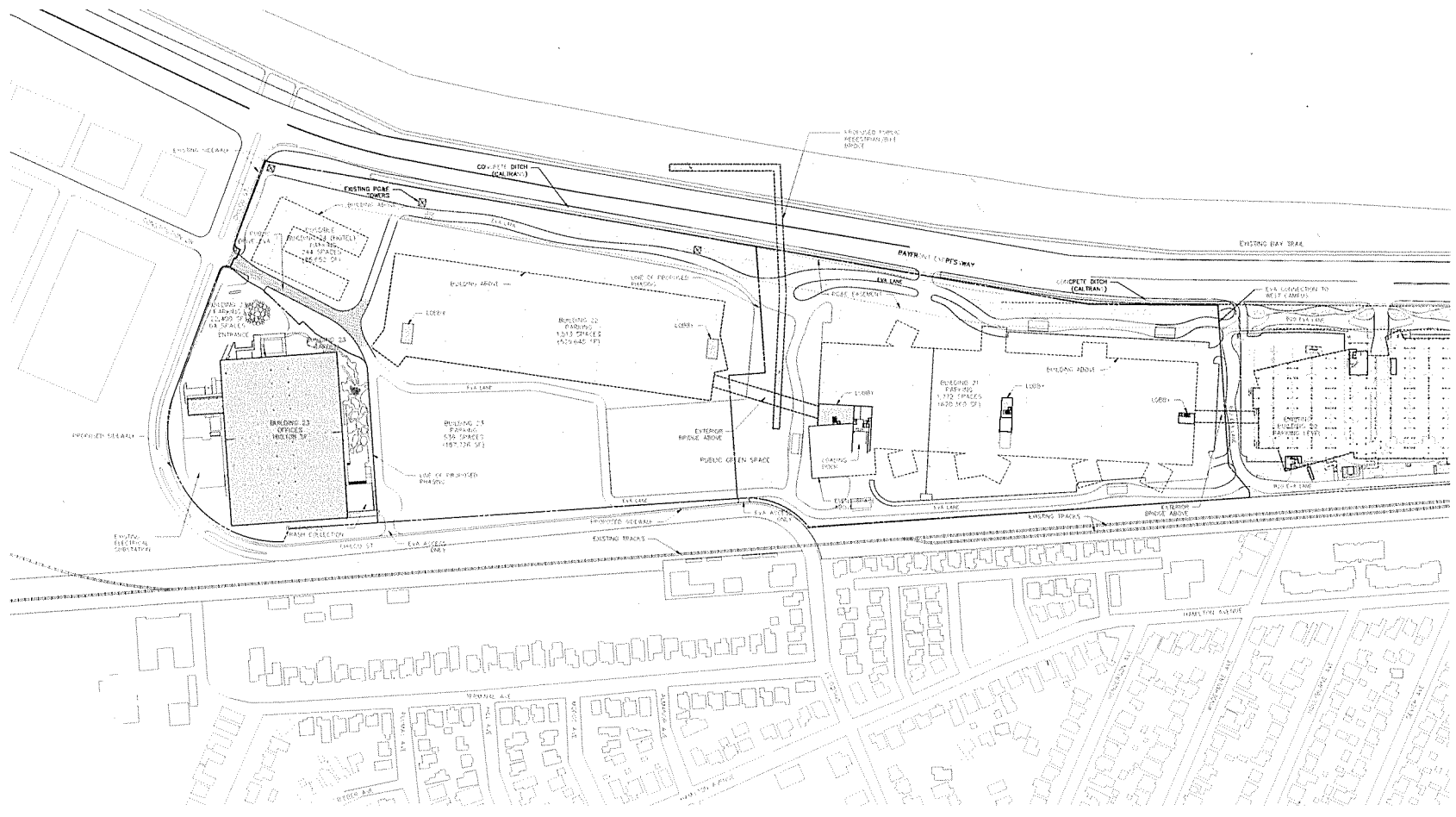
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 FACEBOOK BUILDINGS 21 & 22  
 GENRY PARTNERS, LLP  
 MAY 12, 2015

EXISTING SITE PLAN

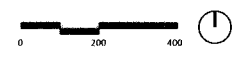
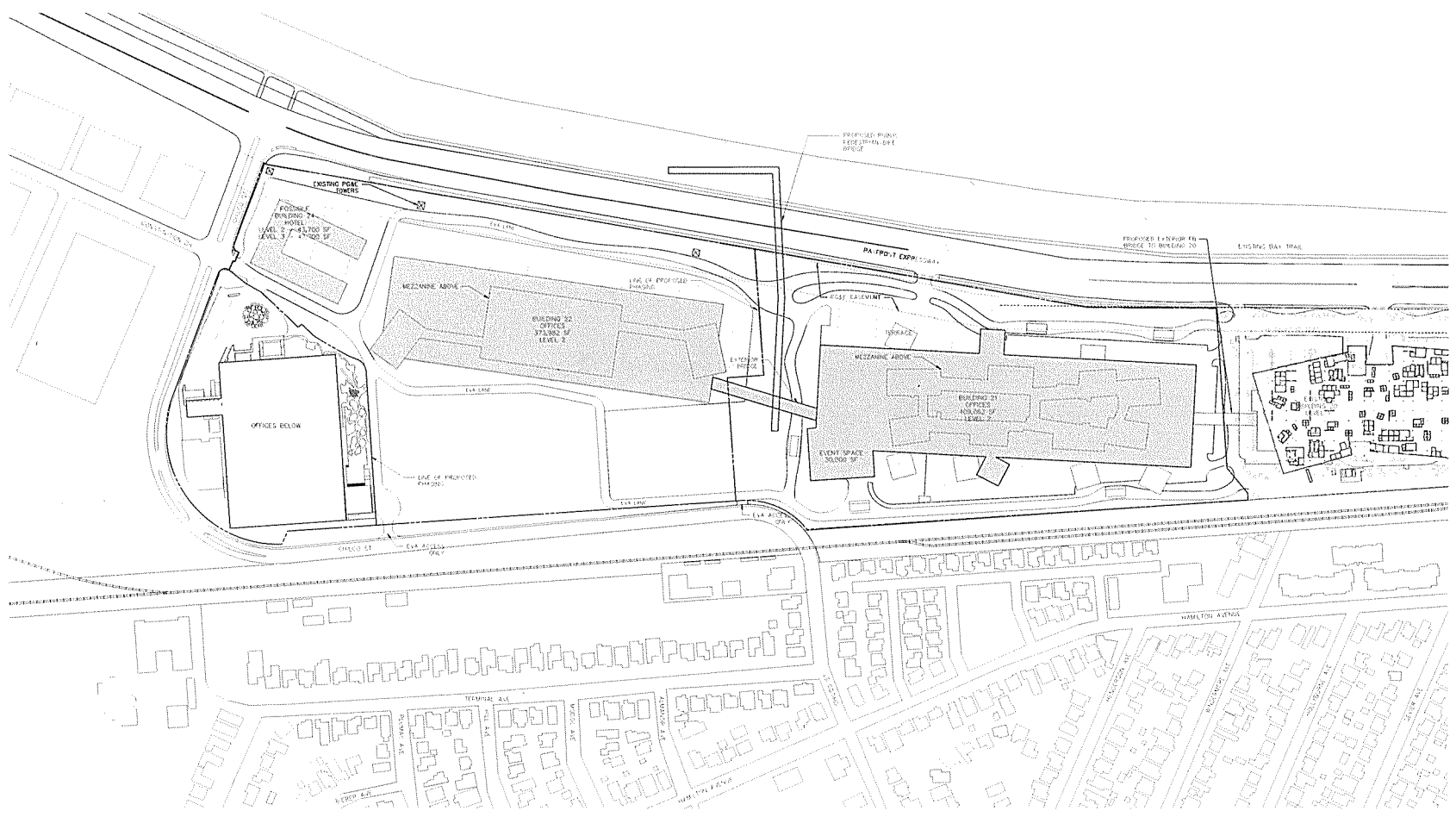


301-309 CONSTITUTION DRIVE - DEVELOPMENT APPLICATION  
 FACEBOOK BUILDINGS 21 & 22  
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 MAY 12, 2015

PROPOSED SITE PLAN

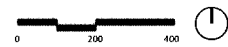
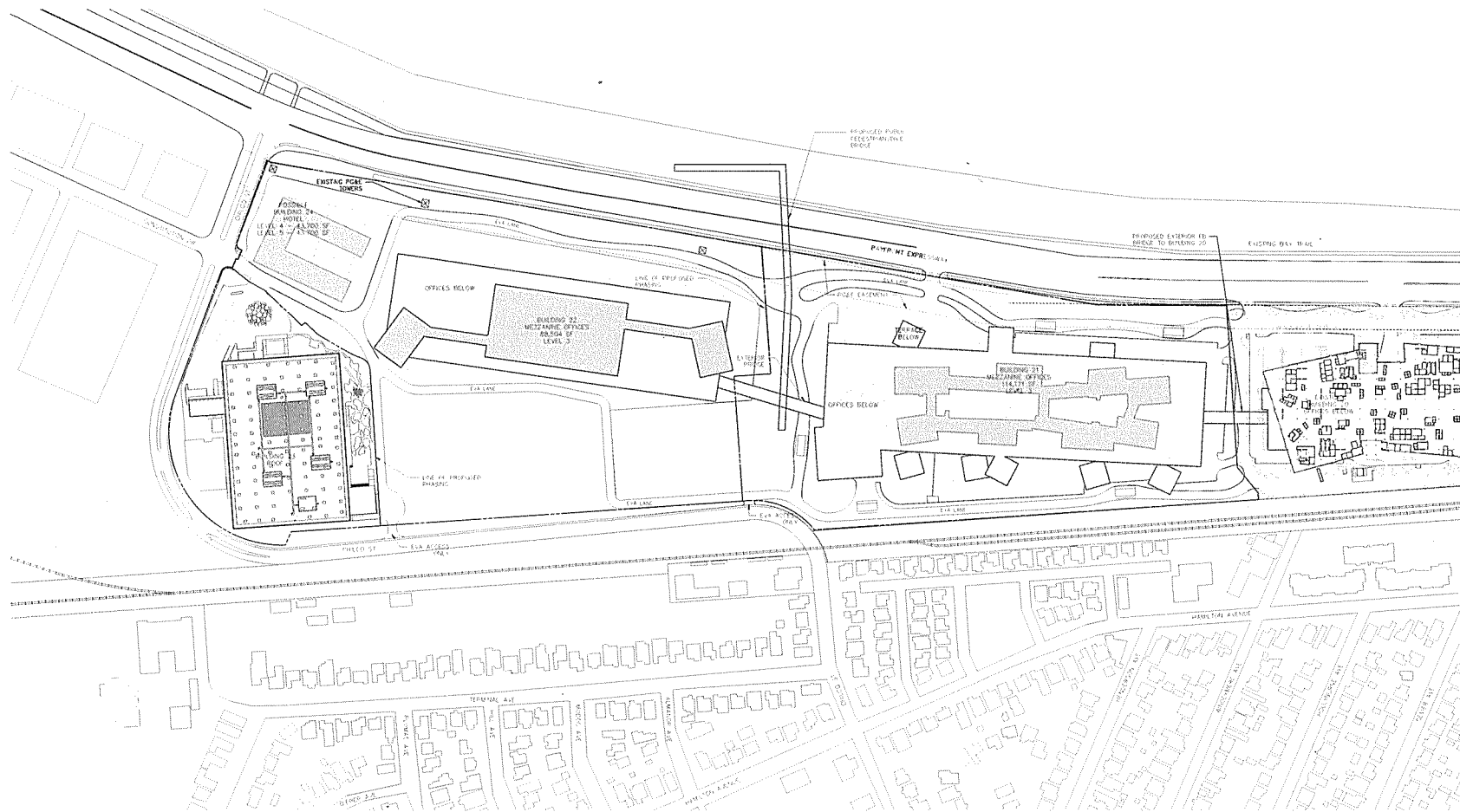






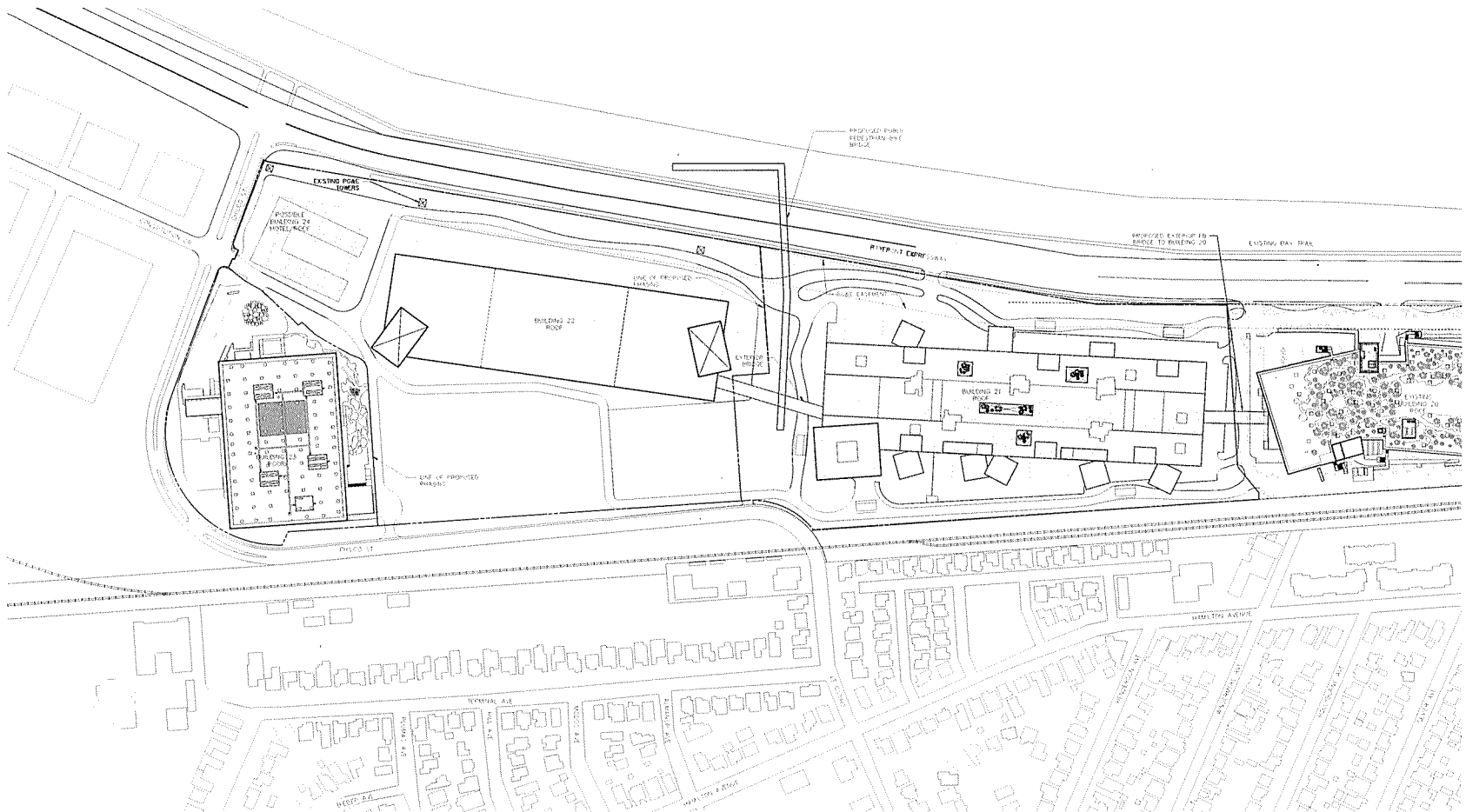
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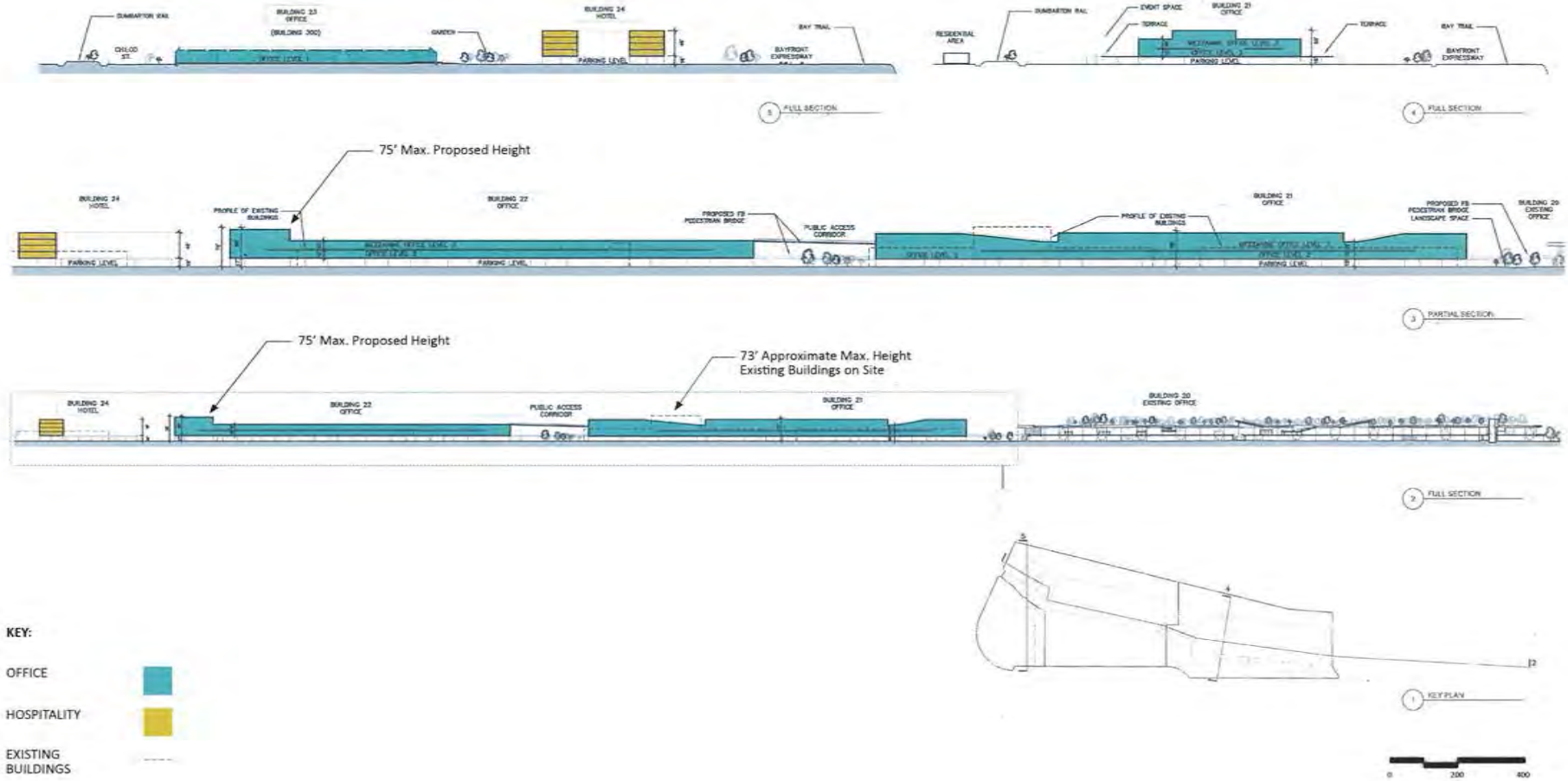
LEVEL 02 OFFICE PLAN  
 LEVEL 02 - 03 HOTEL PLAN

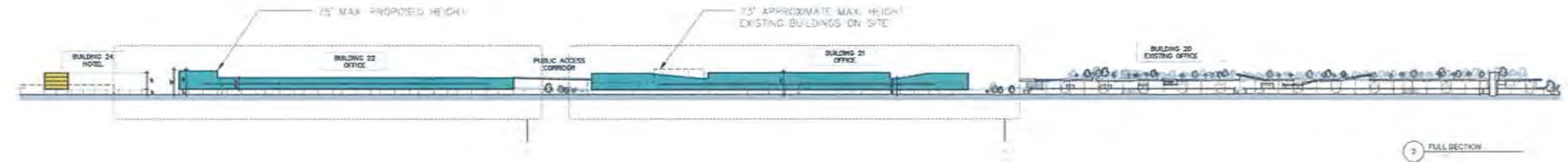
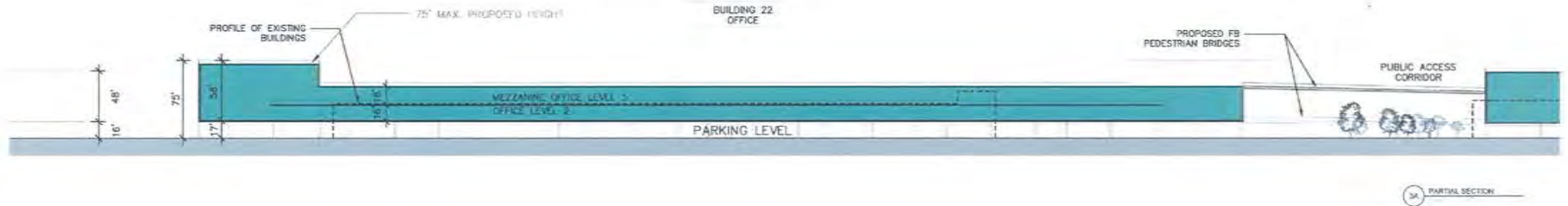
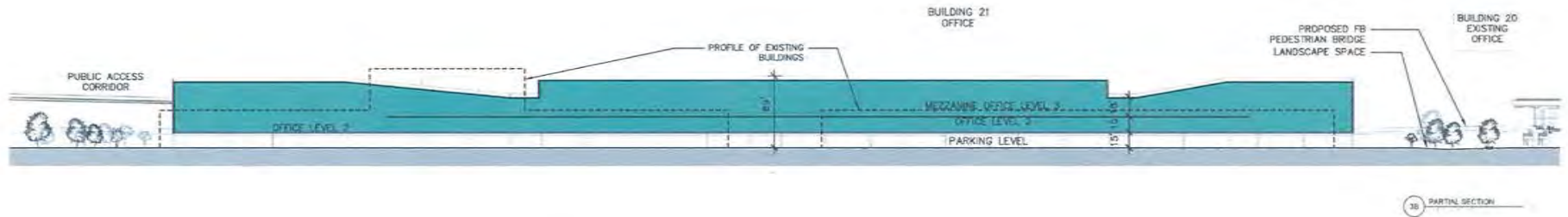


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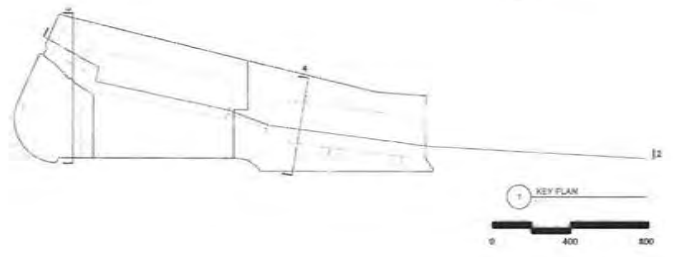
LEVEL 03 MEZZANINE PLAN  
 LEVEL 04 - 05 HOTEL PLAN





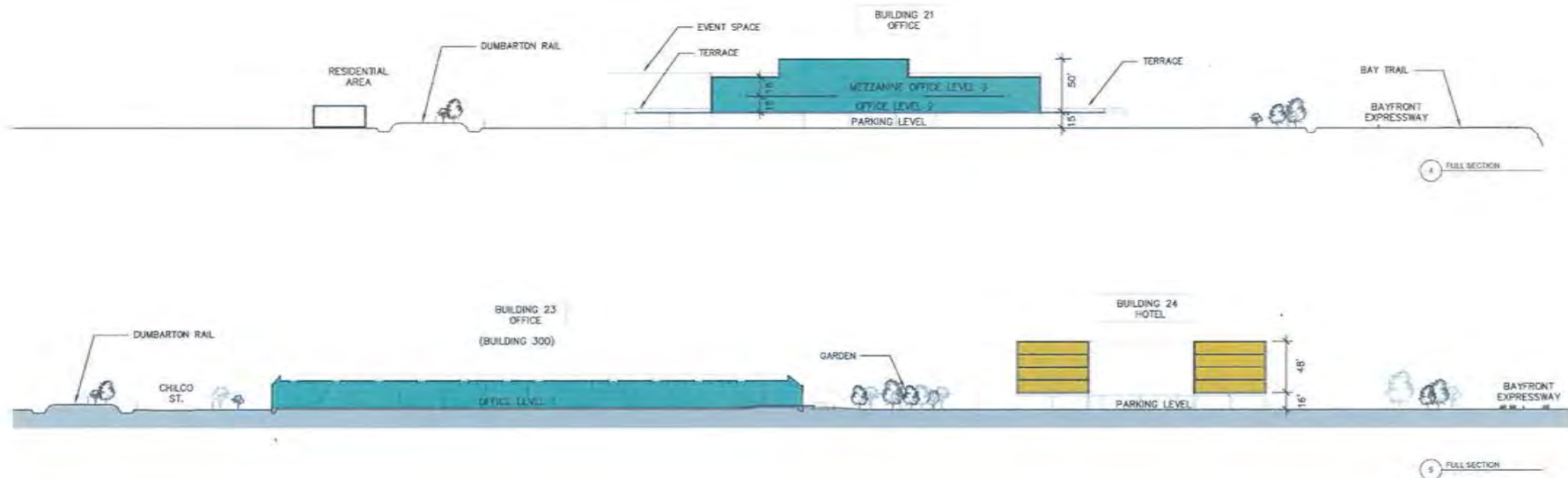


- KEY:**
- OFFICE
  - HOSPITALITY
  - EXISTING BUILDINGS

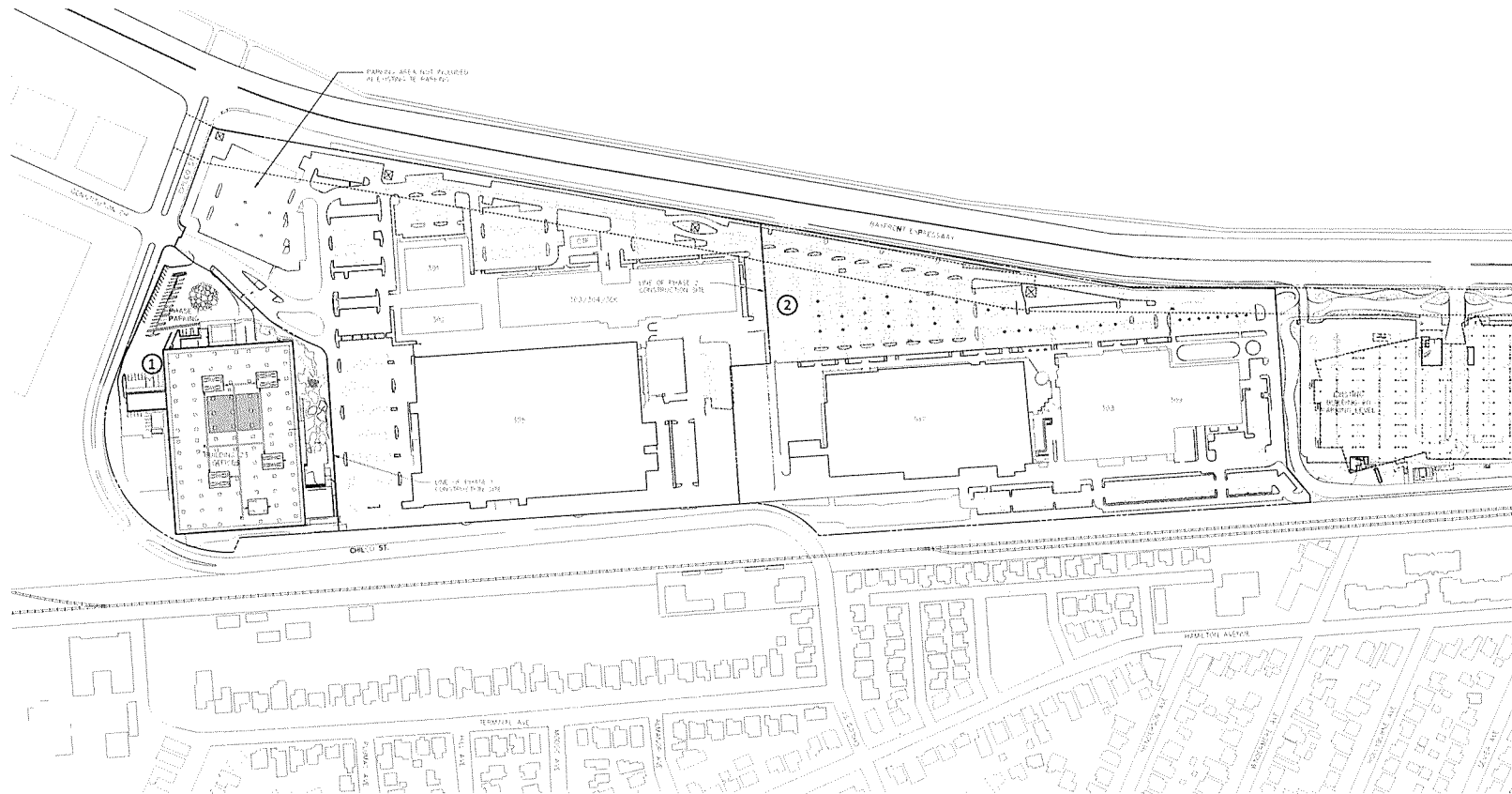


301-309 CONSTITUTION DRIVE – DEVELOPMENT APPLICATION  
 FACEBOOK BUILDINGS 21 & 22  
 GEHRY PARTNERS, LLP  
 MAY 12, 2015

**SITE SECTIONS**



- KEY:**
- OFFICE
  - HOSPITALITY
  - EXISTING BUILDINGS



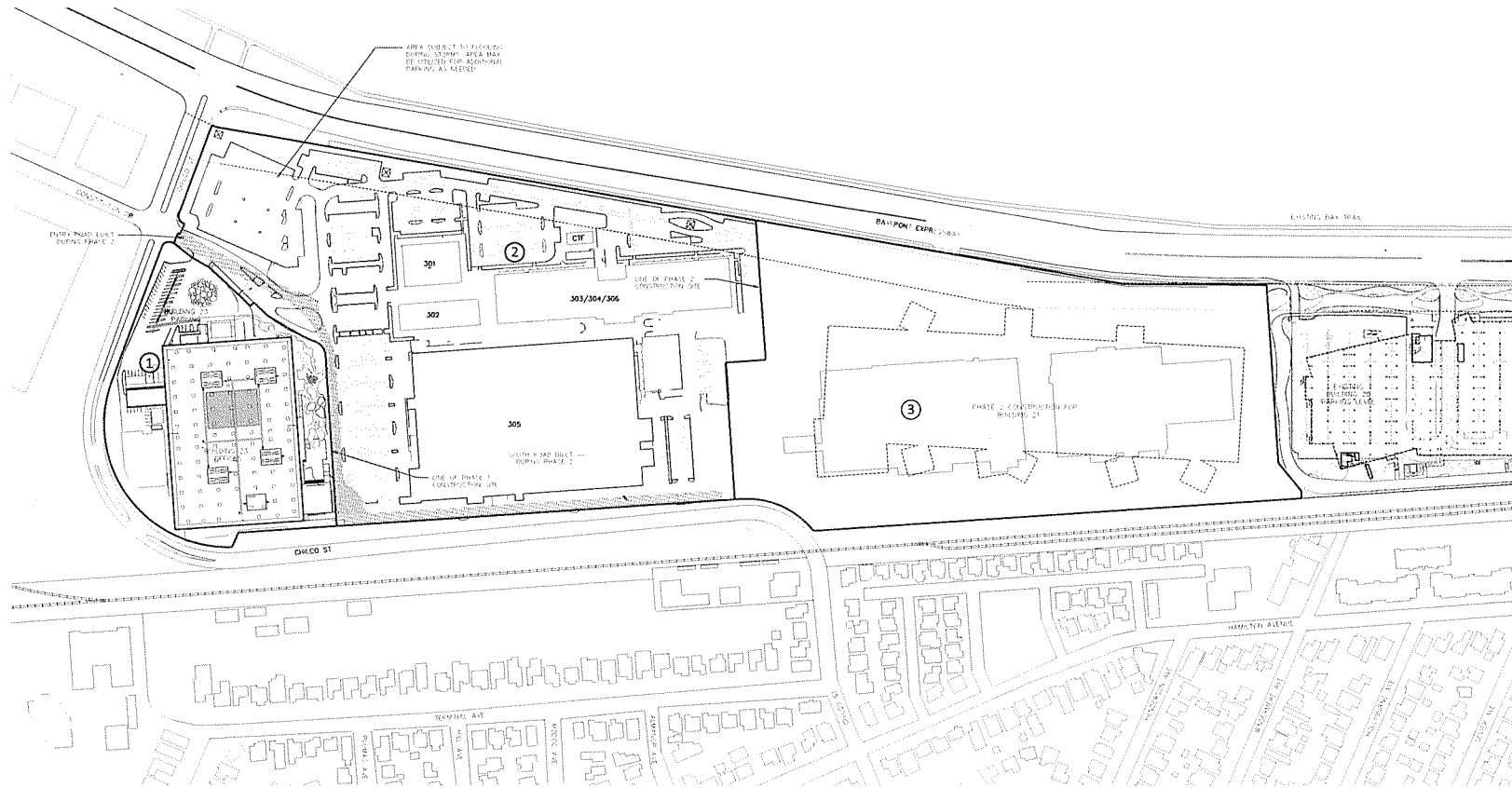
EXISTING PARKING FOR BUILDING 23 AND T.E. TENANTS



	NUMBER OF SPACES
1. BUILDING 23 SITE	64
2. T.E. SITE EXISTING	1,626
TOTAL	1,690

**PHASE 1: BUILDING 23 RENOVATION COMPLETION PARKING**

The conditional use permit approved in December 2014 for Building 23 (Building 300) of Phase 1 allows Facebook to accommodate the employees of Building 23 by utilizing the current existing parking spaces on the site which are also shared by the tenants of existing buildings of the site. This is an interim condition until the remainder of the project site is developed.

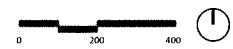




-  ROADWAYS BUILT IN PHASE 2
-  EXISTING PARKING FOR BUILDING 23 AND T.E. TENANTS

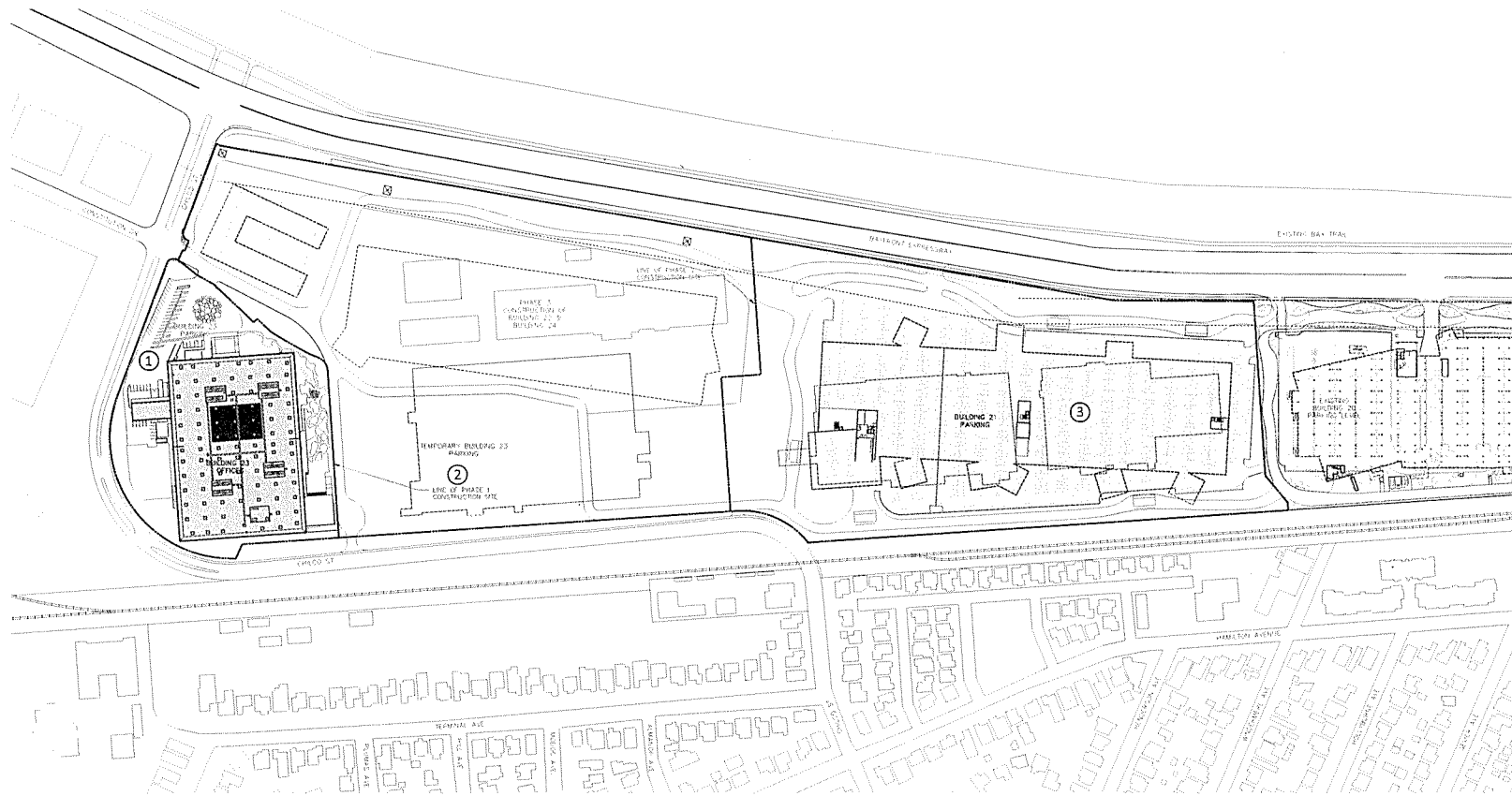
**PHASE : BUILDING 21 CONSTRUCTION PARKING**

During the construction of Phase 2, only one half of the site is being utilized by office employees. It is assumed that construction parking will be managed within the Phase 2 site boundary. The parking for the remaining T.E. tenants and Building 23 (Building 300) Facebook employees will be shared using the remaining parking spaces of the existing T.E. campus parking layout.



	NUMBER OF SPACES
1 - BUILDING 23	64
2 - EXISTING T.E. SITE SPACES	717
3 - BUILDING 21 CONSTRUCTION AREA	0
<b>TOTAL</b>	<b>781</b>



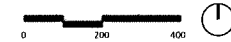


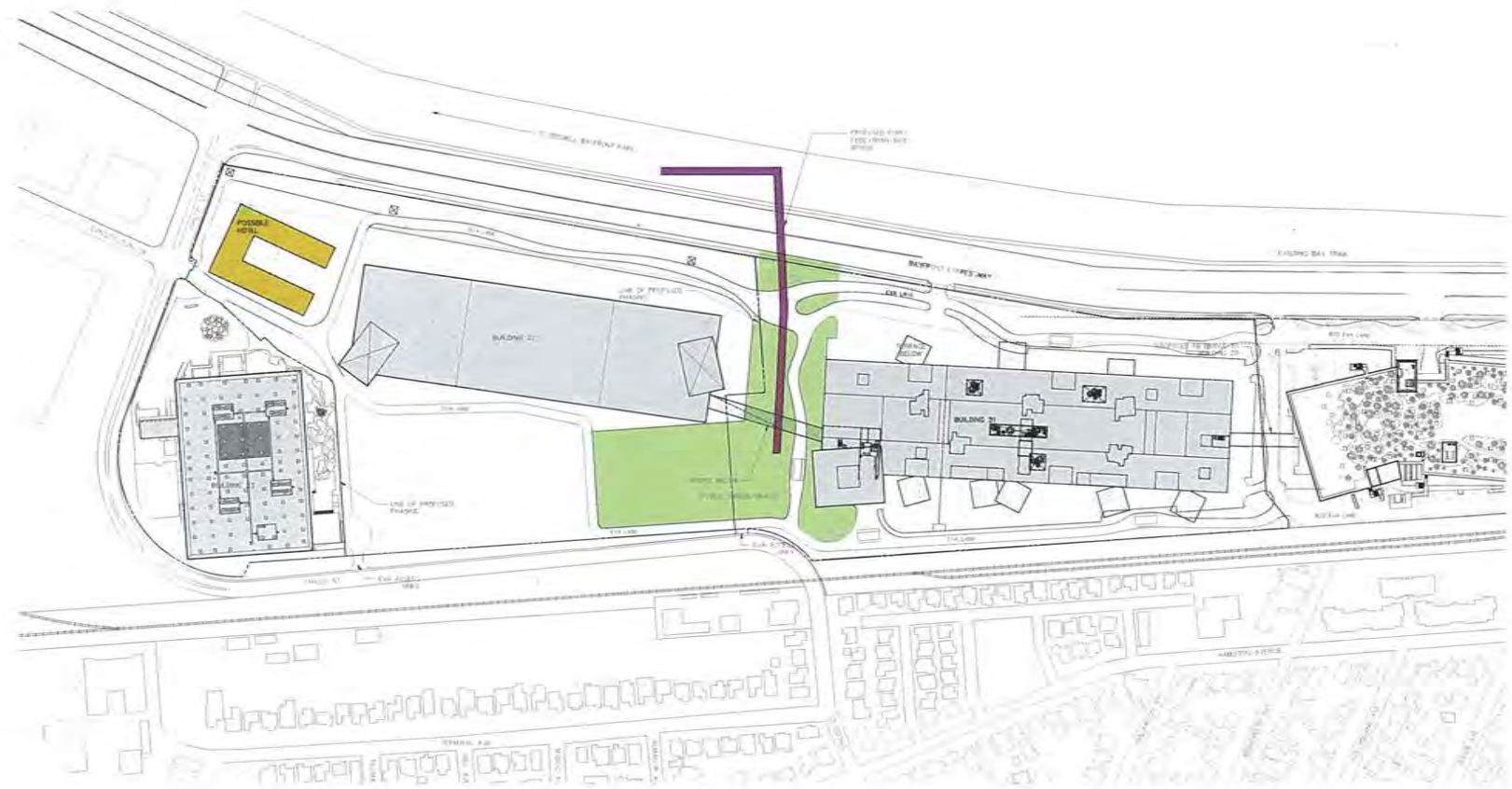
 PARKING FOR BUILDING 23 DURING PHASE 3 CONSTRUCTION

	NUMBER OF SPACES
1 - BUILDING 23	64
2 - TEMPORARY BUILDING 23 PARKING	536
3 - BUILDING 21 SITE	1,772
<b>TOTAL</b>	<b>2,372</b>

**PHASE 3 - BUILDING 22 & HOTEL CONSTRUCTION PARKING**

During the construction of Phase 3, this site needs to accommodate the new building employees for Building 21 and Building 23 (Building 300). Phase 2 accommodates the code required parking spaces for the new office Building 21 square footage, a total of 1,772 spaces. This plan allocates a parking area for temporary parking of 536 spaces for Building 23 in a zone on the Phase 3 construction area. Phase 3, once completed, will accommodate the remaining code-required 536 parking spaces for Building 23 near the building.





KEY:

PUBLIC GREEN SPACE



HOSPITALITY



PUBLIC PEDESTRIAN / BIKE BRIDGE



USE
1 Public Green Space
2 Hotel 200 rooms
3 Public pedestrian / bike bridge



301-309 CONSTITUTION DRIVE – DEVELOPMENT APPLICATION  
 FACEBOOK BUILDINGS 21 & 22  
 GEHRY PARTNERS, LLP  
 MAY 12, 2015

PUBLIC AMENITIES DIAGRAM



## COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: May 19, 2015  
Staff Report #: 15-081

**INFORMATIONAL ITEM:**            **Update on the Facebook Campus Expansion Project  
at 300-309 Constitution Drive**

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### RECOMMENDATION

This is an informational item and no action is required.

### POLICY ISSUES

The proposed project will ultimately require the Council to consider certain land use entitlements. Staff will be identifying policy issues during the Council's review of the project and public benefit related to the Development Agreement.

### BACKGROUND

The City is currently conducting the environmental review and processing the development application for the Facebook Campus Expansion Project. On March 31, Facebook, Inc. submitted an application for the proposed redevelopment of the former TE Connectivity Campus. The campus is located at 300-309 Constitution Drive, along Bayfront Expressway, between Chilco Street and the recently completed Building 20 (formerly identified as the Facebook West Campus). Select plan sheets from the current submittal are included as Attachment B. Previously, in December 2014, Facebook received Planning Commission approval of a use permit to convert an existing approximately 180,000 square foot warehouse and distribution building to offices and ancillary employee amenities, located at 300 Constitution Drive (Building 23), near the Constitution Drive entrance to the site, along Chilco Street. Facebook intends to begin construction on the Building 300 project in the near future.

The proposed Facebook Campus Expansion Project includes the demolition of nine of the ten existing buildings and the construction of two new office buildings, encompassing approximately 966,005 square feet (a net increase of approximately 130,167 square feet). The buildings would be constructed over surface parking that would contain approximately 3,886 parking spaces. The buildings would have a similar architectural style, height, and massing as Building 20. The application also includes the potential for a 200-room limited service hotel of approximately 174,800 square feet. The hotel is anticipated to be located near the corner of Chilco Street and Bayfront Expressway. The project would include publicly accessible open space and a new pedestrian/bicycle bridge over Bayfront

Expressway, providing a more direct connection from the campus and the Belle Haven neighborhood to the Bay Trail. The project would be constructed in phases, based on when the existing tenants (Pentair and TE Connectivity) vacate the property. The proposed project is consistent with the General Plan Land Use designation of Limited Industry. However, the proposed hotel would require a Zoning Ordinance text amendment to conditionally permit hotels in the M-2 Zoning District. In addition, the height of the proposed buildings would exceed the 35-foot height limit, and as such a rezone of the entire site from M-2 (General Industrial) to M-2-X (General Industrial, Conditional Development) plus approval of a Conditional Development Permit (CDP) would be required to allow the increase in height. The entitlement process for the Facebook Campus Expansion Project includes the following review and permit approvals:

- **Rezone from M-2 (General Industrial District) to M-2-X (General Industrial District, Conditional Development) and Conditional Development Permit:** to permit the proposal to diverge from standard M-2 zone requirements related to building height. In addition, in the M-2 zone, the construction of a new structure requires use permit approval. In this case, the CDP takes the place of the required use permit;
- **Zoning Ordinance Text Amendment:** to include hotels as conditional uses within the M-2 zoning district. The text amendment would be consistent with the Limited Industry Land Use Designation of the existing General Plan;
- **Development Agreement:** which results in the provision of overall benefits to the City and adequate development controls in exchange for vested rights for the Facebook Campus Expansion Project approvals;
- **Heritage Tree Removal Permits:** to permit the removal of heritage trees associated with the proposed project;
- **Below Market Rate Housing Agreement:** per the requirements of the City's Municipal Code, a Below Market Rate (BMR) Housing Agreement is required, which would help increase the affordable housing supply by requiring the applicant to provide monies for the BMR fund or by procuring off-site BMR units;
- **Lot Line Adjustment:** potentially to modify the location of two legal lots that comprise the project site and the adjacent lot for Building 20;
- **Environmental Review:** an Environmental Impact Report (EIR) will be prepared given the increase of approximately 150,000 square feet of gross floor area; and
- **Fiscal Impact Analysis (FIA):** is required to analyze the project's revenue and cost effects on the City and applicable outside agencies.

## ANALYSIS

To enable the project to move forward efficiently, the City Manager has authorized ICF Jones & Stokes (ICF) to prepare the first phase of the environmental review, which is within the City Manager's authorization limit of \$56,000 for individual purchase orders. With the agreement of the applicant, staff selected ICF because of the project managers' work on the previous EIR for the Facebook Campus Project. The first phase is anticipated to include the following tasks:

- 1) Kick-Off Meeting (with City staff, the applicant team, and ICF)
- 2) Draft Project Description Chapter
- 3) Notice of Preparation (NOP)
- 4) Initial Administrative Draft EIR Tasks
- 5) Project Management and Meetings

The cost for the second phase of the environmental review would exceed the City Manager's authorization limits. Therefore, staff has tentatively scheduled the June 16, 2015 meeting for the City Council's review and authorization of the proposed scope for the second phase of the environmental review.

As part of the first phase scope of work, ICF prepared a draft project schedule for the EIR and FIA. Utilizing ICF's draft schedule for the environmental review, staff is developing a preliminary draft schedule for the public outreach and development agreement negotiation, which will be included for the Council's review with the authorization request for the second phase of the environmental review. The anticipated schedule is relatively aggressive, targeting completion of land use entitlements for the Facebook Campus Expansion Project by the end of July 2016. The anticipated schedule reflects the opportunity to leverage work and public outreach already completed as part of the previous Facebook project review process, as well as part of the ConnectMenlo process. This project, as proposed, does not include a general plan amendment and therefore, can be processed concurrently with the ConnectMenlo General Plan update. However, the transportation study for the proposed project and the General Plan update will need to be highly coordinated to ensure consistency and address both near-term and long-term transportation needs and impacts of both projects. Staff is proposing to conduct a single, concurrent transportation analysis to evaluate the proposed project and the General Plan update. The City has combined analyses for previous projects, such as the Linfield Middlefield Willow Transportation Impact Analysis (TIA).

The Facebook Campus Expansion Project is anticipated to take approximately 14 months and would include multiple meetings of the City Council and various City commissions. It is anticipated that the Draft EIR would be released around February of 2016, and that the Final EIR, Final FIA, land use entitlements, and Development Agreement would be reviewed by the Council in the summer of 2016. The schedule of the proposed milestones and public meetings would generally be consistent with the Facebook Campus Project.

## **IMPACT ON CITY RESOURCES**

The applicant is required to pay planning permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project. The applicant is also required to bear the cost of the associated environmental review and fiscal analysis. For the environmental review and fiscal analysis, the applicant deposits money with the City and the City pays the consultants. In addition, public benefits negotiated as part of the Development Agreement would serve to help offset any potential impacts of the Project.

## **ENVIRONMENTAL REVIEW**

An EIR is being prepared for the project.

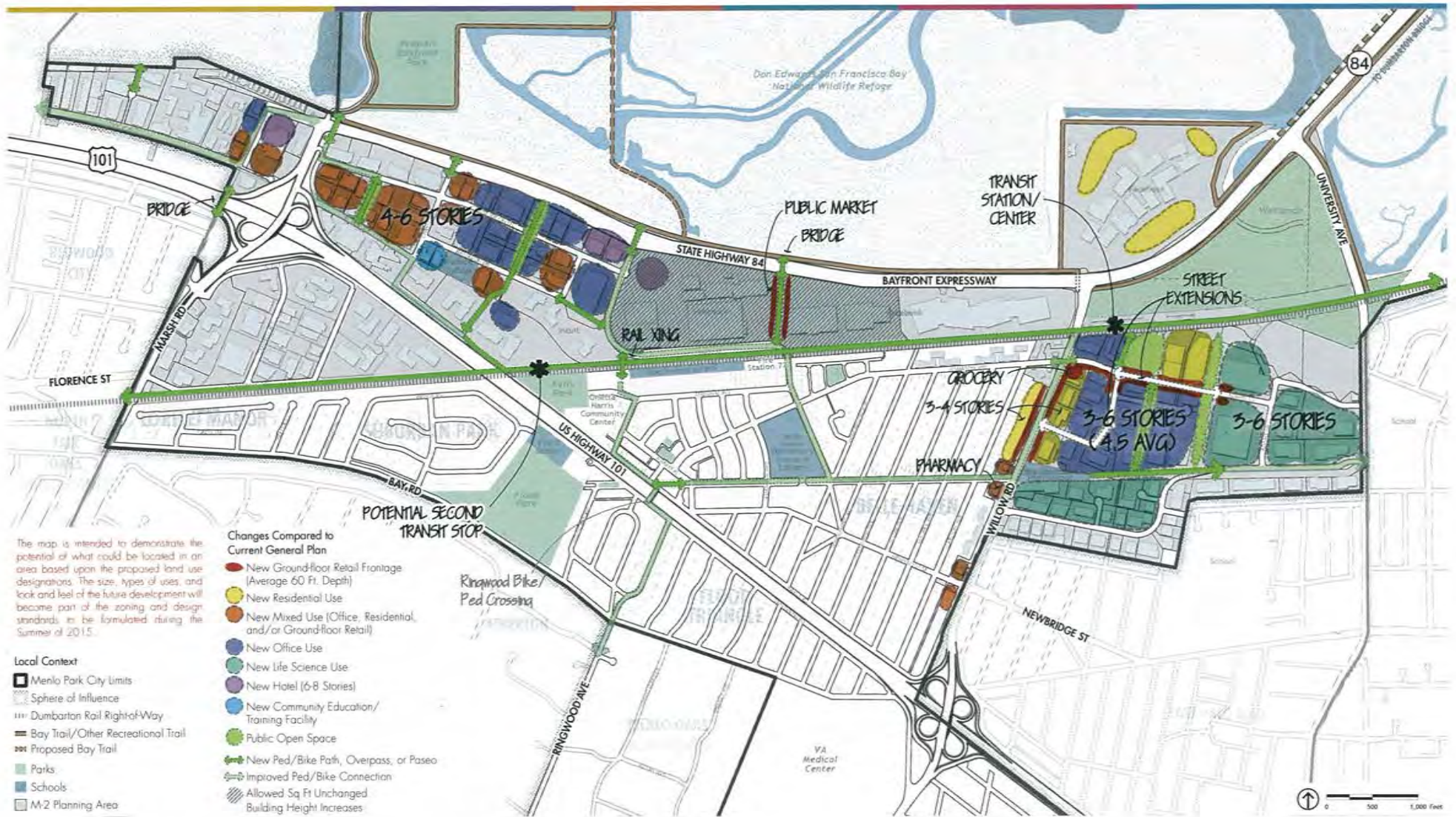
## **PUBLIC NOTICE**

Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting. In addition, the City has prepared a project page for the proposal, which is available at the following address: <http://menlopark.org/995/Facebook-Buildings-21-22>. This page provides up-to-date information about the project, allowing interested parties to stay informed of its progress. The “Notify Me!” feature of the City’s website allows users to subscribe to updates for the Greater M-2 Area, which sends email bulletins to users when this page and others within the M-2 Area are updated.

## **ATTACHMENTS**

- A. Project Location Map
- B. Project Plans (Select Sheets)

Report prepared by:  
*Kyle Perata*  
*Associate Planner*



DRAFT M-2 AREA MAXIMUM POTENTIAL DEVELOPMENT

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**From:** Patti L Fry <pattilry@gmail.com>  
**Sent:** Monday, June 08, 2015 2:51 PM  
**To:** \_Planning Commission  
**Subject:** tonight's discussion about General Plan NOP

Dear Planning Commissioners,

I offer the following observations for your discussion about the "maximum potential development" to be studied in the GP update:

**TYPES OF USES** Because the M-2 has traditionally been the economic breadbasket of Menlo Park, I think it's essential for the GP update to evaluate non-residential development in at least two categories -- nonresidential development that could directly provide sales tax or TOT revenue, and development that would not. Since my time on the Planning Commission (2000-2004), Menlo Park has experienced a huge loss of M-2 businesses that have provided significant revenue to the city.

The GPAC documents contend that the virtues of office are the ripple effect of office jobs. That is only pertinent if the primary issue is job creation. Far bigger issues in Menlo Park are the budget impacts of lost sales/use tax revenue and TOT, traffic, and school impacts. Property tax growth is kept low by Prop 13, meaning that its growth can't keep up with city expenses.

**MAXIMUM POTENTIAL DEVELOPMENT** Clarity is critical regarding what the maximum means. Among things It could mean are

- a) the maximum studied in the EIR (i.e., the development ASSUMED in the stated timeframe),
  - b) the maximum "to be allowed" (i.e., a true maximum until another maximum is set through a GP update),
  - c) the maximum that the zoning would support (i.e., what is truly ALLOWABLE, even if it may not occur).
- Each of these is very different.

These differences matter very much. The previous General Plan of 1994 contained a stated "maximum" that was reached within about 5 years even though the timeframe studied and the intended life of the GP were considerably longer. Further the zoning changes allowed additional development without modifying the GP at all.

Similarly, the 2012 El Camino Real/Downtown Specific Plan articulated a "maximum allowable development" that was also studied in its EIR that had a timeframe of 30 years: This maximum was 474,000 SF non-residential and 680 residential units.. The lowest FAR in the Specific Plan was 0.75. If that were applied to the 130 acres in the Plan area, the total ALLOWED SF was 4,247,100 SF (existing plus new). Because many zoning districts had higher Base FAR and much higher Bonus FAR, the total ALLOWED SF was much greater. Note that less than half of that low-end calculation would be non-residential, that is an order of magnitude more development possible than was studied and described as "maximum allowable development" - and that is at the lowest FAR allowed in any zoning district of the Plan area. Some districts allow more than double that amount.. The amount of existing development has not ever been quantified.

Another example from the ECR/Downtown Specific Plan: The EIR assumed a ratio of jobs and housing that would slightly improve Menlo Park's overall currently imbalanced ratio. Projects proposed to date have a markedly worse ratio, and the overall ratio cannot be improved enough within the "maximum allowable development" even though the zoning allows more development. This very point was made by the Sierra Club, that the allowed ratio in zoning rules did not match what was forecast and desired.

See [http://ccin2.menlopark.org/archive6/att-5982/Letter\\_to\\_Menlo\\_Park\\_Council\\_11-18-13.pdf](http://ccin2.menlopark.org/archive6/att-5982/Letter_to_Menlo_Park_Council_11-18-13.pdf)

I mention all of this because the wording in the staff report in the middle of page E6 states that "The maximum potential development would consist of approximately 2.1 million additional square feet of nonresidential building space and 4,500 additional multifamily dwelling units beyond what is already realistically achievable under the current Menlo Park General Plan Land Use Element." Questions directly related to this that should be asked include:

- a) are these maximums for the entire city or just the M-2 area?
- b) how much nonresidential SF and how many residential dwelling units currently exist (where), how much/how many have been approved but are not yet built, and how much/how many are in the pipeline?
- c) how much more development (nonresidential and residential) COULD be built using current zoning (and where). If this cannot be answered, there should be no attempt to study only the amount beyond what is currently possible. In other words, if we cannot quantify what is still possible under current zoning, even though the current GP's maximum has long been passed, then we cannot possibly assess the impacts of development beyond that.
- d) what does "realistically achievable" mean? Isn't that an assertion that makes assumptions about market conditions that can vary widely depending on shortages and credit? Remember, this is a long-term document and analysis that should span various types of market cycles.
- e) what is the relationship between the maximums? The NOP Is for an EIR that will study several scenarios. These scenarios should evaluate the maximum POSSIBLE of each type of development.

I urge that the "maximum potential development" to be set and studied in the GP update refer specifically to that development (residential units and non-residential SF, sales/tot revenue-generating and non) which would be incremental to the currently built or approved projects, not incremental to what is possible under current zoning. Evaluation of incremental growth to what exists/approved would provide a picture of future development impacts. An evaluation of scenarios of incremental growth beyond an unidentified potential (i.e., under current zoning) is meaningless. No one could realistically assess the incremental impacts, including on traffic patterns..

A holistic view and assessment would help us all understand more fully the impacts on infrastructure, water supply, traffic congestion, GHG emissions, etc.

**TOTAL DEVELOPMENT** The total amount of nonresidential (mostly office) ANOTHER 2.1 million SF, on top of currently approved and pipeline amounts of nonresidential SF (nearly 2 million SF) is simply staggering. The number of new jobs and ripple effect on traffic and schools and housing shortages are simply staggering as well. Our much-larger neighbor to the south, Palo Alto just imposed a 50,000 SF/year limit on office development after experiencing office/R&D growth totaling about 400,000 SF since 2008, a fraction (1/5) of what smaller Menlo Park already faces before considering this additional amount. See editorial [www.paloaltoonline.com/news/2015/03/27/editorial-development-limits-a-modest-start](http://www.paloaltoonline.com/news/2015/03/27/editorial-development-limits-a-modest-start)

IMO our community has very serious discussions that should occur right now about what it wants to be. Nearly all of the community outreach has been in Belle Haven, not throughout the community, especially about the total amount. Even if this proposed amount occurs over 30 years, it goes way beyond anything Menlo Park has experienced, and Menlo Park has yet to experience the nearly 2 million already approved/pipeline.

Respectfully submitted,  
Patti Fry  
Menlo Park resident



## **DRAFT NOTICE OF PREPARATION ENVIRONMENTAL IMPACT REPORT CITY OF MENLO PARK**

**Date:** June 18, 2015

**To:** State Clearinghouse  
State Responsible Agencies  
State Trustee Agencies  
Other Public Agencies  
Interested Organizations

**From:** Deanna Chow  
Senior Planner  
City of Menlo Park  
701 Laurel Street  
Menlo Park, CA 94025

**Subject:** **Notice of Preparation (NOP) of the Draft Environmental Impact Report (EIR) for the Menlo Park General Plan (Land Use & Circulation Elements) and M-2 Area Zoning Update**

**Lead Agency:** City of Menlo Park Planning Division

**Project Title:** Menlo Park General Plan (Land Use & Circulation Elements) and M-2 Area Zoning Update, also known as ConnectMenlo

**Project Area:** City of Menlo Park

Notice is hereby given that the City of Menlo Park (the City) will be the Lead Agency and will prepare a program level environmental impact report (EIR) for the Menlo Park General Plan (Land Use & Circulation Elements) and M-2 Area Zoning Update, also known as ConnectMenlo ("proposed Project" or "Project"). The proposed Project, its location, and potential environmental effects are described below. Pursuant to the California Environmental Quality Act (CEQA) Guidelines (14 California Code of Regulations Section 15060(d)), the City has determined that an EIR is required for the proposed Project, and therefore an Initial Study will not be prepared and the City will begin work directly on the EIR.

Even though ConnectMenlo is technically a "project" that requires environmental review under CEQA, as a collection of City policies and regulations it qualifies for program level analysis, which evaluates total potential effects on the environment due to anticipated growth and change, but does not require the kind of building-by-building mitigation activities that may be assigned to individual construction and development projects that follow adoption of the General Plan and Zoning Ordinance updates. The level of review and associated processing time needed for those

individual activities may be streamlined if they comply with overarching rules prescribed in the ConnectMenlo Update and EIR.

The City is requesting comments and guidance on the scope and content of the EIR from interested public agencies, organizations and individuals. With respect to the views of Responsible and Trustee Agencies as to significant environmental issues, the City needs to know the reasonable alternatives and mitigation measures that are germane to each agency's statutory responsibilities in connection with the Project. Responsible agencies may need to use the EIR prepared by the City when considering permitting or other approvals for the Project.

Comments on the NOP are due no later than the close of the NOP review period 5:00 p.m. on **Monday, July 20, 2015**. However, we would appreciate your response at the earliest possible date. Please send your written comments to Deanna Chow at the address shown above or email to [connectmenlo@menlopark.org](mailto:connectmenlo@menlopark.org) with "Menlo Park General Plan Update EIR" as the subject. Public agencies providing comments are asked to include a contact person for the agency. A Scoping Session is currently tentatively scheduled to be held by the Planning Commission at its regular meeting on:

**September 21, 2015, 7:00 p.m.**  
Menlo Park City Council Chambers  
701 Laurel Street  
Menlo Park, CA 94025

The scoping meeting will provide an opportunity for the City to summarize the General Plan and Zoning Code Update process. **The focus of the scoping meeting will be on the content to be studied in the EIR.** The Scoping Meeting is purposely being held several months after release of this Notice of Preparation to allow the community to participate in the development and review of proposed General Plan Land Use and Circulation Element goals, policies, and programs, and M-2 Area Zoning Ordinance provisions and Design Standards, as those are expected to provide mitigation of environmental effects, in addition to any mitigation measures prescribed in the EIR.

## INTRODUCTION

The purpose of an EIR is to inform decision-makers and the public of the potential environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential to cause significant effects on the environment; examine methods of reducing adverse environmental impacts; and consider alternatives to a proposed project. A Fiscal Impact Analysis (FIA) is also being prepared to evaluate fiscal impacts on the City of Menlo Park and special districts from the proposed project.

The Menlo Park General Plan (Land Use & Circulation Elements) and M-2 Area Zoning Update EIR, also known as ConnectMenlo, will be prepared as a program EIR in accordance with CEQA and the CEQA Guidelines. The project location, project description, and the potential environmental effects that will be evaluated in the EIR are described generally below. As mentioned above, subsequent projects to General Plan and Zoning changes will be subject to a separate environmental review process.

## **PROJECT LOCATION**

The Project Study Area consists of all land within the city of Menlo Park, its Sphere of Influence (where the City maintains a role in land use and transportation decisions through future annexations of unincorporated areas), and a proposed Planning Area (where the City believes the Menlo Park community should be able to participate in influencing land use and transportation decisions). As shown in Figure 1, Menlo Park is located at the southern edge of San Mateo County. The City is generally bounded by San Francisco Bay to the north and east; the cities of East Palo Alto and Palo Alto and Stanford University to the southeast; and Atherton, unincorporated North Fair Oaks, and Redwood City to the northwest. The City is accessed by Interstate 280 (I-280), U.S. Highway 101 (US 101), Caltrain, State Route 84 via the Dumbarton Bridge, and a variety of arterial, collector and residential streets, as well as regional and local pedestrian and bicycles routes. The majority of land in Menlo Park is designated for residential use; other General Plan land use categories include Industrial/Business Park, Open Space/Recreation, Commercial, and Public Facilities/Institutional.

The M-2 Area, which is the focus of future land use change under the Project, comprises the northern-most portion of Menlo Park. The M-2 Area (see Figure 2) is generally bounded by San Francisco Bay to the north; Redwood City to the west; East Palo Alto to the southeast; and the Menlo Park neighborhoods of Belle Haven, Flood Triangle, Suburban Park, and Lorelei Manor to the south. Currently, most land in the M-2 Area is designated for industrial/business park use. The M-2 Area contains major regional transportation links, including Bayfront Expressway (State Route 84), Willow Road (State Route 114), and University Avenue (State Route 109) all of which are utilized heavily to provide access to the Dumbarton Bridge.

## **PROJECT DESCRIPTION**

Often described as each city's "constitution," general plans are required by State law to guide land use and development, usually for a period of 20 years. With the Menlo Park Housing, Open Space/Conservation, Noise, and Safety Elements having been recently updated, the focus of the Project is on the Land Use and Circulation Elements (as well as zoning provisions to implement any land use changes in the M-2 Area). These two elements are central components of the General Plan because they describe which land uses should be allowed in the City, where those

land uses should be located, how those land uses may be accessed and connected, and how development of those uses should be managed so as to minimize impacts and maximize benefits to the City and its residents.

The Land Use Element frames the type and scale of potential development that may occur over the next 20 years, particularly in the M-2 Area. The Circulation Element will address transportation issues throughout the City, and both updated Elements will be consistent with the other General Plan Elements and the El Camino Real/Downtown Specific Plan.

The Project also includes an update to the City's Zoning Ordinance provisions for the M-2 Area to implement the updated General Plan programs, as well as Design Standards for development in the M-2 Area.

Community engagement is the foundation of the Project. Updated planning policy language will only be meaningful if it helps achieve the community's vision for the future. The in-person public outreach and participation process has included workshops and open houses; mobile tours of Menlo Park and nearby communities; informational symposia; stakeholder interviews; focus groups; recommendations by a General Plan Advisory Committee (GPAC) composed of City commissioners, elected officials, and community members; and consideration by the City Council and Planning Commission at public meetings. Many more opportunities will occur throughout the process to ensure that community members play a central role in guiding the General Plan and Zoning Ordinance updates. In addition, the Project features a comprehensive website, online surveys, and a mobile app that provides access to information and documents.

The Menlo Park General Plan and M-2 Area Zoning Update will be evaluated using a program EIR that determines whether potential future land use and circulation system changes may result in impacts that need to be mitigated. By incorporating implementation provisions that purposely reduce environmental impacts, the proposed updates can be made largely "self-mitigating," which reduces the need for separate EIR mitigation measures, improves the efficiency of implementation, and increases the likelihood that development will be environmentally sustainable.

Given the potential for change in Menlo Park and especially the M-2 Area, the City Council established the following objectives for the Project:

- Establish and achieve the community's vision
- Realize economic and revenue potential
- Assume that changes to General Plan Land Use Designations and Zoning will occur only in M-2 Area
- Streamline the development review process
- Improve mobility for all travel modes

- Preserve neighborhood character throughout the city
- Reduce emissions and adapt sustainably

In pursuit of these goals, the Menlo Park General Plan and M-2 Area Zoning Update is making use of the following Guiding Principles, which reflect the stated goals of members of the public, elected officials, and various stakeholders who have participated in the Project, to date. These aspirational statements, accepted by the City Council in December 2014, describe the kind of place that community members want Menlo Park to be. City representatives and community members developed them in a collaborative public process for consideration in guiding growth and preserving the City's unique features over the next 20 years.

- **Citywide Equity:** Menlo Park neighborhoods are protected from unreasonable development and unreasonable cut-through traffic, share the benefits and impacts of local growth, and enjoy equal access to quality services, education, public open space, housing that complements local job opportunities with affordability that limits displacement of current residents, and convenient daily shopping such as grocery stores and pharmacies.
- **Healthy Community:** Everyone in Menlo Park enjoys healthy living spaces, high quality of life, and can safely walk or bike to fresh food, medical services, employment, recreational facilities, and other daily destinations; land owners and occupants take pride in the appearance of property; Menlo Park achieves code compliance and prioritizes improvements that promote safety and healthy living; and the entire city is well-served by emergency services and community policing.
- **Competitive and Innovative Business Destination:** Menlo Park embraces emerging technologies, local intelligence, and entrepreneurship, and welcomes reasonable development without excessive traffic congestion that will grow and attract successful companies and innovators that generate local economic activity and tax revenue for the entire community.
- **Corporate Contribution:** In exchange for added development potential, construction projects provide physical benefits in the adjacent neighborhood (such as Belle Haven for growth north of US 101), including jobs, housing, schools, libraries, neighborhood retail, childcare, public open space, high speed internet access, and transportation choices.
- **Youth Support and Education Excellence:** Menlo Park children and young adults have equal access to excellent childcare, education, meaningful employment opportunities, and useful training, including internship opportunities at local companies.
- **Great Transportation Options:** Menlo Park provides thoroughly-connected, safe and convenient transportation, adequate emergency vehicle access, and multiple options for people traveling by foot, bicycle, shuttle, bus, car, and train, including daily service along the Dumbarton Rail Corridor.
- **Complete Neighborhoods and Commercial Corridors:** Menlo Park neighborhoods are complete communities, featuring well integrated and designed development along vibrant

commercial corridors with a live-work-play mix of community-focused businesses that conveniently serve adjacent neighborhoods while respecting their residential character.

- **Accessible Open Space and Recreation:** Menlo Park provides safe and convenient access to an ample amount of local and regional parks and a range of public open space types, recreational facilities, trails, and enhancements to wetlands and the Bay.
- **Sustainable Environmental Planning:** Menlo Park is a leader in efforts to address climate change, adapt to sea-level rise, protect natural and built resources, conserve energy, manage water, utilize renewable energy, and promote green building.

The Guiding Principles will help chart future change throughout Menlo Park through a careful balance of benefits and impacts, as charted in the General Plan goals, policies, and programs, whether applied to expanding transportation options citywide, to protecting the character of the city's residential neighborhoods, or to managing the growth expected to occur in the M-2 Area. How much the M-2 Area might grow has also been established through an intensive process of community workshops, public meetings, and surveys. Based on this significant body of community input, GPAC recommendations, and Planning Commission and City Council review, a theoretical level of maximum potential development that could be accommodated by the Project has been established (as depicted in Figure 3).

This maximum potential development would consist of approximately 2.1 million additional square feet of nonresidential building space and 4,500 additional multifamily dwelling units beyond what is already realistically achievable under the current Menlo Park General Plan Land Use Element. About 1.4 million square feet of the added nonresidential development would be concentrated in the area between Willow Road and University Avenue (primarily for new and expanded life sciences uses). About 2,000 of the additional dwelling units would be located in that same area, with another 1,000 units in the Jefferson Drive area, and 1,500 units on the Facebook East campus.

The nonresidential development would also include ground floor retail in a number of locations and roughly 500,000 square feet for three hotels with 200 rooms each, one in the Haven area, one in the Jefferson Drive area, and one on the Facebook West campus. The anticipated development would be estimated to increase the number of jobs in the M-2 Area by about 5,500 beyond the amount accommodated by the current General Plan.

## LAND USE ELEMENT UPDATE

The updated Land Use Element will reflect the Guiding Principles to ensure that goals, policies and programs integrate the extensive community input on the Project. Where appropriate, policies and programs will also respond to State legislation established since adoption of the



1994 General Plan. These actions range from items such as updating maps of flood prone areas to exercising the ability to adopt “Uniformly Applicable Development Standards” for reducing potential environmental impacts that then may allow individual “infill” development projects to undergo streamlined environmental review per recent changes in State Law.

In addition to reinforcing the community’s vision for the city, the updated Land Use Element primarily will describe the changes shown in Figure 3 for future development in the M-2 Area, including any needed new Land Use Designations and changes in designations for individual parcels. The Land Use Element will also summarize the new pedestrian and bicycle improvements shown in Figure 3 to be installed as development occurs in the M-2 Area.

As with the updated Circulation Element, the updated Land Use Element will include programs that require new or expanded development to provide community amenities such as transportation and quality-of-life improvements, and others that describe how the City will utilize its Capital Improvement Program to prioritize needed infrastructure and physical projects throughout Menlo Park.

## CIRCULATION ELEMENT UPDATE

Goals, policies, and programs in the updated Circulation Element will describe a variety of strategies and requirements to improve mobility and address congestion citywide, including Transportation Impact Analysis, Complete Streets, Transportation Demand Management (TDM), Traffic Management Associations, and the Neighborhood Traffic Management Program. It is important to note that a Complete Streets approach – where bicycle, pedestrian and transit usage are considered in evaluating the effectiveness and performance of a street or intersection – does not assume that all modes of travel can be well accommodated on every street, nor that sidewalks are appropriate in residential neighborhoods where they do not currently exist.

The updated Circulation Element will identify needed transportation system changes to address both existing issues and anticipated development, ranging from physical improvements such as right-of-way modifications, to transit service enhancements, to adjustments to regulations such as parking standards. A summary description of needed improvements and implementation mechanisms for updating the 2009 Transportation Impact Fee Study as an implementation program will specifically be included.

The Circulation Element Update will also specifically evaluate current off-street and on-street parking policies and requirements in the M-2 Area as they relate to providing an appropriate supply of parking and regulating the intensity of land uses. Parking impacts associated with the

M-2 Area Zoning Update will be discussed qualitatively based on the proposed parking requirements.

## **M-2 AREA ZONING ORDINANCE UPDATE**

The Project also includes an update to the City Zoning Ordinance for the M-2 Area to ensure consistency with the General Plan Update and previously adopted ordinances and policies. Zoning changes may be needed for any of the districts in the M-2 Area (M2, M3, C4, C2S, C2B, FP, PF, and U), and new districts within the M-2 Area may be created to reflect the community's preferences as established in the Guiding Principles and through additional input during the ConnectMenlo process. Modifications to zoning standards will also be recommended as needed to respond to updated State requirements.

Updates to zoning will also address the following topics, among others:

- Site standards, such as height, bulk, and building design; sidewalk and bike route dimensions; streetscape design; outdoor lighting; and operational issues (e.g., air quality, glare, vibration, and use and storage of hazardous materials);
- Types and mix of land uses;
- Potential affordable housing requirements, housing density bonus provisions, and related incentives, consistent with the City's Municipal Code and State law;
- Landscaping standards, including specific requirements for preliminary and final landscape plan submittal and review;
- TDM, off-street car parking, bicycle parking, and loading standards;
- Development contributions to community amenities and city programs and services;
- Best practices to ensure protection of wildlife and habitat; and
- Energy and water conservation construction and operation practices.

A Water Supply Assessment will be developed as part of the EIR to determine which, if any, strategies may be needed to ensure adequate water supply for anticipated development.

## **PUBLIC AGENCY APPROVALS**

The EIR will evaluate the Project for potential impacts on the environment and analyze proposed goals, policies, and programs, as well as Zoning provisions and Design Standards, to determine the potential environmental consequences of future change under the updated General Plan Land Use and Circulation Elements and M-2 Area Zoning. The cumulative impacts discussion required per CEQA will consider relevant projects in and around the Planning Area that are not included as part of the Project.

CEQA requires that an EIR evaluate alternatives to a project that could reasonably attain the project objectives while reducing any significant impact of the project, as well as considering the “No Project” Alternative (i.e., what could happen if the Project were not to occur). With the establishment of a Maximum Potential Development alternative for the M-2 Area to ensure that adequate mitigation for any potential environmental is identified, it is expected that other EIR alternatives might describe some lesser subset of development to be considered by the City Council.

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The EIR will analyze whether development anticipated pursuant to the proposed Project would have significant environmental effects in the following areas:

- **Aesthetic Resources:** the analysis will discuss potential impacts in terms of height and intensity, and the potential for increased light and glare impacts on the existing setting.
- **Air Quality:** the analysis will discuss the potential for local and regional air quality impacts from construction and demolition, and impacts from new development and traffic.
- **Biological Resources:** the analysis will discuss potential impacts on nesting birds, heritage and/or mature trees, and waterways, marshlands and other wildlife habitat.
- **Cultural Resources:** the analysis will discuss potential impacts on known historic buildings and cultural resources.
- **Geology, Soils, and Seismicity:** the analysis will discuss the potential for soil erosion and exposure to seismic risk, including liquefaction.
- **Greenhouse Gas Emissions:** the analysis will discuss the potential to generate greenhouse gases and for conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases.
- **Hazardous Materials and Hazards:** the analysis will discuss areas of potential soil or groundwater contamination, and the potential for exposure to hazardous materials.
- **Hydrology and Water Quality:** the analysis will discuss the potential for impacts on waterways, or exceedance of the capacity of stormwater drainage systems or violation of water quality standards or waste discharge requirements.
- **Land Use and Planning Policy:** the analysis will discuss the potential for anticipated development to divide an existing community or conflict with applicable land use policy and plans.
- **Noise:** the analysis will discuss potential impacts from demolition, construction, and operational activities.

- **Population and Housing:** the analysis will discuss the potential for inducing substantial population growth or displacing existing housing, businesses, or people.
- **Public Services and Utilities:** the analysis will discuss the potential for an increase in public services such as fire and police protection, solid waste, water supply, and wastewater disposal services. A Water Supply Assessment will determine whether any strategies may be needed to ensure adequate water supply for anticipated development.
- **Recreation:** the analysis will discuss the potential for an increase in the use of existing recreational facilities to the detriment of those facilities, or the need to create new recreational facilities.
- **Transportation and Circulation:** the analysis will discuss potential increases in traffic load on the circulation system that could result in inadequate emergency access, parking capacity, or travel efficiency for vehicles, transit and pedestrians and bicyclists.

The following topics are likely to be associated with less-than-significant impacts and are not expected to be evaluated in detail in the EIR:

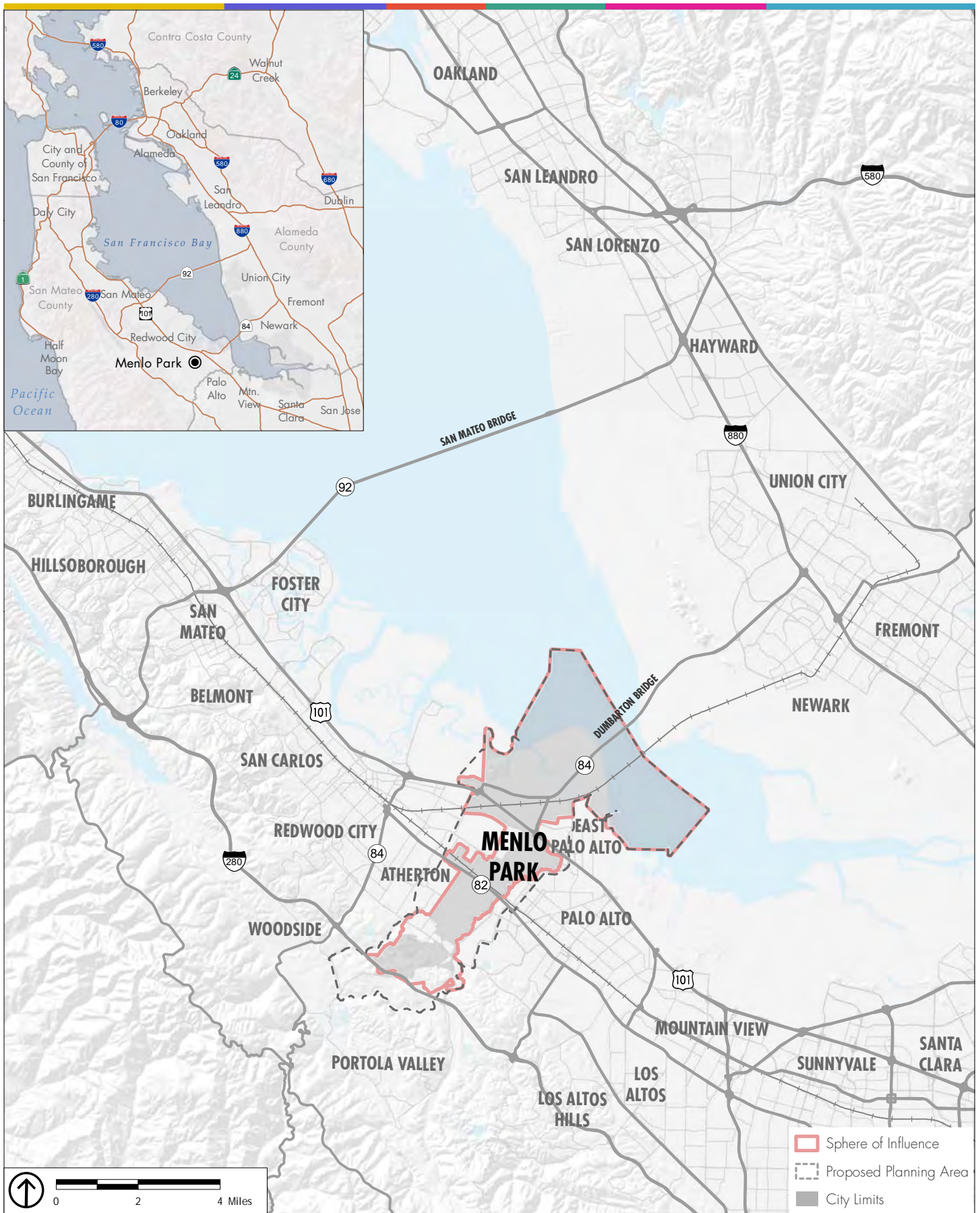
- Agriculture and Forestry Resources
- Mineral Resources

ATTACHMENTS:

Figure 1: Menlo Park Regional Location

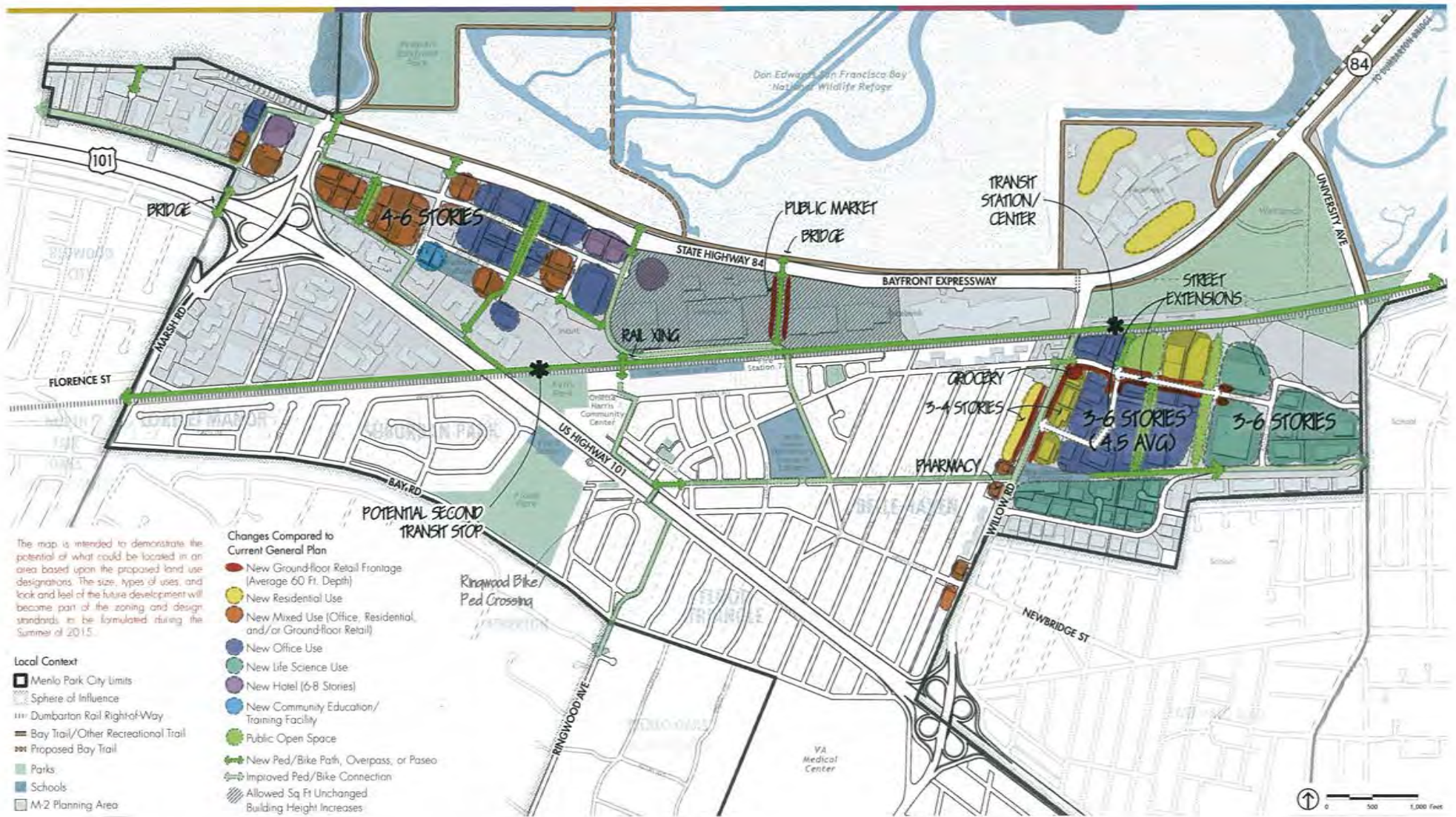
Figure 2: M-2 Area

Figure 3: M-2 Area Maximum Potential Development





**FIGURE 2: M-2 AREA**



DRAFT M-2 AREA MAXIMUM POTENTIAL DEVELOPMENT

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**ConnectMenlo Upcoming Activities and Events**

Item #	Event	Date	Time	Location
1	Downtown Block Party	Wednesday, June 17, 2015	5:00 p.m.	Downtown
2	<i>Release Notice of Preparation (NOP) for Environmental Impact Report (EIR) for 30-day comment period</i>	<i>Thursday, June 18, 2015</i>		
3	GPAC Meeting #7 – Review Draft General Plan Policies and Consistency Analysis	<del>Thursday, June 25, 2015</del> <u>Tuesday, June 30, 2015</u>	6-8:00 p.m.	Library Lower Level
4	<i>End of NOP Comment Period</i>	<i>Monday, July 20, 2015</i>		
5	GPAC Meeting #8 – Review Draft Land Use and Circulation Elements and Zoning Ordinance Update	Thursday, July 23, 2015	6-8:00 p.m.	Library Lower Level
6	Community Workshop on Draft Land Use and Circulation Elements and Zoning Ordinance Update	Thursday, August 13, 2015	7:00 p.m.	Senior Center
7	Planning Commission Meeting to Review Preliminary Draft Land Use and Circulation Elements and Zoning Ordinance Update	Monday, August 24, 2015	7:00 p.m.	City Council Chambers
8	City Council Meeting on Acceptance of Draft Land Use and Circulation Elements and Zoning Ordinance Update	Tuesday, September 8, 2015	7:00 p.m.	City Council Chambers
9	EIR Scoping Session at a Planning Commission Meeting	Monday, September 21, 2015	7:00 p.m.	City Council Chambers
<i>Prepare Draft EIR/FIA, Final EIR/FIA and Final Versions of All Documents with Input from Public Comments</i>				
<b>10</b>	<b><i>Estimated Completion of Overall Project</i></b>	<b><i>July 2016</i></b>		

Note: For more information about the ConnectMenlo process, please visit the project webpage at [www.menlopark.org/connectmenlo](http://www.menlopark.org/connectmenlo). Actual meeting dates, times, and locations are subject to change.

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**DRAFT NOTICE OF PREPARATION  
ENVIRONMENTAL IMPACT REPORT  
FACEBOOK CAMPUS EXPANSION PROJECT  
CITY OF MENLO PARK**

**Date:** June 18, 2015

<b>To:</b>	State Clearinghouse	<b>From:</b>	Kyle Perata
	State Responsible Agencies		Associate Planner
	State Trustee Agencies		City of Menlo Park
	Other Public Agencies		701 Laurel Street
	Interested Organizations		Menlo Park, CA 94025

**Subject:** **Notice of Preparation (NOP) of the Environmental Impact Report for the Facebook Campus Expansion Project**

**Lead Agency:** City of Menlo Park Planning Division

**Project Title:** Facebook Campus Expansion Project

**Project Area:** City of Menlo Park

Notice is hereby given that the City of Menlo Park (City) will be the lead agency and will prepare an environmental impact report (EIR) for the Facebook Campus Expansion Project (Project). The EIR will address the Project's potential physical environmental effects on each of the environmental topics outlined in the California Environmental Quality Act (CEQA). The City of Menlo Park is requesting comments on the scope and content of this EIR.

A scoping session will be held as part of the Planning Commission meeting on **July 13, 2015, at 7 p.m.** at the Menlo Park City Council Chambers, located at 701 Laurel Street, Menlo Park, CA 94025. The scoping session is part of the EIR scoping process and when the City solicits input from the public and other agencies on specific topics they believe should be addressed in the environmental analysis. The focus of the scoping meeting will be the content to be studied in the EIR. Written comments on the scope of the EIR may also be sent to:

**Kyle Perata, Associate Planner**  
**City of Menlo Park**  
**Community Development Department, Planning Division**  
**701 Laurel Street**  
**Menlo Park, CA 94025**  
**ktperata@menlopark.org**  
**Phone: 650.330.6721**  
**Fax: 650.327.1653**

Comments on the NOP are due no later than the close of the NOP review period at 5:00 p.m. on **Monday, July 20, 2015**. However, we would appreciate your response at the earliest possible date. Please send your written comments to Kyle Perata at the address shown above or email to

ktperata@menlopark.org with “Facebook Campus Expansion Project EIR” as the subject. Public agencies providing comments are asked to include a contact person for the agency.

**PROJECT LOCATION AND EXISTING CONDITIONS:** The 58-acre Project site encompasses the existing TE Connectivity (TE) campus at 300–309 Constitution Drive in the city of Menlo Park. The Project site, which includes assessor’s parcel number (APN) 055-260-250, is zoned M-2 (General Industrial) and M-2-X (General Industrial, Conditional Development). The site is designated as Limited Industry under the City’s General Plan and can be built out to approximately 1.142 million square feet (sf) of office uses under the allowable 0.45 floor area ratio (FAR), and up to approximately 1.396 million square feet or 0.55 FAR for other general industrial uses. The Project site is bounded by Bayfront Expressway/State Route (SR) 84 to the north, Facebook Building 20 to the east, and Chilco Street to the west and south. A portion of the Project site abuts the Dumbarton Rail Corridor to the south. Figure 1 depicts the location of the Project site.

Currently, there are 10 buildings containing industrial, warehouse, office, and research and development (R&D) uses at the Project site, totaling approximately 1.02 million sf, as well as 1,690 parking spaces. TE used and continues to use the site primarily for industrial activities and Pentair Thermal Controls leases one of the on-site buildings. In December 2014, the Planning Commission approved a conditional use permit to convert an existing 184,460-square-foot warehouse building located on the southwestern portion of the Project site for Facebook office uses. The conversion will result in an approximately 4,330 square feet reduction for a new building square footage of approximately 180,108 square feet. The renovation of this building (Building 23) is expected to be completed in the first quarter of 2016 and, while it is located on the Project site, it is not part of the Project.

**PROJECT DESCRIPTION:** The proposed Facebook Campus Expansion Project includes the demolition of buildings at the site (Building 23 would not be demolished) and the construction of two new office buildings (Building 21 and Building 22), encompassing approximately 9670,000 sf (a net increase of approximately 127,000 sf at the Project site). Figure 2 shows the conceptual site plan. The proposed Building 21 would contain approximately 513,000 sf of office and event uses and be located on the eastern portion of the Project site. The event space would be utilized for internal Facebook events and have the capacity to accommodate approximately 2,000 people. Building 21 would be constructed during the first phase of development, and Building 22 would be constructed as the second phase of development. The proposed Building 22 would include approximately 450,000 sf of office uses and would be located on the western portion of the Project site. Both buildings would be constructed over surface parking that would contain approximately 3,800 parking spaces. The buildings would be connected to each other and the existing Building 20 east of the Project site via enclosed bridges. The buildings would have an architectural style, height, and massing similar to that of Facebook Building 20. Maximum building heights would be approximately 75 feet.

The Project would also include the potential for a 200-room limited-service hotel with approximately 175,000 sf of space (Building 24) in the northwestern portion of the Project site. The hotel, which would be located near the corner of Chilco Street and Bayfront Expressway, could be constructed in a future phase and would bring the total area of new development at the Project site to approximately 1.13 million sf, with a total FAR not to exceed 0.55 (including existing Building 23). The proposed office GFA would be consistent with the existing City General Plan and M-2 General Industrial Zoning District, which allows office uses at a FAR of up to 0.45 and the comprehensive project including the hotel would not exceed 0.55 FAR, which is consistent with the City General Plan. However, rezoning the entire site from M-2 and M-2-X to M-2-X would be required to exceed the maximum 35-foot height limit and a Zoning Ordinance Text Amendment would be required to accommodate the proposed hotel.

Access to the Project site is proposed from Constitution Drive and a new signalized intersection on Bayfront Expressway at the mid-point of the site. A vehicular connection on the east end of the site to the existing Building 20 could also be constructed. The Project may include a limit on the number of daily or peak period vehicle trips to and from the site. The Project would be organized around a publicly accessible open space and a bicycle/pedestrian corridor that would run north-south through the middle of the site. The Project would also include construction of a new bicycle/pedestrian bridge over Bayfront Expressway to allow for access to the Bay Trail and Bedwell Bayfront Park from the Project site and the Belle Haven neighborhood. The perimeter of the Project site would have a landscaped buffer that would include bicycle/pedestrian pathways that would be separated from the vehicle access roads. The on-site paths would connect the proposed office buildings to Building 20 on the east and Facebook Buildings 10–19 on the north side of Bayfront Expressway.

**PROJECT APPROVALS:** The following approvals would be required by the City under the Project:

- Rezone from M-2 to M-2-X
- Conditional Development Permit
- Zoning Ordinance Text Amendment
- Development Agreement
- Heritage Tree Removal Permits
- Below-Market-Rate Housing Agreement
- Lot Line Adjustment
- Environmental Review
- Fiscal Impact Analysis

**RESPONSIBLE AGENCIES:** The agencies listed below are expected to review the draft EIR to evaluate the Project:

- Bay Area Air Quality Management District (BAAQMD)
- California Department of Transportation (Caltrans)
- California Regional Water Quality Control Board (RWQCB)/San Mateo Countywide Water Pollution Prevention Program
- City/County Association of Governments (C/CAG)
- San Mateo County Transportation Authority (SMCTA)
- Department of Toxic Substance Control (DTSC)
- Menlo Park Fire Protection District
- San Mateo County Environmental Health Division
- West Bay Sanitary District

**INTRODUCTION TO EIR:** The purpose of an EIR is to inform decision-makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information for evaluating a proposed project and its potential to cause significant effects on the environment, examine methods of reducing adverse environmental impacts, and identify alternatives to a proposed project. The Facebook Campus Expansion Project EIR will be prepared and processed in accordance with CEQA and the State CEQA Guidelines. The EIR will include the following:

- Summary of the Project and its potential environmental effects
- Description of the Project

- Description of the existing environmental setting, potential environmental impacts of the Project, and mitigation measures to reduce significant environmental effects of the Project
- Alternatives to the Project
- Cumulative impacts
- CEQA conclusions

**PROBABLE ENVIRONMENTAL EFFECTS:** The EIR will analyze whether the Project would have significant environmental impacts in the following areas:

- |                                   |                                  |
|-----------------------------------|----------------------------------|
| • Aesthetics                      | • Hydrology and Water Quality    |
| • Air Quality                     | • Land Use and Planning Policy   |
| • Biological Resources            | • Noise                          |
| • Cultural Resources              | • Population and Housing         |
| • Geology and Soils               | • Public Services and Recreation |
| • Greenhouse Gas Emissions        | • Utilities                      |
| • Hazards and Hazardous Materials | • Transportation and Traffic     |

To help prepare several of these sections and analyze the impacts, a transportation study will be prepared. The transportation study will focus on intersections, residential and non-residential roadway segments, and Routes of Regional Significance. The transportation study for the Project and the ConnectMenlo General Plan update will be coordinated to ensure consistency and address both the near-term and long-term transportation needs and impacts of both projects. It is currently envisioned that a single, concurrent transportation analysis will be conducted to evaluate the Project and the ConnectMenlo General Plan update.

**ENVIRONMENTAL EFFECTS NOT LIKELY TO REQUIRE FURTHER ANALYSIS:** The Project is not anticipated to result in significant environmental effects in the following areas:

- Agricultural or Forestry Resources
- Mineral Resources

The Project site is fully developed in an urbanized area and located near SR 84 and US 101. As such, agricultural and mineral resources do not exist on the site, and a detailed analysis of these topics will not be included in the EIR.

**ALTERNATIVES:** Based on the significance conclusions determined in the EIR, alternatives to the Project will be analyzed to reduce identified impacts. Section 15126.6(e) of the State CEQA Guidelines requires the evaluation of a No-Project Alternative. Other alternatives may be considered during preparation of the EIR and will comply with the State CEQA Guidelines, which call for a “range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.”

**EIR PROCESS:** Following the close of the NOP comment period, a draft EIR will be prepared that will consider all NOP comments. In accordance with State CEQA Guidelines Section 15105(a), the draft EIR will be released for public review and comment for the required 45-day review period. Following the close of the 45-day public review period, the City will prepare a final EIR, which will include responses to all substantive comments received on the draft EIR. The draft EIR and final EIR will be considered by the Planning Commission and City Council in making the decision to certify the EIR and approve or deny the Project.

June 18, 2015

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Kyle Perata, Associate Planner  
City of Menlo Park

Date

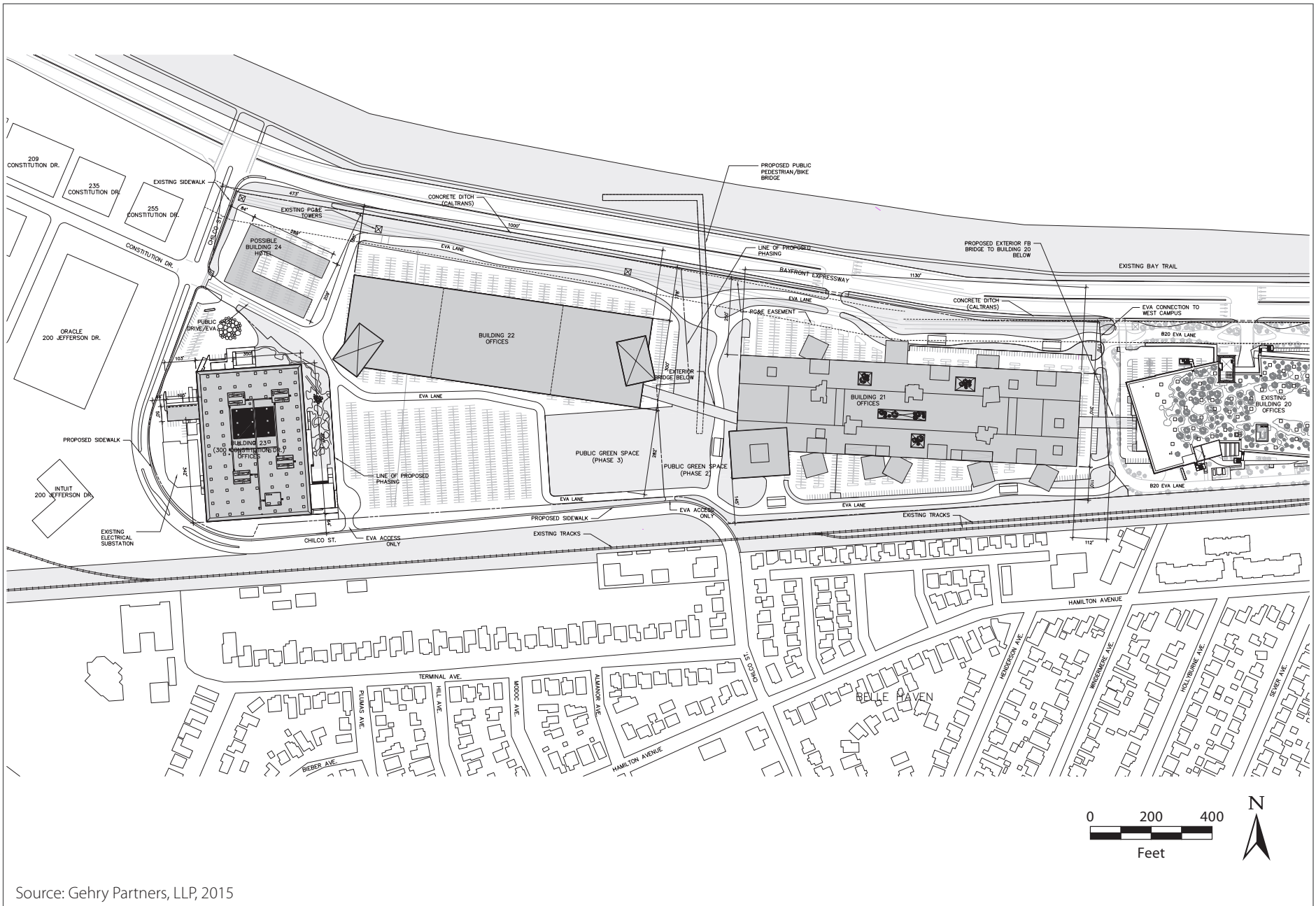


00296.15 City of Menlo Park - Facebook Constitution Expansion (05-15) 55

**Figure 1**  
**Project Location**  
Facebook Campus Expansion Project



00296.15 City of Menlo Park - Facebook Constitution Expansion (05-15) S5



Source: Gehry Partners, LLP, 2015



**Figure 2**  
**Proposed Site Plan**  
 Facebook Campus Expansion Project  
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June 11, 2015

City of Menlo Park  
Community Development Department  
Attn: Justin Murphy, Development Services Manager

VIA EMAIL: JICMurphy@menlopark.org

**SUBJECT: PHASE II. Proposal to Prepare an Environmental Impact Report for the Facebook Constitution Campus Project**

Dear Mr. Murphy:

ICF Jones & Stokes, Inc. (hereafter referred to as ICF) is pleased to present this scope and budget to prepare an Environmental Impact Report (EIR) for the proposed Facebook Constitution Campus Project (hereafter referred to as the Project). This scope and budget represent Phase II of the CEQA process. Phase I is already under contract and consists of start-up tasks including data collection, preparing the project description, and preparing the Notice of Preparation (NOP).

As shown in Attachment E, our team's total estimated cost for Phase II is \$703,106.60.

This proposal is valid for a period of 90 days, at which time ICF reserves the right to revise the contents or extend the validity date, if needed. ICF respectfully reserves the right to negotiate contract terms similar to those we negotiated with the City in previous contracts. Please feel free to contact Erin Efner at (415) 677-7181 or erin.efner@icfi.com. We look forward to working with you on this important effort.

Sincerely,

A handwritten signature in black ink that reads 'Rahul T. Young'.

Rahul Young  
Vice President, Bay Area/Pacific Northwest Line Of Business Leader | Environment & Planning |  
Energy, Environment & Transportation



Attachments

- A. BASELINE Scope and Budget
- B. Keyser Marston Associates Scope and Budget
- C. BAE Urban Economics Scope and Budget
- D. TJKM Scope and Budget
- E. Comprehensive EIR Budget



## Facebook Campus Expansion Project Scope of Work – Phase II

### Project Understanding and General Approach

ICF has reviewed the information provided by the City and Hibiscus Properties, LLC (Project Sponsor). Based on our review of project materials and experience with similar projects, we understand that an EIR is needed. ICF submitted a scope of work and budget for Phase I of the EIR on April 29, 2015 and is currently working on the following tasks: Project Initiation/Data Collection (Task 1), EIR Project Description (Task 2), EIR Scope Definition (Task 3), Initial Administrative Draft EIR Tasks (Task 4), and Project Management/Meetings for Phase I (Task 5). Therefore, this Phase II scope of work starts at Task 6, completion of the Administrative Draft EIR, and takes the EIR through certification.

The Project involves the redevelopment of the existing 58-acre site known as the TE Connectivity campus with two new office buildings, an event space, and potentially a hotel. The Project would demolish nine existing buildings (comprising approximately 835,838 square feet [sf] of floor area) and construct two new office buildings containing approximately 967,000 sf, resulting in a net new addition of approximately 127,000 sf of building space.

The Project would be built out over two phases. Building 21 would be constructed as part of the first phase and would contain approximately 513,000 sf of office and event uses at the eastern portion of the site. The event space would be utilized for internal Facebook events and would have the capacity for approximately 2,000 people. Building 22 would be constructed as part of the second phase of the Project and would involve approximately 450,000 sf of office uses at the western portion of the site. Maximum heights at the Project site would be approximately 75 feet. When combined with the existing office space located within Building 23 (an existing onsite building that will be renovated under a separate conditional use permit and is not part of the Project evaluated in this EIR), the total office use at the site would be 1.14 million gsf at a floor area ratio (FAR) of 0.45. As part of a future phase, the Project could also include a 200-room, approximately 175,000-sf limited service hotel that would be located in the northwest corner of the site.

The proposed buildings would be situated around a public open space with a pedestrian and bicycle corridor running through the center of the site. The Project would also include construction of a new pedestrian and bicycle bridge over Bayfront Expressway to allow connection with the Bay Trail and Bedwell Bayfront Park. A new signalized intersection along Bayfront Expressway would also be constructed.



The below scope includes the work that would be conducted by ICF. Additionally, this scope includes the following subconsultants for technical analyses: BASELINE for the hazards analysis (Attachment A), Keyser Marston Associates (KMA) for the Housing Needs Analysis (HNA) (Attachment B), Bay Area Economics (BAE) for the Fiscal Impact Analysis (FIA) (Attachment C), and TJKM/Nelson Nygaard/PlaceWorks for transportation analysis (Attachment D). We assume that ICF will conduct the technical work for the Air Quality, GHG, Cultural, and Biological Resources analysis.

## Scope of Work (Phase II)

### Task 6. Administrative Draft EIR

The purpose of this task is to prepare the Administrative Draft EIR. This task will synthesize background information for use in the existing setting, evaluate changes to those baseline conditions resulting from implementation of the Project to identify significant impacts, and identify mitigation measures to reduce potentially significant impacts to a less-than-significant level.

For this task, there will be four principal activities:

- Determine, by individual resource topic, the significance criteria to be used in the analysis.
- Present the analysis at full buildout of the Project.
- Perform the analysis and make determinations of impact significance.
- Recommend mitigation measures to reduce impacts, if needed.

The ICF team will collect the information necessary to define baseline conditions in the Project area. Based on our understanding of the project and discussions with City staff, baseline conditions will reflect the conditions at the time of the NOP release. ICF will also refer to the Menlo Park Facebook Campus EIR, certified in June 2012, the EIR Addendum, prepared in February 2013, and the Commonwealth Corporate Center Project EIR for applicable background data, impact areas, and mitigation measures.

For each environmental topic, significance thresholds or criteria will be defined in consultation with the City so that it is clear how the EIR classifies an impact. These criteria will be based on CEQA Guidelines, Appendix G, standards used by the City, and our experience in developing performance standards and planning guidelines to minimize impacts.

The analysis will be based on standard methodologies and techniques, and will focus on the net changes anticipated at the Project site. The text will clearly link measures to impacts and indicate their effectiveness (i.e., ability to reduce an impact to a less-than-significant level), identify the responsible agency or party, and distinguish whether measures are proposed as part of the



Project, are already being implemented (such as existing regulations), or are to be considered. This approach facilitates preparation of the Mitigation Monitoring and Reporting Program (MMRP) that follows certification of an EIR.

The Administrative Draft EIR will also incorporate the alternatives and other CEQA considerations described in Task 7 (below). It is envisioned that the City's initial review of the document will consider content, accuracy, validity of assumptions, classification of impacts, feasibility of mitigation measures, and alternatives analyses. Because the impacts and mitigations are subject to revision based on staff review of the Administrative Draft EIR, the Executive Summary will be prepared only for the Screencheck Draft. The following task descriptions summarize the data to be collected, impact assessment methodologies to be used, and types of mitigation measures to be considered, by environmental issue.

### Issues Anticipated to be Less Than Significant

To streamline the EIR process, ICF will “scope out” some environmental topics that do not require detailed discussion in the EIR. These topics will not be evaluated at the level of detail specified for the issues below, but at a level adequate to fully assess the potential effects, and, if necessary, to identify appropriate mitigation measures to reduce any potential impact to a level of non-significance. This discussion will be presented in the Impacts Found to be Less Than Significant chapter of the EIR.

Based on our preliminary review, the following environmental topics may be scoped out from detailed analysis in the EIR.

- **Agricultural and Forestry Resources.** ICF will describe existing conditions at the Project site, identify General Plan designation and zoning districts, and indicate lack of agricultural and forestry uses at the Project site.
- **Mineral Resources.** ICF will describe existing conditions at the Project site and identify the mineral resources zone classification for soils at the site. It is anticipated that the site does not contain significant mineral resources.

### Aesthetics

Data needs to complete the section include massing studies/visual simulations (based on viewpoints identified by ICF, as described below), landscape plans, lighting plans, building architectural styles, and shadow diagrams. The number of viewpoints and shadow diagrams will be defined in consultation with City staff, although for purposes of this scope, it is assumed that six key points will be selected for the visual simulation and that shadow diagrams will be produced for each season in the morning and afternoon. ICF will prepare the Aesthetics section of the EIR based on the visual simulations and will conduct the following tasks:



- Visit the project site and surroundings to identify and photodocument existing visual character and quality conditions, views to and from the Project site, and other urban design features (included in Phase I).
- Peer review the massing studies/visual simulations, landscape plans, lighting plans, and shadow diagrams provided by the Project Sponsor.
- Based on scenic resources and views identified in the Menlo Park General Plan and the Project Sponsor's massing studies, analyze potential adverse aesthetic effects resulting from the Project:
  - The surrounding sensitive viewer locations that could be affected by the proposed development include the Bay Trail, the BCDC Public Shoreline Trail, Bedwell Bayfront Park, Hamilton Park, Joseph P. Kelly Park, and the Belle Haven neighborhood (such as from Terminal Avenue and Sandlewood Street).
  - Scenic resources in the immediate vicinity that could be affected include the tidal mudflats and marshes of the San Francisco Bay, which are part of the Don Edwards San Francisco Bay National Wildlife Refuge
  - Area resources that could have background views blocked by the increases in height and bulk at the Project site include the Santa Cruz Mountain Range.
  - Analyze potential degradation of views from adjacent uses and other sensitive viewer locations.
- Review existing and proposed General Plan goals, policies, and programs related to visual quality to determine conflicts with any relevant plans and policies.
- Using the visual simulations and field observations, analyze whether the Project would substantially degrade the existing visual character or quality of the Project site and its surroundings due to grading, height, bulk, massing, architectural style, and building materials, the proposed pedestrian bridge over Bayfront Expressway, and other site alterations.
- Analyze lighting and glare impacts created by the proposed buildings, focusing on motorists on Bayfront Expressway and residents of the Belle Haven neighborhood.
- Using the shadow simulation prepared by the Project sponsor, analyze the Project's impact on the adjacent Bay Trail and other parks in the area.

### Air Quality

Sensitive receptors in the Project vicinity include a residential neighborhood in Belle Haven neighborhood (approximately 100 feet south), Hamilton Park (approximately 500 feet south), Belle Haven Elementary School (approximately 1,000 feet south), Joseph P. Kelly Park (approximately 1,000 feet southwest), and the Beechwood School (approximately 800 feet southwest). Additional sensitive receptors could be identified during the screening process. The





following tasks will be completed in compliance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines.

ICF air quality specialists will prepare the air quality EIR section consistent with all applicable procedures and requirements of the Bay Area Air Quality Management District (BAAQMD), California Air Resources Board (ARB), and United States Environmental Protection Agency (EPA). The analysis will focus on the criteria pollutants of greatest concern in the San Francisco Bay Area Air Basin (SFBAAB) that will be generated by construction and operation of the Project. Those pollutants include ozone precursor (reactive organic gases [ROG] and oxides of nitrogen [NOX]), carbon monoxide (CO), and inhalable particulate matter (PM10 and PM 2.5).

The EIR section will describe the existing environmental conditions and the current air quality regulatory environment as it applies to this project. ICF will summarize meteorological and climatological data for the project study area, as well as localized conditions in the vicinity of the proposed project using data collected by the BAAQMD, ARB, and EPA. We will also describe the general locations of existing sensitive receptors in the Project vicinity.

ICF will identify significant impacts using the BAAQMD's May 2011 CEQA Guidelines, California Environmental Quality Act: Air Quality Guidelines (CEQA Guidelines). We will describe the air quality thresholds used to identify significant impacts, as well as the methodology used to estimate project-related emission impacts. As part of our discussion of the BAAQMD's May 2011 CEQA Guidelines, we will provide substantial evidence in support of their use to evaluate impacts associated with the proposed project.

The impact analysis will focus on the following:

- *Short-Term Construction Emissions:* ICF will quantify demolition- and construction-related emissions of ROG, NOX, CO, PM10, and PM2.5 using accepted models (e.g., CalEEMod) and construction data (i.e., anticipated construction schedule and equipment) provided by the Project Sponsor. Where Project-specific data is unavailable, ICF will use default values from CalEEMod. The analysis will address construction-related mitigation measures required by BAAQMD, including adherence to BAAQMD rules and regulations. Estimated construction emissions will then be compared to the BAAQMD's construction emission thresholds to determine project significance for construction activities. All assumptions used to estimate emissions, including a full list of construction equipment, will be provided as an appendix to the EIR.
- *Long-Term Operational Emissions:* ICF will use the traffic data from the transportation and circulation analysis (i.e., trip generation rates) and the CalEEMod model to estimate operational emissions of ROG, NOX, CO, PM10, and PM2.5 from project-related vehicle



- emissions. Motor vehicle emission estimates will be based on motor vehicle activity (number of trips, trip length) estimated by the traffic analysis prepared by the project transportation engineer. Operational emissions associated with area sources (i.e., landscaping, residential heating, and consumer products) will be estimated with the CalEEMod model and data from the Project Sponsor, as available. Depending on data provided by the transportation subconsultant and Project Sponsor, the analysis may quantitatively evaluate emissions reductions achieved by alternative transportation options and sustainability strategies. Since implementation of the Project would demolish the existing TE Connectivity campus, the difference in operational emissions between those associated with the proposed project and those associated with the TE Connectivity campus will be compared to applicable BAAQMD emission thresholds and mitigation identified, as needed.
- *Localized carbon monoxide hot spots:* ICF will review traffic data from the transportation and circulation analysis for affected intersections (i.e., Level of Service (LOS)) to and the BAAQMD's qualitative CO screening criteria to determine the need for localized CO modeling and evaluate CO impacts. In the event the screening analysis indicates a quantitative CO analysis is necessary, we will use peak hour intersection data, the CALINE4 dispersion model, and the latest version of ARB emission factors (EMFAC2014) to estimate CO concentrations at up to five (5) intersections. CO impacts will be assessed by evaluating whether the proposed project meets the ambient air quality requirements for localized pollutants by determining whether it causes or contributes to an exceedance of state or federal CO standards.
  - *Localized Diesel Particulate Matter:* ICF will prepare a screening-level health risk assessment (HRA) to estimate potential health risks associated with Project construction. Diesel exhaust emissions as determined from the CalEEMod modeling will be used to evaluate health risks to nearby receptors from exposure to construction-related DPM using the AERSCREEN dispersion model or other dispersion model (e.g., SCREEN3, ISCST3, AERMOD, etc.). The HRA will be consistent with methodologies and procedures recommended by the Office of Environmental Health Hazard Assessment, California Air Pollution Control Officers Association, and BAAQMD. Predicted health risks will be compared to BAAQMD's thresholds to determine project significance.
  - *Odors:* ICF will qualitatively evaluate the potential for odor impacts during construction and demolition activities. Odors generated during long-term project operation will also be considered.
  - *Asbestos:* In the event buildings to be demolished contain asbestos used for insulation purposes, ICF will describe and assess the potential for asbestos exposure during demolition in the air quality chapter. Potential mitigation for reducing exposure to



asbestos will include compliance with BAAQMD Regulation 11, Rule 2; ARB Air Toxic Control Measures; and federal National Emission Standards for Hazardous Air Pollutants regulations.

### Biological Resources

The existing site is developed with buildings and surface parking lots. As such, natural biological resources are likely to be minimal. Nonetheless, the Project site is adjacent to the Bay and the Don Edwards San Francisco Bay National Wildlife Refuge and could have an indirect impact on special-status species inhabiting these areas. In addition, buildings and trees currently exist on the campus, which could provide habitat for nesting birds and/or roosting bats. ICF will conduct the following tasks:

- Conduct background research to determine the biological resources that could be affected by the Project such as special-status species or protected heritage trees. This research will include review of Menlo Park's heritage tree ordinance, the use of the California Department of Fish and Wildlife's Natural Diversity Database (CNDDDB), the U.S. Fish and Wildlife Service's Special-Status Species Online Database, and the California Native Plant Society's online inventory. An aerial photograph of the Project site will be reviewed to identify areas of habitat types that can later be confirmed through field verification.
- Conduct a site visit to characterize potential special-status plant and wildlife habitats that may be present (included in Phase I). A list of plant and wildlife species observed during the survey will be collected and presented in the analysis. Given the developed nature of the Project site, it is not expected that special-status species will be present; however a site visit will be required to make this determination. Although no species specific surveys are proposed for this scope, if any incidental sightings of special-status species occur during the survey, they will be recorded.
- Evaluate the Project's effects on the identified biological resources, and recommend mitigation as warranted. Based on prior experience in the region, and the urban nature of the site, ICF anticipates that the prominent issues for the Project will be limited to nesting migratory birds, roosting bats, and protected trees, per the City of Menlo Park heritage tree ordinance. However, with the proximity of Ravenswood Slough, the Don Edwards San Francisco Bay National Wildlife Refuge, and the associated salt marsh habitat, it will be important to address the possibility that special-status species associated with this habitat could be affected by the Project.



## Greenhouse Gas Emissions

ICF will prepare an analysis of greenhouse gas (GHG) and climate change impacts associated construction and operation of the proposed project. The analysis will focus on GHG emissions generated by the project, including carbon dioxide, (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O). The setting will describe the key concepts of climate change, the GHGs of greatest concern and their contribution towards climate change, and the current climate change regulatory environment as it applies to this Project.

In the impacts section, ICF will evaluate the Project's contribution towards climate change, as well as the effects of climate change on the Project. The assessment of climate change impacts will be evaluated using thresholds and evaluation approach recommended by the BAAQMD in their May 2011 CEQA Guidelines, as well as consultation with City staff. Consistency with Assembly Bill 32, the City of Menlo Park's Climate Action Plan, and other applicable City policies, will also be addressed.<sup>1</sup> The impact analysis will focus on the following:

- *Short-term emissions from Project construction:* ICF will quantify Project-level construction GHG emissions resulting from fuel combustion using the CalEEMod emissions model and other accepted protocols (e.g., Climate Registry's Default GHG Emission Factors). The construction analysis will use equipment and default assumptions developed for the air quality analysis (see above).
- *Long-term emissions from Project operation:* ICF will use the traffic data from the transportation and circulation analysis (i.e., trip generation rates) and the CalEEMod model to estimate GHG emissions from vehicular trips resulting from the Project. GHG emissions associated with operational area sources (i.e., landscaping and space heating), energy consumption (e.g., electricity, natural gas), water consumption, and waste and wastewater generation will be quantified using CalEEMod and data from the Project Sponsor, as available. Depending on data provided by the transportation engineer and Project Sponsor, the analysis may quantitatively evaluate emissions reductions achieved by alternative transportation options and sustainability strategies. Similar to the air quality analysis, net operational emissions (i.e., the difference in operational emissions between those associated with the Project and those associated with the TE Connectivity campus) will be compared to applicable BAAQMD thresholds. In the event that emissions are found to be significant, mitigation measures will be developed and quantified to the extent feasible to address identified potential impacts.

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<sup>1</sup> The Climate Action Plan was adopted in 2009 and is not considered a qualified GHG reduction plan pursuant State CEQA Guidelines, Section 15183.5.



- *Climate Change Effects:* It is difficult to accurately quantify the effects of climate change on the Project area, as current tools and models do not have sufficient resolution to forecast localized changes in climate and resulting effects related to climate change. Consequently, ICF will present a qualitative evaluation of the consequences of climate change to the project area using studies published by, but not limited to, the ARB, California Department of Water Resources, California Energy Commission, California Institute for Energy and Environment, and others. Impacts of sea level rise will be discussed in the Hydrology/Water Quality section.

### Cultural Resources

ICF will prepare the Cultural Resources section of the EIR and will conduct the following tasks:

- Where applicable, ICF will use information gathered for the General Plan Update in the Cultural Resources analysis.
- Conduct records search of the Northwest Information Center (NWIC) to identify any previously recorded cultural resources and cultural resource investigations within half a mile of the Project site.
- Request a sacred lands search of the Native American Heritage Commission (NAHC) database to determine if any Native American cultural resources are present in the vicinity of the Project site. Local Native American organizations and individuals identified by NAHC will also be contracted regarding information on potential Native American resources in the Project vicinity. The EIR will summarize any responses related to this effort. We assume that no issues will arise.
- Assess probabilities and to evaluate potential adverse impacts to archaeological resources.
- The Project would demolish nine of the ten existing buildings containing industrial, warehouse, office, and research and development (R&D) uses at the Project site. ICF would conduct archival research on the development of Project site including the history of the architects and people associated with the TE campus and any buildings 50 years old or older. Since the ages of the buildings are currently unknown, a qualified historian will visit the site (Phase I) and make a determination as to the eligibility of the property. This scope assumes that the buildings will be found to not be historic resources. If it is determined that these buildings are historic resources then a revised scope of work and budget amendment will be needed to complete the work.
- Analyze the impacts of the proposed project based on background studies as described above. Potential impacts for consideration will include archeological resources, paleontological resources, and human remains. A discussion of historic resources will be included. Standard mitigation measures will be identified.



## Geology/Soils

Based on technical information received for the Project site, ICF will prepare the Geology/Soils section of the EIR and will conduct the following tasks:

- Obtain the Geotechnical Report from the Project Sponsor and review.
- Report the type and magnitude of seismic activity typical in the San Francisco Bay Area, the standards to be met by proposed structures to resist damage during seismic events, and design features to be incorporated in the Project to comply with those standards.
- Evaluate the geohazard risks from development at the Project site, using the Geotechnical Report, available geologic and/or soils maps, published literature, and other information, reports, and/or plans. The main issue that will be analyzed is the seismic and geotechnical safety of the proposed buildings.
- Assess potential geohazard impacts of the Project in light of existing regulations and policies that would serve to minimize potential impacts. Pertinent regulatory requirements will be explicitly identified so that the nexus between regulations and minimized impacts is apparent. In general, construction of development similar to the Project has little or no effect on the geology of an area, but is still subject to seismic groundshaking and local soil conditions, including ground oscillation and long-term and differential settlement. Standard design and construction techniques and compliance with City standards (including applicable portions of the California Building Code and the National Pollutant Discharge Elimination System [NPDES]) typically eliminate or minimize seismic and geotechnical hazards.

## Hydrology/Water Quality

Based on technical information received from the Project Sponsor (such as a hydrology/drainage report), ICF will prepare the Hydrology/Water Quality section of the EIR and will conduct the following tasks:

- Describe the existing regulatory environment at the local, state, and federal levels, including, but not limited to, the Construction General Permit, Municipal Regional Permit for stormwater discharges (including how the project relates to C.3 requirements), the City of Menlo Park Municipal Code, and the California Building Code. These regulations require specific measures for reducing potential impacts on hydrology and water quality as well as from flooding.
- Assess potential Project hydrology and water quality impacts in light of existing regulations and policies that would serve to minimize potential impacts. Pertinent regulatory requirements will be explicitly identified so that the nexus between regulations and minimized impacts is apparent.



- Evaluate cumulative impacts resulting from the cumulative effect of development of the surrounding area.
- Discuss sea level rise and evaluate future flooding scenarios.
- Identify mitigation measures, where feasible, to minimize potentially significant or significant Project impacts. It is assumed that many of the impacts to surface hydrology, runoff, and water quality degradation will be effectively avoided or mitigated through compliance with existing regulations and standards.

### Hazards and Hazardous Materials

Due to the prior operations at the Project site as a predominately industrial and warehousing site, it is assumed that hazardous substances are present. Based on technical information received from the Project Sponsor (such as a Phase I/II Environmental Site Assessment [ESA]), BASELINE will prepare the Hazards and Hazardous Materials section of the EIR. The scope for the hazards and hazardous materials analysis is included in Attachment A.

### Land Use

Land use and planning generally considers the compatibility of a proposed project with neighboring areas, change to, or displacement of existing uses, compliance with zoning regulations, and consistency of a proposed project with relevant local land use policies that have been adopted with the intent to mitigate or avoid an environmental effect. With respect to land use conflicts or compatibility issues, the magnitude of these impacts depends on how a proposed project affects the existing development pattern, development intensity, traffic circulation, noise, and visual setting in the immediately surrounding area, which are generally discussed in the respective sections. The Project would require a restated and amended CDP, and a zoning amendment/rezoning.

Our scope of work assumes that ICF will coordinate with the City regarding the ongoing Menlo Park General Plan update efforts and, as applicable, utilize the existing and proposed General Plan goals, policies, and programs. ICF will conduct the following tasks:

- Describe existing land uses, intensities, and patterns in the vicinity of the Project site and the compatibility of the proposed land uses and zoning with current onsite and offsite development.
- Describe the Project's potential to divide an established community.
- Evaluate any potential conflicts between the proposed and current land uses that would result in environmental impacts. These conflicts could include a use that would create a nuisance for adjacent properties or result in incompatibility with surrounding land uses,



such as differences in the physical scale of development, noise levels, traffic levels, or hours of operation.

- Evaluate the extent to which adopted City development standards or proposed design standards, as outlined in the Project application, would eliminate or minimize potential conflicts within the Project site, resulting in environmental impacts. The updated Menlo Park General Plan, Zoning Ordinance, Bay Conservation and Development Commission Bay Plan, the Bay Trail Plan (due to the proposed bicycle/pedestrian bridge connector), South Bay Salt Pond Restoration Project/Don Edwards San Francisco Bay National Wildlife Refuge (due to close proximity), and other applicable plans will be examined and the Project's consistency with applicable portions of these plans will be described. Due to the ongoing General Plan Update, ICF will analyze both the existing and proposed General Plan goals and policies.

## Noise

Primary noise sources in the Project vicinity include local and regional roadway traffic. Noise-sensitive receptors in the project vicinity include recreational uses at Hamilton Park to the south and Joseph P. Kelly Park to the southwest, residential uses in Belle Haven neighborhood, Belle Haven Elementary School, and Beechwood School. Other sensitive receptors could be identified during the screening process. ICF will assess the noise and vibration impacts associated with implementation of the Project and prepare the EIR noise chapter. As appropriate, data from the General Plan Update effort can be used to complete this chapter of the EIR. Key noise issues to be addressed will include:

- Exposure of existing noise sensitive land uses to noise and vibration associated with construction activity.
- Exposure of existing noise sensitive land uses to Project-related changes in traffic noise.
- Exposure of existing noise sensitive land uses to operational noise from the Project site (mechanical equipment, parking lots, loading docks, etc.).
- Exposure of noise-sensitive uses on the Project site to noise.

Existing noise conditions in the Project area will be described in the setting section. Noise sensitive land uses and noise sources in the Project area will be identified. Existing noise levels in the Project area will be quantified based on noise monitoring to be conducted at selected locations and traffic noise modeling, as follows:

- It is anticipated that short-term (15 minutes or less) noise monitoring will be conducted at up to five locations in the Project area. Continuous long-term monitoring (24 hours or more) will be conducted at up to two locations in the Project area. ICF will ensure that the locations chosen will sufficiently capture projected noise increases resulting from loading





docks. ICF will submit proposed locations to the City for approval prior to conducting the noise measurements.

- Existing traffic noise conditions in the Project area will also be modeled using the FHWA Traffic Noise Model (TNM) version 2.5 and traffic data to be provided by the Project traffic engineer. Traffic noise along as many as 12 roadway segments will be modeled.
- Applicable noise standards from the City of Menlo Park General Plan Noise Element and noise ordinance will be described.

In the impact section CEQA significance thresholds will be established based on applicable City noise standards. Construction noise and vibration will be evaluated using methods recommended by the U.S. Department of Transportation and construction data to be provided by the Project Sponsor. If the mix of construction equipment is not known, ICF will assist with determining an appropriate scenario. Traffic noise will be evaluated under the conditions analyzed in the Transportation section.

Noise generated by facility operation including loading docks, parking lots, and mechanical equipment will be evaluated using standard acoustical modeling methods and operational data provided by the Project Sponsor. To the extent that any noise sensitive uses will be located on the Project site, impacts associated with the potential exposure of those sources to existing noise sources will be evaluated. ICF will confirm with the City and Project Sponsor whether vibration sensitive equipment is present onsite.

The significance of noise impacts will be evaluated using the significance thresholds. Where significant impacts are identified, mitigation measures to reduce impacts will be identified.

### Population/Housing

This section will examine the Project's effect on population and housing in the City and, to a lesser extent, in the region. The analysis will focus on the increase in population and the secondary effects associated housing needed to accommodate the increased employment that would result from the Project. ICF will undertake the following tasks:

- As included in Attachment B, a Housing Needs Assessment (HNA) will be prepared by Keyser Marston Associates. ICF will peer review the Housing Needs Assessment (HNA) and incorporate the findings into the analysis.
- Discuss qualitatively the housing effect resulting from the Project in the context with the Association of Bay Area Governments (ABAG) regional household forecasts and fair share housing allocations.



- Similar to other job intensive projects, the EIR will examine the secondary housing demands based on future residential patterns for Facebook employees. This discussion will be presented in the “Growth Inducement” section of the EIR.

### Public Services

Based on information received from various service providers, ICF will prepare the Public Services section of the EIR. BAE will conduct an FIA (Attachment C) and ICF will coordinate the FIA findings with the Public Services section to ensure that we are efficient in our requests for information from the public service providers. As appropriate, ICF will utilize existing data gathered as part of the ongoing General Plan Update process. ICF will conduct the following tasks:

- As necessary, conduct interviews with the City’s police department, community services department, library, fire district, and the school district to determine current service levels and capacity to serve increased demand. For efficiency, ICF will coordinate these interviews with BAE.
- Estimate Project-generated demand for public services based on existing operational standards obtained from the service providers. Other measures of demand will also be considered, such as the projected increase in the calls for service and the projected demand of recreational facilities and library services.
- In accordance with CEQA, evaluate the extent to which Project demands would trigger the need for new public facilities whose construction might result in physical environmental effects.
- Note that the focus of the analysis will be directed towards police, fire, and recreation. The other services, such as schools and libraries, are predominantly affected by residential development, which is not proposed by the Project. Nonetheless, the EIR analysis will consider the secondary effects of adding to the residential population in the City and the associated impacts on police, fire, recreation, schools, and libraries.

### Transportation/Traffic

The scope of work for the Transportation analysis is included as Attachment D.

### Utilities/Service Systems

The Utilities/Services Systems section of the EIR will examine the Project’s effect on water supply, wastewater treatment, solid waste disposal, and energy generation and transmission. Information for these analyses is expected to come from the Project Sponsor and PlaceWorks. Based on technical information for the Project site, and information received from the utility



providers, ICF will prepare the Utilities/Service Systems section of the EIR and will conduct the following tasks:

- Discuss applicable regulations at the local, state, and federal level.
- Peer review utilities data prepared by the Project Sponsor for adequacy and use in the EIR.
- Peer review the Water Supply Assessment prepared by EKI (contracted under PlaceWorks). ICF will review the WSA, provide comments (if necessary), and incorporate the WSA into the analysis.
- Describe existing utility providers, system capacity, and improvement plans.
- Evaluate the net change in the demand for water, wastewater, solid waste, and energy, relative to existing and planned capacity for the utilities.
- Discuss whether Project impacts trigger mitigation measures such as the expansion or construction of new infrastructure or facilities.
- Include a discussion of fuel and energy consumption pursuant to Appendix F of the CEQA Guidelines.
- Evaluate cumulative impacts resulting from the cumulative effect of development of the surrounding area.

### *Deliverables*

- Five hard copies of Administrative Draft EIR
- One electronic copy of Administrative Draft EIR in MS Word
- One electronic copy of Administrative Draft EIR in Adobe PDF format

### *City Involvement*

Review and comment on the document.

## **Task 7. Project Alternatives and Other CEQA Considerations**

The purpose of this task is to complete drafts of the remaining sections (Alternatives and Other CEQA Considerations) of the EIR for City staff review. This task involves preparation of other required sections examining particular aspects of the Project's effects and the identification and comparison of Project alternatives.

### *Other CEQA Considerations*

This task involves documenting unavoidable adverse impacts, growth-inducing effects, and cumulative effects of the Project:

- The unavoidable effects will be summarized from analyses performed in Task 6.



- Growth-inducing effects will be based on economic multipliers for the proposed uses, as well as comparisons with ABAG projections for the City. Growth inducement will be discussed in the context of population increases, utility and public services demands, infrastructure, and land use. Effects associated with increased housing demand in the City and region will be discussed.
- Cumulative effects where relevant will be addressed in Task 6 and summarized as part of this section of the EIR. The future projects in the vicinity of the Project site will be considered as they relate to potential cumulative impacts. This scope assumes the City will help develop the approach for analyzing cumulative effects, typically a combination of using the General Plan and a list of reasonably foreseeable planned projects.

### *Alternatives*

The alternatives to the Project must serve to substantially reduce impacts identified for the Project while feasibly attaining most of the Project objectives. ICF assumes that one Reduced Project Alternative will be quantitatively analyzed and will be based on a sensitivity analysis to reduce identified impacts. The No Project Alternative will also be quantitatively analyzed. Up to two additional alternatives could be developed by ICF, the City, and/or the Project Sponsor and evaluated qualitatively. This scope assumes that the City/Project Sponsor will provide justification for dismissing offsite alternatives and other alternatives considered but rejected.

### *Deliverables*

- Other CEQA Considerations chapter to be submitted with Administrative Draft EIR
- Alternatives chapter to be submitted with Administrative Draft EIR

### *City Involvement*

Participate in discussions to develop list of projects for cumulative analysis and Project alternatives. Review and augment the alternatives analysis.

## **Task 8. Screencheck Draft**

The purpose of this task is to prepare the Screencheck Draft EIR for City staff review. ICF will prepare a Screencheck Draft EIR to respond to the City's and Project Sponsor's comments on the Administrative Draft EIR. This scope assumes that comments from multiple reviewers will be consolidated with any conflicting comments resolved, and that comments do not result in substantial revisions or additional analyses. The Screencheck Draft EIR will include an Executive Summary section, which will summarize the Project Description, impacts and mitigations, and alternatives. Impacts and mitigations will be presented in a table that identifies each impact, its



significance, and proposed mitigation as well as the level of significance following adoption for the mitigation measures.

### *Deliverables*

- Five hard copies of Screencheck Draft EIR
- Electronic copies of Screencheck Draft EIR in MS Word and Adobe PDF format

### *City Involvement*

Review and comment on the document.

## **Task 9. Public Draft EIR**

The purpose of this task is to prepare and submit the Draft EIR to the City for distribution to the public. ICF will revise the Screencheck Draft to incorporate modifications identified by the City. The revised document will be a Draft EIR, fully in compliance with State CEQA Guidelines and City guidelines, and will be circulated among the public agencies and the general public as well as specific individuals, organizations, and agencies expressing an interest in receiving the document. During this task, ICF will also compile the appendices that will be distributed with the Draft EIR and produce a version of the full document that can be uploaded onto the City's website. ICF will also prepare a Notice of Completion (NOC) to accompany the copies that must be sent to the State Clearinghouse. This scope of work and budget assumes that ICF will send the required documents to the State Clearinghouse and that the City will distribute the Draft EIRs to all other recipients.

### *Deliverables*

- Thirty five hard copies of the Draft EIR
- Two unbound hard copies of the Draft EIR
- Electronic copies of the Draft EIR in MS Word and in Adobe PDF format
- Notice of Completion
- Fifteen hard copies of the Executive Summary, along with 15 electronic copies of the entire Draft EIR on CD, for the State Clearinghouse

### *City Involvement*

Review the Notice of Completion. Prepare and file the Notice of Availability with the County Clerk. Distribute the NOA and Draft EIRs (other than to the State Clearinghouse), and handle any additional noticing (e.g., newspaper, posting at site).



## Task 10. Public Review and Hearing

The City will provide a 45-day review period during which the public will have an opportunity to review and comment on the Draft EIR. During the 45-day review period, the City will hold a public hearing to receive comments on the Draft EIR. ICF key team members will attend and participate as requested. This scope of work assumes the preparation of meeting materials (e.g., PowerPoint presentations and handouts) but does not assume the labor needed to provide meeting transcript/minutes.

### *City Involvement*

Coordinate the public hearing, distribute any meeting materials, accept comments, and hold public meeting.

## Task 11. Draft Responses to Comments and Administrative Final EIR

The purpose of this task is to prepare responses to the comments received on the Draft EIR and incorporate these responses into an Administrative Final EIR for City review. The Administrative Final EIR will include:

- Comments received on the Draft EIR, including a list of all commenters and the full comment letters and public meeting transcripts with individual comments marked and numbered;
- Responses to all comments; and
- Revisions to the Draft EIR in errata format as necessary in response to comments.

All substantive comments for each written and oral comment will be reviewed, bracketed, and coded for a response. Prior to preparing responses, ICF will meet with staff to review the comments and suggest strategies for preparing responses. This step is desirable to ensure that all substantive comments are being addressed and that the appropriate level of response will be prepared. This scope of work and budget assumes ICF will prepare responses for up to 100 substantive discrete, non-repeating comments and will coordinate integrating the responses prepared by other consultants. However, the number and content of public comments is unknown at this time. Therefore, following the close of the Draft EIR public review period and receipt of all public comments, ICF will meet with the City to revisit the budget associated with this effort to determine if additional hours are needed. Very roughly, each additional substantive discrete comment may cost an additional \$250.

Frequently raised comments of a substantive nature may be responded to in a Master Response, which allows for a comprehensive response to be presented upfront for all interested commenters. ICF will identify and recommend possible Master Responses for City consideration during the initial meeting to discuss strategies for preparing responses.



Following the strategy session, ICF will prepare Master Responses (as appropriate) and individual responses to the bracketed and coded comments. Individual responses to each comment letter will be placed immediately after the comment letter. As necessary, responses may indicate text revisions, in addition to clarifications and explanations. All text changes stemming from the responses to the comments, as well as those suggested by City staff, will be compiled into an errata included as part of the Final EIR.

Following City's review of the Administrative Final EIR, ICF will address all comments received and prepare a Screencheck Final EIR for City review to ensure that all comments on the Draft were adequately addressed.

### *Deliverables*

- Five hard copies of the Administrative Final EIR
- Electronic copies Administrative Final EIR in MS Word and in Adobe PDF format
- Five hard copies of the Screencheck Final EIR
- Electronic copies of the Screencheck Final EIR in MS Word and in Adobe PDF format

### *City Involvement*

Participate in strategy session to provide guidance on the responses to comments. Assist with response to comments on process, procedures, and City policy. Review and comment on the Administrative Final EIR and Screencheck Final EIR.

## **Task 12. Final EIR**

Based on comments received from City staff, the Screencheck Responses to Comments will be revised and appropriate revisions to the Draft EIR will be noted. The Final EIR will then consist of the Draft EIR and the Responses to Comments document. Revisions to the Draft EIR will be presented as a separate chapter in the Final EIR. The revised Responses to Comments document will be submitted to the City for discussion by the Planning Commission and subsequent certification by the City Council.

### *Deliverables*

- Twenty hard copies of the Final EIR
- Electronic copies of the Final EIR in MS Word and Adobe PDF format



## Task 13. Certification Hearings, MMRP, Statement of Overriding Considerations, and Administrative Record

The purpose of this task is to attend meetings to certify the EIR. Team members will attend and participate in up to three meetings to certify the EIR. If requested by City staff, ICF will present the conclusions of the EIR and a summary of the comments and responses.

As part of this task, ICF will also prepare a draft and final MMRP for the project, as required by Section 15097 of the State CEQA Guidelines. The MMRP will be in a tabular format and include:

- The mitigation measures to be implemented
- The entity responsible for implementing a particular measure
- The entity responsible for verifying that a particular measure has been completed
- A monitoring milestone(s) or action(s) to mark implementation/completion of the mitigation measure

ICF will prepare the Statement of Overriding Considerations pursuant to Section 15093 of the CEQA Guidelines, if required based on the impacts of the Project. CEQA requires the decision-making agency to balance the economic, legal, social, and technological benefits of a proposed project against its unavoidable environmental impacts. The Statement of Overriding Considerations includes the specific reasons to support its action based on the Final EIR and other information in the record.

ICF will also compile the Administrative Record, assembling background documents as well as correspondence or telephone notes that are cited as sources in the EIR.

### *Deliverables*

- Electronic copies of the Draft MMRP in MS Word and Adobe PDF format
- Five hard copies of the Final MMRP
- Electronic copies of the Final MMRP in MS Word and Adobe PDF format
- One electronic copy (on CD or DVD) of the Administrative Record (submitted at the Draft EIR phase and the Final EIR phase)

### *City Involvement*

Review and comment on the draft Mitigation and Monitoring and Reporting Program. Coordinate any meetings. Prepare the Notice of Determination and Findings of Fact.

## Task 14. Project Management and Meetings

The purpose of this task is to effectively manage the above tasks, and maintain communication with City staff. ICF project management will be responsible for coordination activities, will





maintain QA/QC requirements for document preparation, and will monitor schedule and performance for all EIR work tasks. Project management subtasks also include maintaining internal communications among ICF staff and subconsultants and with City staff and other team members through emails and frequent phone contact, as well as the preparation of all correspondence. The Project Manager will coordinate internal staff, project guidance, and analysis criteria.

The purpose of this task is to attend meetings to accomplish the above tasks. Team members will attend and participate in meetings on an as-needed basis. For purposes of the cost estimates, ICF has assumed seven City staff and/or Project Sponsor face-to-face meetings, up to three meetings (including public hearings), and 15 phone conference calls. Additional meetings may be appropriate during the course of this effort, and will be invoiced on a time-and-materials basis. The estimated cost for additional meetings is included in the discussion of the project budget.

#### *City Involvement*

Organize, announce, conduct, and prepare any materials for public meetings.



**BASELINE Environmental Consulting  
Proposal for Facebook Campus Expansion Project EIR  
Menlo Park, California**

Prepared for ICF – 10 June 2015

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**SCOPE OF WORK**

**Environmental Impact Report**

**Hazards and Hazardous Materials**

The project proposes to develop two new office buildings and an event space on an existing industrial site known as TE Connectivity (formerly Tyco Electronics). Demolition of the existing structures could potentially release hazardous building materials (if any), such as asbestos. Previous investigations found that the soil and/or groundwater beneath the site was contaminated with varying levels of volatile organic compounds, semi-volatile organic compounds, polychlorinated biphenyls (PCBs), dioxins, and dibenzofurans. Several interim cleanups have been completed, including soil excavation and installation of a protective engineered cap; however, concentrations of PCBs in soil and groundwater reportedly remain above commercial/industrial risk-based screening levels. In 2007, a Land Use Covenant (LUC) restricting the use of the Site was made between TE Connectivity and the Department of Toxic Substances Control (DTSC). Under the LUC, a Soil Management Plan (SMP) and Health and Safety Plan (HASP) approved by the DTSC must be prepared and implemented for any site activities that will disturb soil (e.g., excavation, grading, filling). Additional site investigations may be necessary to support the development of a SMP and HASP.

Baseline Environmental Consulting will conduct the following tasks to identify existing and potential hazards and hazardous materials conditions and potential impacts that could result from implementation of the proposed project.

- Review previous environmental investigations (e.g., Phase I/II investigations) to describe the extent and magnitude of known subsurface contamination on the project site.
- Review previous health risk assessments and evaluate potential health risks to construction workers, future site users, and the environment from known and potential sources of hazardous materials in soil, groundwater, and building materials.
- Describe the regulatory framework for hazardous materials, including federal, state, and local agencies, laws, and regulations.
- Develop feasible mitigation measures (if necessary) that take into account the LUC requirements on the project site to address any identified potentially significant impacts.

**BASELINE Environmental Consulting  
 Cost Estimate for Facebook Campus Expansion Project EIR  
 Prepared for ICF – 10 June 2015**

<i>Hourly rate</i> Task	Bruce Abelli-Amen, CHG Principal, Senior Hydrogeologist \$195		Patrick Sutton Environmental Engineer \$150		Monika Krupa Environmental Scientist II \$140		Support Word Processing \$110		Subtotal
	hrs	cost	hrs	cost	hrs	cost	hrs	cost	
<b>Environmental Impact Report</b>									
Hazards and Hazardous Materials	16	\$3,120	60	\$9,000	6	\$840	2	\$220	\$13,180
<b>Reponse to Admin Comments- Round 1</b>	6	\$1,170	16	\$2,400	0	\$0	0	\$0	\$3,570
<b>Reponse to Admin Comments- Round 2</b>	2	\$390	6	\$900	0	\$0	0	\$0	\$1,290
<b>Total</b>	24	\$4,680	82	\$12,300	6	\$840	2	\$220	\$18,040



**KEYSER MARSTON ASSOCIATES™**  
ADVISORS IN PUBLIC/PRIVATE REAL ESTATE DEVELOPMENT

June 10, 2015

Erin Efner  
Kirsten Chapman  
ICF International  
620 Folsom Street, 2nd Floor  
San Francisco, CA 94107

ADVISORS IN:  
REAL ESTATE  
AFFORDABLE HOUSING  
ECONOMIC DEVELOPMENT

**SAN FRANCISCO**

A. JERRY KEYSER  
TIMOTHY C. KELLY  
KATE EARLE FUNK  
DEBBIE M. KERN  
REED T. KAWAHARA  
DAVID DOEZEMA

Re: Proposed Scope of Services to Prepare a Housing Needs Analysis for the Facebook Campus Expansion Project

Dear Ms. Efner and Ms. Chapman:

**LOS ANGELES**  
KATHLEEN H. HEAD  
JAMES A. RABE  
GREGORY D. SOO-HOO  
KEVIN E. ENGSTROM  
JULIE L. ROMEO

Keyser Marston Associates, Inc. ("KMA") is pleased to present the following proposed scope of services for a Housing Needs Analysis ("HNA") of the Facebook Campus Expansion Project located at 300-309 Constitution Drive in Menlo Park (the "Project"). The HNA is anticipated to be incorporated as an attachment to the EIR and will be prepared on a parallel track with the overall environmental analysis of the Project. The HNA will be similar to the one KMA prepared in 2011 for the existing Facebook Campus.

**SAN DIEGO**  
PAUL C. MARRA

The Project includes the demolition of nine of the 10 existing buildings at the site and the construction of two new office buildings (Building 21 and Building 22), encompassing approximately 966,000 sf (a net increase of approximately 130,000 sf at the Project site). The Project would also include the potential for a 200-room limited-service hotel with approximately 174,800 sf of space (Building 24) in the northwestern portion of the Project site.

**Scope of Services**

The following scope of services is for preparation of a Housing Needs Analysis (HNA) which will address three major housing-related topics: 1) net increase in housing needs by affordability tier generated by the Project; 2) commute patterns of workers and the portion that may reside in Menlo Park; and 3) potential impacts to the City's allocations under the Regional Housing Needs Allocation (RHNA) process. The HNA will address housing-related impacts that are not required to be analyzed under CEQA but which may be of interest to decision-makers and/or the public in evaluating the merits of the

Project. Findings of the HNA are anticipated to be referenced in the population and housing section of the EIR for the Project.

*Task 1 – Project Initiation, Data Collection, and Key Analysis Inputs*

The purpose of this task is to identify the availability of data necessary to complete the housing needs analysis, identify key analysis inputs and assumptions, and refine the approach to the assignment. A key question will be whether the analysis will be conducted using generic information regarding occupational composition, compensation levels, and commute patterns, as with the 2011 HNA, or if data specific to Facebook and the and existing occupants of the property will be provided.

As part of this task, KMA will:

- (1) Provide a list of data needs to complete the housing needs analysis and work with ICF International and the City's project team as necessary to gather the data needed for the assignment.
- (2) Meet with City staff, its consultants, and the project sponsor team to: (a) discuss data and analysis alternatives (b) review technical methodology and approach (c) discuss and agree on schedule.
- (3) Initiate inquiries to the Association of Bay Area Governments (ABAG) regarding the Regional Housing Needs Allocation process and expectations for the next allocation cycle.
- (4) Work with the City and other members of the project team to define and agree on important analysis inputs and assumptions. An important input to be defined as part of this task will be the employment figures to be incorporated into the analysis.

*Task 2 – Housing Needs Analysis – by Affordability Level*

KMA will prepare a Housing Needs Analysis to quantify, by affordability level, the housing demand associated with the proposed Project. The analysis will quantify total housing demand based on the estimated number of employees added by the Project (which are net new jobs in the region) and household size ratios developed from Census data. Employee compensation levels are estimated by linking generic occupational categories with local data on compensation levels. Employee compensation levels are



## SCOPE OF SERVICES – FACEBOOK EXPANSION FIA

This section outlines BAE’s proposed work program, including deliverables.

### Task 1: Meet with City Staff and Review Background Materials

**Task 1.1: Meet with City staff and review project site.** BAE will meet with City staff to review the scope of services, methodologies, proposed schedule, and deliverables. BAE will also tour the TE Connectivity Campus site to identify unique characteristics that may affect service costs.

**Task 1.2: Review key financial, planning, and environmental documents.** This task will include a review of relevant documents and plans pertaining to the proposed project including the General Plan (M-2 area land use modifications), the Zoning Ordinance, the project Draft Environmental Impact Report, and City staff reports. BAE will also review the City budget for Fiscal Year 2015-16, the Comprehensive Annual Financial Report, City fee ordinances, and other financial documents from the City and affected special districts including fire, sanitation, and school districts.

### Task 2: Analyze Fiscal Impacts

This analysis will consider revenue and cost implications for City, Menlo Park Fire Protection District (either fiscal impact analysis or application of development impact fee), and affected school districts of the proposed project and alternative land use programs as identified in the DEIR. The school district analysis will be limited to a calculation of net new revenues from the Project and Alternatives, based on the increase in square footage and change in uses (including the new hotel). It will not include any residential development for the Project and Alternatives, nor analysis of any induced housing demand (however, if desired BAE can provide this analysis as an addition to the scope and budget).

This analysis will be done for a total of four scenarios (including no project) for up to two discrete time periods (i.e. two phases), with a single set of assumptions for development program (build-out) and uses and development product types provided to BAE by the City, based on information from the applicant. Additional scenarios would represent an addition to this scope of work and additional budget, as described in Task 4.

Revenue items considered will include sales tax, property tax, property transfer tax, transient occupancy tax, business license revenue, franchise fees, and any other applicable taxes. *Note in-lieu business to business sales tax estimation will be based on previous BAE analysis for*

**San Francisco**  
1285 66<sup>th</sup> Street  
Second Floor  
Emeryville, CA 94608  
510.547.9380

**Sacramento**  
803 2<sup>nd</sup> Street  
Suite A  
Davis, CA 95616  
530.750.2195

**Los Angeles**  
5405 Wilshire Blvd.  
Suite 291  
Los Angeles, CA 90036  
213.471.2666

**Washington DC**  
1436 U Street NW  
Suite 403  
Washington, DC 20009  
202.588.8945

**New York City**  
121 West 27<sup>th</sup> Street  
Suite 705  
New York, NY 10001  
212.683.4486

*the City, and will not involve an update or other revision of that research.* Also considered will be one-time revenue sources including impact fees (with any assumptions on impact fee increases due to increased facilities provided by City staff), construction period sales taxes. For key revenues subject to potential variation, (e.g., transient occupancy taxes from lodging demand) BAE will estimate revenues within an expected low to high range, based upon information on usage provided by Facebook and market assessment. The analysis will not include any projections with respect to the value of other public benefits that would be provided by future development agreements associated with major projects, including in-lieu payments, one-time infrastructure contributions, potential fiscal impact offsets, or any other payments.

Cost items considered will include police, fire, public works, recreation and library programs and services provided to the public, and general government services for both the City and Special Districts. The cost analysis will, whenever feasible, study the marginal cost of providing additional service, as well as the need for new facilities. As part of this process, BAE will contact local public service providers including the police department and fire district to assess existing service capacity and the potential impact of the proposed project. For police, BAE will work with the local department to examine the current beat structure and determine how this may need to be altered to serve the new development. Any new patrol officers and/or equipment would also be analyzed on a marginal basis. For fire, BAE will consult with the City as to whether to base the analysis on a future fire services development impact fee, or study existing capacity at the stations that would serve the proposed project, and assess any additional labor or equipment costs that the stations would incur. Cost impacts for other city departments and school districts would also be analyzed.

Fiscal impacts will be presented in current dollars on a net annual and cumulative basis over a 20-year period present in constant 2015 dollars. BAE will prepare a fiscal impact model based on the City's FY2015-2016 budget. The timing for redevelopment activities will be based on assumptions to be provided to BAE by the City.

### **Task 3: Prepare Fiscal and Economic Impact Report**

**Task 3.1: Prepare Administrative Draft Fiscal and Economic Impact Analysis report.** BAE will prepare and submit an Administrative Draft Fiscal and Economic Impact report to City staff. The report will include a concise and highly-accessible executive summary, including a summary of the methodology and key findings from Tasks 1 and 2.

**Task 3.2: Review Administrative Draft Report with Staff, Respond to Comments.** Staff will provide one round of consolidated comments to BAE regarding the Administrative Draft. BAE will address all comments and make modifications as needed.

**Task 3.3: Prepare Public Review Draft Report.** BAE will prepare a Public Review Draft Report. This will be formatted so that it can be uploaded to the project page on the City's website, with the City to provide a link for submittal of comments by email. After closure of the public review period, Staff will provide BAE with a written record of comments regarding the Public Review

Draft.

**Task 3.4: Prepare Public Review and Final Draft report.** Staff will provide substantive written comments to BAE regarding the Public Review Draft. BAE will address all comments with staff and make modifications as needed. BAE will then submit a Final Draft for staff to review.

### **Task 4: Attend Meetings and Prepare Presentation**

BAE will attend up to two public meetings or presentations, as selected by the City, to present the results of the fiscal impact analysis and answer questions. This allowance includes preparation of a PowerPoint presentation summarizing BAE’s work and findings for use at the meetings. Additional meetings would be charged as an additional task at the fee as shown in the budget.

## **DATA NEEDS**

In order to complete this analysis BAE will require access to various City and Special District staff to conduct brief interviews and confirm methodologies and assumptions. This budget assumes that City and Special District staff will be available on a single-day in order to allow us to conduct all interviews on that same day. In particular, BAE would need to speak with most department/district heads, or their designees, as well as the City Finance Director. BAE would work with the finance department to obtain electronic copies of relevant budget files.

BAE will need additional details about the proposed project and the scenarios from the City’s environmental consultant, based on information provided to it by the applicant.

## **BUDGET AND FEES**

BAE would complete all basic work for the tasks as identified in the Scope of Services for the not-to-exceed amount of \$47,720 including expenses, pursuant to the detailed budget worksheet. This amount does not include any hours for attendance at additional public meetings/hearings beyond those identified in the scope, which, if required, would be billed separately against the contingency amount. All hours will be billed according to the following rates as listed below:

Managing Principal	\$300/hour
Principal	\$275/hour
Director of Research	\$225/hour
Vice President	\$195/hour
Senior Associate	\$160/hour
Associate	\$135/hour
Analyst	\$95/hour



**Proposed BAE Budget: Facebook Expansion Fiscal Impact Analysis**

Task	Hours by Staff			Budget (a)
	Principal Golem	Sr. Assoc. Hagar	Associate Schulman	
<b>Task 1: Start-Up Meeting and Review of Background Materials</b>				
1.1: Meet with City staff and tour project sites.	4	4	4	\$2,300
1.2: Review key financial, planning, and environmental documents	6	6	6	\$3,450
<b>Task 2: Fiscal and Economic Impact Analysis</b>				
Analyze the fiscal impact of the proposed project/alternatives (total of 4)	10	28	48	\$13,850
<b>Task 3: Prepare Fiscal and Economic Impact report</b>				
3.1: Prepare Administrative Draft Report	4	24	48	\$11,540
3.2: Review Administrative Draft with staff, respond to comments	4	8	16	\$4,580
3.3: Prepare Public Review Draft Report	2	4	8	\$2,290
3.4: Review public comments, prepare Final Report	4	8	16	\$4,580
<b>Task 4: Meetings / Presentations</b>				
Allowance for 2 Public Meetings, Prepare Presentation	<u>10</u>	<u>6</u>	<u>4</u>	<u>\$4,280</u>
Subtotal Labor	44	88	150	\$46,870
Expenses (projections data, travel, etc.) (b)				<u>\$850</u>
<b>Total Project</b>				<b><u>\$47,720</u></b>
Attendance at Additional Public Meetings/Hearings - Each				\$1,500 + hourly rate for meetings over 4 hours
Notes:	Principal	Associate	Analyst	
(a) Based on BAE 2015 hourly rates:	\$275	\$165	\$135	
(b) Includes travel to Menlo Park for meetings.				

then translated into housing need by affordability level using published income limits and accounting for the fact that households have more than one worker on average.

The primary data sources we will use for this component of the analysis are:

1. Data on occupations by industry from the Bureau of Labor Statistics. KMA will select the industry category (or blend multiple categories) based on the Project Sponsor's actual NAICS<sup>1</sup> code(s). We will also identify appropriate industry categories for the existing occupants of the property.
2. Employee compensation data specific to San Mateo County for the relevant occupational categories (we may also want to use Santa Clara County) from the California Employment Development Department.

KMA prepared similar analyses for the existing Facebook Campus and the Menlo Gateway Project in Menlo Park. We have also performed project-specific housing needs analyses for commercial and institutional development proposals in the cities of San Carlos, Palo Alto, Redwood City, and Napa County. Some of these analyses have been performed using employee occupation and compensation data provided by the applicant and some have been performed using generic data as is assumed in this proposal. KMA has also prepared affordable housing nexus fee studies in many cities. Roughly twenty five years ago, KMA developed a proprietary model to perform the nexus analysis and allocate households into affordability levels using local, state and federal data sources. KMA has refined the model over the years and now has considerable experience adapting the model to specific projects with data supplied by the project applicant as available.

The end product of the KMA analysis is the total number of net new employee households attributable to the development of the proposed project, by affordability level, who will need housing within daily commute distance.

### *Task 3 – Analysis of Commuting and Menlo Park “Share” of Housing Needs*

As indicated above, the Housing Needs Analysis determines the total housing needs irrespective of where workers will live. This task develops information to help understand existing commute relationships and trends, and approaches to identifying a Menlo Park share of total housing needs to be accommodated locally. KMA will analyze the commute relationships of existing jobs in Menlo Park and where job holders live (or

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<sup>1</sup> North American Industrial Classification System (NAICS)

commute from as a place of residence) using data from the U.S. Census. We will also incorporate data on existing commute patterns from the Project Sponsor, to the extent provided. KMA will then summarize the data sources on commuting and apply them to estimate Menlo Park's share of increased housing needs and the estimated distribution of housing needs throughout the region.

*Task 4 – Analyses of Potential Impacts on Menlo Park RHNA*

KMA will analyze the potential impacts the Project could have on the City's future Regional Housing Needs Allocation (RHNA) assignments. While KMA cannot predict the specific allocation formula that will be adopted for the next RHNA cycle, we are able to provide a potential range based on allocation formulas that have been previously adopted or seriously considered. The analysis will be limited to Menlo Park's RHNA assignments and will not address other jurisdictions.

KMA uses published materials from ABAG describing the RHNA methodology, changes in methodology and underlying assumptions that affect RHNA results. KMA will also have conferred with ABAG for clarification and input as part of Task 1. KMA, as part of its prior work for Menlo Park is, of course, familiar with San Mateo County's opting out of the ABAG process and creating its own sub-regional assignments during the last two cycles. The analysis will be prepared with the assumption that San Mateo continues to conduct its own sub-regional RHNA assignment processes in the future.

*Task 5 – Report Preparation*

The methodology, data sources, results and implications of the housing needs analysis will be documented in a written report. This scope assumes one draft version of the report for review and one final report.

*Task 6 – Coordination with Draft EIR Population and Housing Section*

KMA will review and comment on the Population and Housing Section of the Draft EIR. The primary purpose of KMA's review will be to ensure coordination between the Draft EIR and the HNA.

*Task 7 – Responses to DEIR Comments*

KMA anticipates assisting the City and ICF International in preparing responses to comments on the Draft EIR. KMA's focus will be on comments that are directly related to

the Housing Needs Analysis. We have included a time and materials budget allowance for KMA to assist with preparation of responses to comments.

**Budget**

KMA proposes to complete this scope of services on a time and materials basis for an amount not to exceed \$75,500. A copy of our current rate schedule is attached. This scope and budget does not assume separate analyses for the EIR alternatives.

<b>Task</b>	<b>Total Not to Exceed Budget</b>
Task 1 - Project Initiation, Data Collection, and Key Analysis Inputs	\$8,000
Task 2 – Analysis of Housing Needs by Affordability Level	\$27,000
Task 3 – Commuting & Menlo Park Share of Housing Needs	\$5,000
Task 4 – Potential Impacts on Menlo Park RHNA	\$12,000
Task 5 – Report (Draft and Final)	\$6,000
Task 6 – Coordination with DEIR Population and Housing Section	\$1,500
Task 7 – Allowance for DEIR responses to comments	\$10,000
Meetings in Menlo Park (one in addition to kickoff)	\$1,000
Public hearings (two assumed including PowerPoint)	\$5,000
<b>Total</b>	<b>\$75,500</b>

Please let me know if you have any questions or comments regarding this proposed scope of services.

Sincerely,

KEYSER MARSTON ASSOCIATES, INC.



David Doezema

**KEYSER MARSTON ASSOCIATES, INC.  
PUBLIC SECTOR HOURLY RATES**

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	<u><b>2014/2015</b></u>
A. JERRY KEYSER*	\$280.00
MANAGING PRINCIPALS*	\$280.00
SENIOR PRINCIPALS*	\$270.00
PRINCIPALS*	\$250.00
MANAGERS*	\$225.00
SENIOR ASSOCIATES	\$187.50
ASSOCIATES	\$167.50
SENIOR ANALYSTS	\$150.00
ANALYSTS	\$130.00
TECHNICAL STAFF	\$95.00
ADMINISTRATIVE STAFF	\$80.00

Directly related job expenses not included in the above rates are: auto mileage, parking, air fares, hotels and motels, meals, car rentals, taxies, telephone calls, delivery, electronic data processing, graphics and printing. Directly related job expenses will be billed at 110% of cost.

Monthly billings for staff time and expenses incurred during the period will be payable within thirty (30) days of invoice date.

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\* Rates for individuals in these categories will be increased by 50% for time spent in court testimony.



# Proposed TJKM Scope of Work for a Traffic Study for the Facebook Campus Expansion EIR

## Study Purpose

The purposes of this traffic study are to:

1. Develop a document that will provide the necessary near term and future traffic information for the City of Menlo Park General Plan Update/EIR as well as the proposed Facebook Campus Expansion Project and its EIR. This combined approach is desirable because of the inter-relationships and concurrency of the two projects and to maintain consistent analyses for the two projects.
2. Provide the information necessary to complete the transportation section of the Facebook EIR.

## Assumptions

### Study Scenarios

1. Existing Conditions
2. Existing plus Approved (Background) – Adds approved projects
3. Background plus Facebook Expansion – Adds project
4. Current General Plan Buildout
5. Current General Plan Buildout plus Facebook Expansion
6. Proposed General Plan Buildout plus Facebook Expansion

### Study Intersections -- See attached list

1. Existing General Plan study intersections – 50
2. New Facebook intersections per Fehr and Peers – 12
3. New Facebook intersections per City – 2
4. Total study intersections -- 64
5. Total Facebook only study intersections -- 50 per Fehr and Peers and City

### Study Segments – See attached list

1. From General Plan – 86
2. New from City – 1
3. Bayfront Expressway – SR 84 – 6
4. SR 101 -- 3
5. Total = 96
6. CMP included
7. Routes of regional significance included

### Intersection LOS Analysis

HCM 2010 Methodology using Vistro software

Pleasanton

4305 Hacienda Drive

Suite 550

Pleasanton, CA

94588-2798

925.463.0611

925.463.3690 fax

Fresno

516 W. Shaw Avenue

Suite 200

Fresno, CA

93704-2515

559.325.7530

559.221.4940 fax

### **Traffic Forecasting Software**

TJKM will develop a new City of Menlo Park Cube 4-step model based on existing C/CAG model  
 TJKM will post-process City of Menlo Park Cube peak hour model results using Cube DTA software  
 TJKM will have appropriate discussions with Caltrans on use of DTA approach

### **Material to be provided by City**

1. All intersection and segment traffic counts
2. Signal timing for all signalized intersections
3. Listing and details of background (approved but undeveloped) projects
4. New traffic analysis zone (TAZ) structure along with existing, near term and build out land use
5. Approved trip generation for Facebook expansion project, based on Fehr and Peers data

### **Scope of Services**

The following information is appropriate primarily for the Facebook Campus Expansion EIR but also has application for the Menlo Park General Plan Update EIR, which will be a separate document

### **Coordination with General Plan**

TJKM will subcontract with PlaceWorks, the contractor for the current update of the Menlo Park General Plan. PlaceWorks will coordinate the overall approach, integration with the General Plan and the General Plan's EIR, and the two contracts and teams. In addition, Nelson\Nygaard will provide direction on circulation and coordinate multi-modal strategies

### **Environmental Setting**

1. Description of roadway system – regional and local
2. Study intersections
3. Level of service methodology – include Vistro description
4. Multi-modal level of service discussion
5. Existing levels of service – study intersections and study segments
6. Existing pedestrian facilities
7. Existing bicycle facilities
8. Existing transit facilities

### **Regulatory Framework**

1. Existing General Plan and applicable policies
2. Menlo Park Standards of significance
3. Proposed General Plan and applicable policies

### **Methodology**

1. Description of scenarios and assumptions
2. Discussion of Menlo Park Model (MPM) derived from C/CAG existing model

3. Discussion of Dynamic Traffic Assignment (DTA) and applicability to General Plan and Facebook Campus Expansion project

### **Project Description**

1. Description of Project and relationships with nearby existing Facebook campuses
2. Description of Project's proposed changes including new driveways and signalized intersections on adjacent sections of Bayfront Expressway and Chilco Street
3. Trip generation utilized for Project including comprehensive discussion of derivation, assumptions, and applicability to Facebook Campus Expansion project. Include discussion of internal trips related to the planned on-site hotel that is part of the Project.
4. Description of proposed pedestrian overpass, parking garages, on-site pedestrian and bicycle facilities and general circulation
5. Proposed Project parking generation
6. Description of existing/proposed TDM practices, home locations of existing employees, and proposed on-campus circulation and parking plans

### **Impact Analysis**

1. Presentation of level of service results for all study intersections and study segments for six scenarios
2. Vehicle miles traveled (VMT) under for each scenario based on MPM/DTA output
3. Impacts on transit, bicycle and pedestrian facilities, operations and capacity
4. Description of feasible improvements needed to achieve Menlo Park standards for each non-project scenario and depiction of resulting levels of service
5. Comprehensive discussion of impacts on the Belle Haven neighborhood and appropriate mitigation measures
6. Description of feasible mitigation requirements for study intersections and segments for each project scenario to achieve Menlo Park standards and depiction of resulting levels of service
7. Discussion of how Project phasing could impact implementation of mitigation measures
8. Construction traffic impacts
9. Discussion of adequacy of on-site circulation and parking
10. Discussion of emergency access
11. Prepare alternatives analysis that may include a sensitivity analysis, and/or calculating trip generation for a pre-defined project. The sensitivity analysis could include defining a reduced square footage project to lessen intersection impacts.
12. Summary of Project mitigation requirements

### **Deliverables**

1. Administrative draft of combined GP and Facebook TIA including text, tables and figures consistent with master EIR documents
2. Response to comments and delivery of Draft Combined TIA.
3. Response to comments and delivery of Final Combined TIA.
4. Preparation of Facebook ADEIR following format specified by ICF with Technical material (LOS sheets, etc.) to be included in a separate EIR appendix



5. Response to comments and delivery of second draft Facebook ADEIR
6. Response to comments and delivery of Facebook DEIR traffic section
7. Prepare revised Facebook DEIR transportation section
8. Response to comments of Facebook Circulating DEIR traffic section
9. Revised response to comments after internal review
10. General Plan Update DEIR transportation section preparation not included in this scope

### **Budget**

The combined TJKM budget is \$238,545. This includes \$115,000 for TJKM modeling services including DTA, \$102,105 for non-modeling TJKM services, \$9,200 for subcontractor Nelson Nygaard and \$12,240 for subcontractor PlaceWorks. See detailed breakdown of costs.

## TJKM Facebook EIR Study Intersections

1	Sand Hill Rd. & Hwy 280 NB Off-Ramp	28	El Camino Real & Ravenswood Ave.
2	Sand Hill Rd. & Sand Hill Cir.	29	El Camino Real & Roble Ave.
3	Sand Hill Rd. & Addison-Wesley	30	El Camino Real & Middle Ave.
4	Saga Ln. & Sand Hill Rd.	31	El Camino Real & Cambridge Ave.
5	Branner Dr. & Sand Hill Rd.	32	Willow Rd. & Bay Rd.
6	Sharon Park Dr. & Sand Hill Rd.	33	Willow Rd. & Newbridge St.
7	Alpine Rd./ Santa Cruz & Junipero Serra Blvd	34	Willow Rd. & O'Brien Dr.
8	Santa Cruz Ave. & Sand Hill Rd.	35	Willow Rd. & Ivy Dr.
9	Oak Ave./ Vine Rd. & Sand Hill Rd.	36	Willow Rd. & Hamilton Ave.
10	Santa Cruz Ave. & Elder Ave.	37	Willow Rd. & Bayfront Expwy.
11	Valparaiso Ave. & University Dr.	38	Bayfront Expwy. & University Ave.
12	Santa Cruz Ave. & University Dr. (S)	39	University Ave. & O'Brien Dr.
13	Oak Grove Ave. & Laurel St.	40	Bayfront Expwy. & Chilco St.
14	Ravenswood Ave. & Laurel St.	41	Bayfront Expwy. & Chrysler Dr.
15	Middlefield Rd. & Ravenswood Ave.	42	Bayfront Expwy. & Marsh Rd.
16	Middlefield Rd. & Ringwood Ave.	43	Marsh Rd. & US-101 SB
17	Middlefield Rd. & Willow Rd.	44	Marsh Rd. & US-101 NB
18	Willow Rd. & Gilbert Ave.	45	Chilco St. & Constitution Dr.
19	Willow Rd. & Coleman Ave.	46	Chrysler Dr. & Constitution Dr.
20	Willow Rd. & Durham St.	47	University Ave. & Adams Dr.
21	Marsh Rd. & Bay Rd.	48	Chrysler Dr. & Jefferson Dr.
22	Marsh Rd. & Bohannon Dr.	49	Chrysler Dr. & Independence Dr.
23	Marsh Rd. & Scott Dr.	50	Jefferson Dr. & Constitution Dr.
24	El Camino Real & Encinal Ave.	51	University Ave. & Bay Rd.
25	El Camino Real & Glenwood Ave.	52	University Ave. & Runnymede St.
26	El Camino Real & Oak Grove Ave.	53	University Ave. & Bell St.
27	El Camino Real & Santa Cruz Ave.	54	University Ave. & Donohoe St. (East Palo Alto)
		55	US 101 NB Ramps & Donohoe St.

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| 56 | University Ave. & US 101 SB Ramps              | 61 | Chilco St. & Terminal Ave.             |
| 57 | University Ave. & Woodland Ave. (E. Palo Alto) | 62 | Chilco St. & Ivy Dr.                   |
| 58 | University Ave. & Middlefield Rd. (Palo Alto)  | 63 | Chilco St. & Newbridge St.             |
| 59 | Middlefield Rd. & Lytton Ave. (Palo Alto)      | 64 | Marsh Rd. & Middlefield Rd. (Atherton) |
| 60 | Chilco St. & Hamilton Ave.                     |    |  |

## Study Segments

1	Alameda De Las Pulgas	Avy Ave.	Santa Cruz Ave.
2	Alameda De Las Pulgas	Valparaiso Ave.	Avy Ave.
3	Alameda De Las Pulgas	City Limits	Valparaiso Ave.
4	Alma St.	Ravenswood Ave	Oak Grove Ave.
5	Alma St.	Willow Rd.	Ravenswood Ave.
6	Alpine Rd.	City Limits	Junipero Serra Blvd.
7	Avy Ave.	City Limit	Alameda de las Pulgas
8	Avy Ave.	Alameda de las Pulgas	Santa Cruz Ave.
9	Bay Rd.	Greenwood Dr.	Marsh Rd.
10	Bay Rd.	Ringwood Ave.	Greenwood Dr.
11	Bay Rd.	Willow Rd.	Ringwood Ave.
12	Bohannon Dr.	Campbell Ave.	Marsh Rd.
13	Chilco St	Constitution Dr.	Bayfront Expwy.
14	Chrysler Dr.	Constitution Dr.	Bayfront Expwy.
15	Constitution Dr.	Chilco St.	Chrysler Dr.
16	Crane St.	Oak Grove Ave.	Santa Cruz Ave.
17	Crane St.	Santa Cruz Ave.	Menlo Ave.
18	Encinal Ave.	El Camino Real	Laurel St.
19	Encinal Ave.	Laurel St.	Middlefield Rd.
20	Glenwood Ave.	El Camino Real	Laurel St.
21	Hamilton Ave.	Willow Rd.	Chilco St.
22	Haven Ave.	Bayfront Expwy./Marsh Rd.	City Limit
23	Junipero Serra Blvd.	City Limit	Alpine Rd.
24	Laurel St.	Oak Grove Ave.	Glenwood Ave.
25	Laurel St.	Ravenswood Ave.	Oak Grove Ave.
26	Laurel St.	Willow Rd.	Ravenswood Ave.
27	Marsh Rd.	City Limit	Bay Rd.
28	Marsh Rd.	Bay Rd.	Bohannon Dr.
29	Marsh Rd.	Bohannon Dr.	Scott Dr.
30	Menlo Ave.	University Ave.	Crane St.
31	Menlo Ave.	Crane St.	El Camino Real
32	Middle Ave.	Olive St.	University Dr.
33	Middle Ave.	University Dr.	El Camino Real
34	Middlefield Rd.	Ravenswood Ave.	Oak Grove Ave.
35	Middlefield Rd.	Willow Rd.	Ravenswood Ave.
36	Middlefield Rd.	City Limits	Willow Rd.
37	Newbridge St.	Willow Rd.	Chilco St.

## Study Segments

38	Oak Grove Ave.	University Dr.	Crane St.
39	Oak Grove Ave.	Crane St.	El Camino Real
40	Oak Grove Ave.	El Camino Real	Laurel St.
41	Oak Grove Ave.	Laurel St.	Middlefield Rd.
42	O'Brien Dr.	Kavanaugh Dr.	Willow Rd.
43	O'Brien Dr.	University Ave.	Kavanaugh Dr.
44	Ravenswood Ave.	El Camino Real	Alma St.
45	Ravenswood Ave.	Alma St.	Laurel St.
46	Ravenswood Ave.	Laurel St.	Middlefield Rd.
47	Ringwood Ave.	Middlefield Rd.	Bay Rd.
48	Sand Hill Rd.	I-280	Sharon Park Dr.
49	Sand Hill Rd.	Santa Cruz Ave.	Sharon Park Dr.
50	Sand Hill Rd.	Santa Cruz Ave.	City Limits
51	Santa Cruz Ave.	Junipero Serra Blvd	Sand Hill Rd.
52	Santa Cruz Ave.	Sand Hill Rd.	Alameda de las Pulgas
53	Santa Cruz Ave.	Alameda de las Pulgas	Avy Ave./Orange Ave.
54	Santa Cruz Ave.	Avy Ave./Orange Ave	Olive St.
55	Santa Cruz Ave.	Olive St.	University Dr.
56	Santa Cruz Ave.	University Dr.	Crane St.
57	Santa Cruz Ave.	Crane St.	El Camino Real
58	Scott Dr.	Marsh Rd.	Campbell Ave.
59	Sharon Park Dr.	Sand Hill Rd.	Sharon Rd.
60	Sharon Rd.	Sharon Park Dr.	Alameda de las Pulgas
61	University Dr.	Middle Ave.	Menlo Ave.
62	University Dr.	Menlo Ave.	Santa Cruz Ave.
63	University Dr.	Santa Cruz Ave.	Oak Grove Ave.
64	University Dr.	Oak Grove Ave.	Valparaiso Ave.
65	Valparaiso Ave.	Alameda de las Pulgas	Cotton St.
66	Valparaiso Ave.	Cotton St.	University Ave.
67	Valparaiso Ave.	University Dr.	El Camino Real
68	Willow Rd.	Alma St.	Laurel St.
69	Willow Rd.	Laurel St.	Middlefield Rd.
70	Willow Rd.	Middlefield Rd.	Gilbert Ave.
71	Chilco St.	Hamilton Ave.	Terminal Ave.
72	Chilco St.	Ivy Dr.	Hamilton Ave.
73	Chilco St.	Newbridge St.	Ivy Dr.
74	Hamilton Ave.	Willow Rd.	Hamilton Ct.

## Study Segments

75	Willow Rd.	Gilbert Ave.	Coleman Ave.
76	Willow Rd.	Coleman Ave.	Durham St.
77	Willow Rd.	Durham St.	Bay Rd.
78	Chilco St.	Terminal Ave.	Constitution Dr.
79	Chrysler Dr.	Constitution Dr.	Independence Dr.
80	Chrysler Dr.	Independence Dr.	Commonwealth Dr.
81	Adams Dr.	University Dr.	Adams Ct.
82	Olive St.	Santa Cruz Ave.	Middle Ave.
83	Olive St.	Middle Ave.	Oak Ave.
84	Cambridge Ave.	University Dr.	El Camino Real
85	Linfield Dr.	Middlefield Rd.	Waverley St.
86	Waverley St.	Laurel St.	Linfield Dr.
87	Ivy Drive	Chilco St.	Willow Rd.
88	Bayfront Expressway	Dumbarton Br.	University Dr.
89	Bayfront Expressway	University Dr.	Facebook Int.
90	Bayfront Expressway	Facebook Int.	New Facebook Int.
91	Bayfront Expressway	New Facebook Int.	Chilco St.
92	Bayfront Expressway	Chilco St.	Chrysler Dr.
93	Bayfront Expressway	Chrysler Dr.	Marsh Rd.
94	U.S. 101	University Dr.	Willow Rd.
95	U.S. 101	Willow Rd.	Marsh Rd.
96	U.S. 101	Marsh Rd.	Woodside Rd.

Budget - Facebook DEIR  
June 11, 2015

Company Consultant Title	NIN							PlaceWorks				TOTALS	
	C. Kinzel Manager	L. Liao Director	A. Chen Ast. Engineer	A.Rajagopalan Engineer	P. Dullu Ast. Engineer	J. Spuller Ast. Engineer	Graphics	J. Alba Multi-Modal	C. Knox P.I.C.	T. McCracken Sr. Assoc.	R. Dudley Sr. Assoc.		
Loaded Hourly Rate	\$ 250.00	\$ 210.00	\$ 125.00	\$ 155.00	\$ 145.00	\$ 155.00	\$ 55.00	\$ 230.00	\$ 210.00	\$ 160.00	\$ 160.00	Hours	Cost
TASKS	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Cost
1 - Meetings and Coordination	30	10						40	40	16	8	144	31,040
2 - Envionmental Review	20			60	210	80	20					390	58,250
3 - Develop 4-Step Cube Model	5	125	300									430	65,000
3.1 - DTA Model	5	115	200									320	50,400
4 - Admin. Drafts and Updates	65			15		90	20					190	33,625
												-	-
												-	-
												-	-
Sub-total	Hours 125	250	500	75	210	170	40	40	40	16	8	1,474	\$ 238,315
	Cost \$ 31,250	\$ 52,500	\$ 62,500	\$ 11,625	\$ 30,450	\$ 26,350	\$ 2,200	\$ 9,200	\$ 8,400	\$ 2,560	\$ 1,280		
Sub-total							\$ 216,875				\$ 12,240		

DIRECT EXPENSES	Quantity	Cost
Mileage @ \$0.575/mile	400	230
Sub-total		230
TOTAL		\$ 238,545

