



REGULAR MEETING AGENDA

Date: 1/26/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

B. Roll Call

C. Pledge of Allegiance

D. Presentations and Proclamations

- D1. Presentation of the Helen Putnam Award to the Police Department

E. Public Comment

Under "Public Comment," the public may address the City Council on any subject not listed on the agenda. Each speaker may address the City 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 City Council cannot act on items not listed on the agenda and, therefore, the City Council cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

F. Consent Calendar

- F1. Waive reading and adopt an ordinance authorizing the implementation of a Community Choice Aggregation Program (Staff Report #16-015-CC)
- F2. Waive reading and adopt an ordinance replacing in its entirety Chapter 12.44 [Water Efficient Landscaping] of Title 12 [Buildings and Construction] of the Menlo Park Municipal Code (Staff Report #16-010-CC)
- F3. Receive and file the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2015 and allocate 2014-15 General Fund surplus (Staff Report #16-011-CC)
- F4. Adopt a resolution accepting dedication of an Emergency Vehicle Access Easement from Bohannon Development Company at 100-190 Independence Drive and authorize the City Manager to sign agreements required by conditions of approval of the project (Staff Report #16-017-CC)
- F5. Authorize the City Manager to execute amended agreements with the Peninsula Corridor Joint Powers Board for the City Shuttle Program for fiscal year 2015-2016 (Staff Report #16-009-CC)
- F6. Initiate the Menlo Park Landscape Assessment District proceedings for Fiscal Year 2016-17 and adopt a resolution describing the improvements and direct preparation of the Engineer's Report (Staff Report #16-008-CC)
- F7. Adopt a resolution to install no parking along the north and south sides of Constitution Drive, north

and south sides of Independence Drive and the west side of Chrysler Drive between Independence Drive and Commonwealth Drive (Staff Report #16-014-CC)

F8. Adopt a resolution to authorize application to the San Mateo County FY 2016-17 Community Development Block Grant Program for eligible projects in the Belle Haven Neighborhood of Menlo Park (Staff Report #16-013-CC)

F9. Approve minutes for the City Council meeting of January 12, 2016 (Attachment)

G. Regular Business

G1. Consider approval of the terms of an agreement between the City of Menlo Park and the Menlo Park Police Officers' Association (Staff Report #16-007-CC)

G2. Appropriate \$560,000 from the General Fund for the City Hall Renovation Project; authorize the City Manager to enter into various contracts for construction and materials purchases up to \$1,890,000 (Staff Report #16-019-CC)

H. Informational Items

H1. City Council procedures manual update (Staff Report #16-018-CC)

H2. City Council 2016 work plan (Staff Report #16-016-CC)

H3. 2015 Commissions Attendance Report (Staff Report #16-012-CC)

I. Councilmember Reports

J. City Manager's Report

K. Adjournment

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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 any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the City 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 Chair, either before or during consideration of the item.

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STAFF REPORT

City Council

Meeting Date: 1/26/2016

Staff Report Number: 16-015-CC

Consent Calendar: **Second Reading of Ordinance to allow Menlo Park to join Peninsula Clean Energy (PCE)**

Recommendation

Staff recommends that the City Council adopt the attached ordinance to join the Peninsula Clean Energy (PCE) Joint Powers Authority (JPA). PCE is a Community Choice Energy (CCE) effort sponsored by San Mateo County (SMC).

Policy Issues

The Menlo Park 2015 Climate Action Plan (CAP) describes a number of programs that are planned in order to meet the City Council adopted target of 27% reduction in Greenhouse Gas (GHG) by 2020 from 2005 levels. "Consider Community Choice Energy (CCE) options to gain additional renewable power in Menlo Park's portfolio" is listed in the CAP Community GHG Reduction Strategies for FY 2015-16.

Background

In 2002, the State of California enacted AB 117, which enabled Community Choice Aggregation (CCA), also known as Community Choice Energy (CCE).

The City has been considering CCE options for nearly a year; on November 10, 2015, the City Council participated in a Study Session regarding PCE, in which the City Council expressed general support for joining PCE. On January 12, 2016, the City Council approved the first reading of the attached ordinance allowing the City to join PCE (Attachment A).

At that meeting the City Council appointed Council Member Catherine Carlton as the City's PCE Board Member and Mayor Rich Cline as the City's Alternate PCE Board Member.

The percentage of renewable power in PCE's power portfolio and rates PCE will charge will be determined by the PCE Board after the full Board is seated. On January 12, 2016, the City Council provided direction to seek the highest percentage of renewable power available at or below current PG&E prices, and to reach 100% renewable power, or zero carbon, or carbon neutral energy by the year 2020, or as soon as feasible at rate parity with PG&E. As a part of the discussion, Council Member Carlton expressed her intent to bring the proposed PCE percentage of renewable power and rates to City Council once they are drafted, before making her vote at a PCE Board meeting

Analysis

The City Council has approved the path forward to join PCE, appointed its representatives to the PCE Board, and provided direction regarding its vision for PCE's offerings. Approving the second reading of the attached ordinance is the City's final step in considering whether to join the PCE Joint Powers Authority (JPA). If the City Council approves the second reading, Menlo Park will become a member of PCE.

The PCE Board will approve the renewable power portfolio, approve rates, hire staff, and lead the public engagement process for customer opt-out noticing and other PCE programs. Many of these decisions will be made in the formation phase which will occur between March and October 2016. The program launch is scheduled for October 2016.

Once the PCE program is launched, the City will benefit from reduced GHG emissions at or below the prices paid by other PG&E customers. PG&E will continue to maintain the electrical grid, provide billing and natural gas services, and energy efficiency programs provided to residents and businesses.

PCE and the City will have on-going program and community engagement tasks, and will need to monitor the JPA's success in terms of customer service, power portfolio, and financial stability.

Impact on City Resources

The cost and staff time for PCE related tasks are currently being funded under the City's Environmental Programs operating budget and the Capital Improvement Program for 2015-2016 as part of the Climate Action Plan Implementation Project. As the effort increases, additional funds may be needed. No additional funds are currently being requested at this time.

City staff and City Council members need to be engaged in the PCE effort and staff plans to spend time meeting, analyzing, and reporting on the effort. The City belongs to other JPAs and we can expect that any JPA requires on-going meetings, coordination and some on-going policy, budget, and program support.

Environmental Review

This item is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to the CEQA Guidelines, as it is not a "project" as it has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment

Public Notice

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

Attachments

- A. PCE Ordinance

Report prepared by:

Heather Abrams, Environmental Programs Manager

ORDINANCE NO.

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE
AGGREGATION PROGRAM**

The City Council of the City of Menlo Park hereby **ORDAINS** as follows:

SECTION 1. FINDINGS. In conjunction with the County of San Mateo, the City Council of the City of Menlo Park has investigated options to provide electrical service to customers within the City of Menlo Park with the intent of achieving greater local control and involvement over the provision of electrical service, competitive rates, the development of clean, local, renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs; and hereby finds and declares as follows:

- A.** The County of San Mateo prepared a Feasibility Study for a community choice aggregation (“CCA”) program in San Mateo County, with the cooperation of the cities, including the City of Menlo Park, under the provisions of the Public Utilities Code Section 366.2. The Feasibility Study shows that implementing a CCA program would provide multiple benefits, including:
- Providing customers a choice of power providers;
 - Increasing local control and involvement in and collaboration on energy rates and other energy-related matters;
 - Providing more stable long-term electric rates that are competitive with those provided by the incumbent utility;
 - Reducing greenhouse gas emissions arising from electricity use within San Mateo County;
 - Increasing local renewable generation capacity;
 - Increasing energy conservation and efficiency projects and programs;
 - Increasing regional energy self-sufficiency;
 - Improving the local economy resulting from the implementation of local renewable and energy conservation and efficiency projects; and
- B.** Under Public Utilities Code section 366.2, customers have the right to opt-out of a CCA program and continue to receive service from the incumbent utility. Customers who wish to continue to receive service from the incumbent utility will be able to do so; and
- C.** On November 10, 2015, the City Council held a study session at which time interested persons had an opportunity to testify either in support or opposition to implementation of the Peninsula Clean Energy CCA program in the City.
- D.** This ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to the CEQA Guidelines, as it is not a “project” as it has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (14 Cal. Code Regs. § 15378(a)). Further, the ordinance is exempt from CEQA as there is no possibility that the ordinance or its implementation would have a significant effect on the environment. (14 Cal. Code Regs. § 15061(b)(3)). The ordinance is also categorically exempt because it is an action taken by a regulatory agency to assume the maintenance, restoration, enhancement or protection of the environment. (14 Cal. Code Regs. § 15308). The Director of Community Development shall cause a Notice of Exemption to be filed as authorized by CEQA and the CEQA guidelines.

NOW, THEREFORE, LET IT BE RESOLVED the City Council does ordain as follows:

SECTION 1. The above recitations are true and correct and material to this ordinance.

SECTION 2. Based upon the forgoing, and in order to provide business and residents within the City of Menlo Park with a choice of power providers and with the benefits described above, the City Council of the City of Menlo Park ordains that it shall implement a CCA program within its jurisdiction by participating as a group with the County of San Mateo and other cities and towns as described above in the CCA program of the Peninsula Clean Energy Authority, as generally described in the Joint Powers Agreement.

SECTION 3. This Ordinance shall be in full force and effective 30 days after its adoption, and shall be published and posted as required by law.

INTRODUCED on the twelfth day of January, 2016.

PASSED AND ADOPTED as an Ordinance of the City of Menlo Park at a regular meeting of said Council on the twenty-sixth day of January, 2016. and was adopted on January 26, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Rich Cline, Mayor

ATTEST:

Pamela Aguilar
City Clerk

**STAFF REPORT****City Council**

Meeting Date: 1/26/2016
Staff Report Number: 16-010-CC

Consent Calendar: **Waive reading and adopt an ordinance replacing in its entirety Chapter 12.44 [Water Efficient Landscaping] of Title 12 [Buildings and Construction] of the Menlo Park Municipal Code**

Recommendation

Staff recommends that the City Council hold the second reading and approve the attached ordinance updating the City of Menlo Park's Water Efficient Landscaping Ordinance.

Policy Issues

The City has a current Water Efficient Landscape Ordinance (WELO), which needs to be updated as a result of recent State action. If the City does not act, it will be required to implement the State Model Water Efficient Landscaping Ordinance (MWELO).

Background

In April 2015, the Governor of California issued an executive order directing the California Department of Water Resources (DWR) to update the State's Model Water Efficient Landscape Ordinance (MWELO) in order to address the current four year drought and build resiliency for future droughts. The California Water Commission approved the revised MWELO Ordinance on July 15, 2015.

Although the MWELO is called a model ordinance, all cities must use and enforce the state's new MWELO, unless they adopt a more water efficient WELO. In addition, the DWR's model ordinance takes effect in those cities and counties that fail to adopt their own. Cities acting on their own were required to adopt their updated WELO by December 1, 2015. However, agencies adopting a regional ordinance have a deadline of February 1, 2016.

The Bay Area Water Supply and Conservation Agency (BAWSCA), of which the City of Menlo Park is a member, has drafted a template regional model ordinance that the City has used as guidance in drafting its update to municipal code section 12.44. Adopting the BAWSCA WELO provides alignment with neighboring communities' WELOs, which in turn provides residents, designers, landscapers, and contractors with generally consistent compliance requirements across regional boundaries.

The BAWSCA WELO, which staff recommends adopting, also allows prescriptive compliance giving applicants an option to avoid complex and potentially costly water budget calculations that the DWR MELWO requires, and it allows landscape designers to self-certify, rather than require them to hire a separate third party landscape designer as the DWR's MWELO requires. For these reasons, staff recommends the BAWSCA WELO over the DWR MWELO. If the City does not adopt the BAWSCA WELO, it will revert to the DWR's new MWELO.

For illustration purpose only, table below summarizes the differences between the new CA MWELO and the BAWSCA WELO which staff recommends.

CA MWELO	BAWSCA/MP WELO
All WELO projects require complex water budget calculation	Applicants have the choice of: prescriptive compliance with simple form, or water budget
Applicants required to hire two landscape designers: one to design and another to provide third party certification	Applicants can hire one designer to design and manage the project, because the designer can self-certify that the WELO requirements are met
Turf restrictions (Same in CA MELO and BAWSCA WELO)	Turf restrictions (Same in CA MELO and BAWSCA WELO)
WELO threshold size: 500 sq. ft. for new projects 2,500 sq. ft. for rehabilitated landscapes	WELO threshold size: 500 sq. ft. for new projects 1,000 sq. ft. for rehabilitated landscapes

On January 12, 2016, the City Council approved the first reading of the attached WELO. As part of the discussion, Council Member Ohtaki requested additional information regarding how WELO requirements would be triggered for single family residential projects and Council Member Carlton expressed concerns regarding the State and BAWSCA WELO's limitations on turf areas. Attachment G shows a summary of trigger examples and common use cases for the new WELO, which addresses the councilmembers comments.

Analysis

If Menlo Park does not adopt the attached ordinance which is based on the BAWSCA WELO template, the City is legally obligated to enforce the state's DWR MWELO. In order to allow jurisdictions to vary from the DWR's MWELO, the State requires that regional WELOs be more water efficient than the DWR's MWELO. The proposed Menlo Park WELO meets the state requirement, because the State MWELO requires rehabilitated landscapes of 2,500 sq.ft. or larger to go through the WELO process, whereas the BAWSCA WELO template requires this of landscape rehabilitation projects of 1,000 sq. ft. or larger.

The BAWSCA WELO template provides streamlining for residents and businesses that could save them significant time and expense. For example, they can avoid providing a water budget calculation, if they follow prescriptive measures, which include planting little or no turf and no high water plants. The BAWSCA template also allows landscape designers to self-certify, rather than pay a third party reviewer. Adopting the BAWSCA WELO template also allows regulatory alignment across Menlo Park and its

neighboring jurisdictions, so permit applicants who construct projects across the region know what is expected of them. WELO enforcement applies only to new and rehabilitated landscapes that are being changed when a building permit is required. The WELO does not require removal of existing landscapes. Only landscapes that are being impacted by the applicant as part of a building permit could trigger the WELO requirements and only if they meet or exceed the WELO size thresholds.

The City Attorney has reviewed the BAWSCA WELO template. The BASWCA WELO template tracks closely with DWR's MWELO. The ordinance attached (Attachment A) has been reformatted by the City Attorney to match the format of the existing WELO in municipal code 12.44; however, its content has not been changed from the first reading on January 12, 2016.

Impact on City Resources

There are two main impacts to City resources, which will require further study to determine the quantity of additional resources needed.

1. Additional projects will be covered by the updated WELO. Currently WELO plans are sorted by City staff and reviewed by a consultant who is overseen by City staff. Additional consultant work and oversight will be required, which should be covered by permit fees. City staff will be needed to oversee the process, and screen and select the consultants. Permit application fees may need to be adjusted in 2016.
2. The updated WELO includes new reporting by Cities to the State. Staff time will be required annually to compile and submit the required report. Staff believes the reporting required can be accomplished using the City's existing Tidemark permit management software.

Environmental Review

Environmental review under the California Environmental Quality Act (CEQA) is not required.

Public Notice

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

Attachments

- A. 2016 Water Efficient Landscaping Ordinance – Pending
- B. WELO Appendix A
- C. WELO Appendix B
- D. WELO Appendix C
- E. WELO Appendix D
- F. WELO Appendix E
- G. Summary Use Case for WELO 2016

Report prepared by:

Heather Abrams, Environmental Programs Manager

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ORDINANCE NUMBER _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK REPLACING IN ITS ENTIRETY CHAPTER 12.44 [WATER
EFFICIENT LANDSCAPING] OF TITLE 12 [BUILDINGS AND
CONSTRUCTION] OF THE MENLO PARK MUNICIPAL CODE**

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

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

1. A reliable minimum supply of potable water is essential to the public health, safety and welfare of the people and economy of the City of Menlo Park, California.
2. The California Water Conservation in Landscaping Act, also known as the State Landscape Model Ordinance (“Model Ordinance”), has been implemented by a Statewide Landscape Task Force which was overseen by the California Urban Water Conservation Council. The California Water Conservation in Landscaping Act was amended pursuant to AB 2717 (Chapter 682, Stats. 2004) and AB 1881 (Chapter 559, Stats. 2006).
3. AB 1881 required cities and counties, no later than January 1, 2010, to adopt the updated Model Ordinance or an equivalent document which is “at least as effective as” the Model Ordinance in conserving water. In the event cities and counties do not take such action, the State’s Model Ordinance were deemed to be automatically adopted by statute.
4. The City Council adopted a Water Conservation in Landscaping Ordinance on May 18, 2010 to comply with the requirement of AB 1881.
5. Governor Brown issued Executive Order B-29 on April 1, 2015 which directed State agencies to implement immediate measures to save water, increase enforcement against water waste, and streamline government response to ongoing drought conditions.
6. Executive Order B-29 directed the Department of Water Resources (“DWR”) to update the State Model Ordinance through expedited regulation to increase water efficiency standards for new and existing landscapes through more efficient standards, graywater usage, onsite storm water capture, and limitations of the portions of landscape that can be covered in turf.
7. The California Water Commission approved the proposed revisions to the State Model Ordinance on July 15, 2015.
8. Local agencies are required to adopt the revised State Model Ordinance or adopt

a local or regional ordinance at least as effective in conserving water.

9. The City of Menlo Park has developed this regional Water Conservation In Landscaping Ordinance in conjunction with the Bay Area Water Supply and Conservation Agency and other local agencies to meet the requirements and guidelines of the Model Ordinance and to address the unique physical characteristics, including average landscaped areas, within the City of Menlo Park's jurisdiction in order to ensure that this Ordinance will be "at least as effective as" the Model Ordinance in conserving water.

10. Although this Water Conservation in Landscaping Ordinance is more streamlined and simplified than the Model Ordinance, the City Council finds that it is "at least as effective as" the Model Ordinance for the following reasons: (1) this Ordinance applies to more accounts than the Model Ordinance does because it lowers the size threshold for applicable rehabilitated landscapes from 2,500 square feet to 1,000 square feet, to better reflect the typical landscaped areas located within this City's boundaries; (2) this Ordinance includes a default turf restriction of no turf or high water use plants in the irrigated area and requires that at least 80% of the plants in non-turf landscape areas be native plants, low-water using plants, or no-water using plants (unless the applicant elects to perform a water budget); (3) this Ordinance requires covers on newly constructed pools and spas. The Model Ordinance does not contain any such default turf restrictions or specified plant requirements.

11. Although this Water Conservation in Landscaping Ordinance is more streamlined and simplified than the Model Ordinance, the City Council further finds that it is "at least as effective as" the Model Ordinance because this Ordinance includes water budget parameters and values and landscape parameters that are consistent with the Model Ordinance. By using the same water budget parameters as the Model Ordinance (e.g., plant factors, irrigation efficiency), this Ordinance will be as effective as the Model Ordinance in developing landscape water budgets. By using the same landscape parameters as the Model Ordinance for, among other things, slope restrictions and width restrictions for turf, irrigation times, and minimum mulch requirements, this Ordinance will be at least as effective as the Model Ordinance in achieving water savings.

12. Article X, Section 2 of the California Constitution and Section 100 of the California Water Code declare that the general welfare requires water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof.

13. The City Council finds and determines that this Ordinance is consistent with the provisions requiring reductions in outdoor water use for landscaping in the California Green Building Standards Code, as such provisions will be implemented in the coming years. Such requirements include the development of a water budget for landscape irrigation in accordance with methodology outlined in either the Model

Ordinance or pursuant to a locally adopted ordinance.

14. The State Legislature has identified the provision of a more reliable water supply and the protection, restoration and enhancement of the Delta ecosystem as a high priority for the state. Pursuant to this, in November 2009, the State Legislature passed Senate Bill 7 (7th Extraordinary Session) requiring certain urban water suppliers to reduce per capita urban water use by 20% by the year 2020. Accordingly, the City Council finds that implementation of this Ordinance is consistent with the policies and goals established by the State Legislature in enacting SB 7 (7th Extraordinary Session).

15. Article XI, Section 7 of the California Constitution declares that a city or county may make and enforce within its limits all local, policy, sanitary, and other ordinances and regulations not in conflict with general laws.

16. The City Council finds and determines that this Ordinance is not subject to the California Environmental Quality Act (Public Resources Code Section 2100 et seq.) ("CEQA") pursuant to Section 15307 (the activity assures the maintenance, restoration, enhancement, or protection of a natural resource) and Section 15378(b)(2) (the activity is not a project as it involves general policy and procedure making) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since it makes and implements policies and procedures to ensure that water resources are conserved by reducing water consumption through the establishment of a structure for planning, designing, installing, maintaining and managing water-efficient landscapes.

17. The adoption and enforcement of this Ordinance is necessary to manage the City of Menlo Park's potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortage within the City of Menlo Park. This Ordinance is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare.

SECTION 2. REMOVAL IN ENTIRETY. Chapter 12.44 [Water-Efficient Landscaping] of Title 12 [Buildings and Construction] of the Menlo Park Municipal Code is hereby deleted in its entirety.

SECTION 3. ADDITION TO CODE. Chapter 12.44 [Water-Efficient Landscaping] of Title 12 [Buildings and Construction] is hereby added as follows:

- Section 12.44.010 Title.
- Section 12.44.020 Applicability.
- Section 12.44.030 Definitions.
- Section 12.44.040 Water Conservation In Landscaping Ordinance Requirements.
- Section 12.44.050 Compliance with Ordinance.

Section 12.44.060	Landscape Project Application and Documentation Package.
Section 12.44.070	Soil Management Report.
Section 12.44.080	Water Budget Calculations.
Section 12.44.090	Landscape Design Plan.
Section 12.44.100	Irrigation Design Plan.
Section 12.44.110	Grading Design Plan.
Section 12.44.120	Certificate of Completion.
Section 12.44.130	Landscape Audit Report.
Section 12.44.140	Irrigation Scheduling.
Section 12.44.150	Landscape and Irrigation Maintenance Schedule.
Section 12.44.150	Sormwater Management and Rainwater Retention.
Section 12.44.160	Recycled Water.
Section 12.44.170	Graywater Systems.
Section 12.44.180	Environmental Review.
Section 12.44.190	Provisions for Existing Landscapes.
Section 12.44.200	Provisions for Existing Landscapes Over One Acre in Size.
Section 12.44.210	Penalties.
Section 12.44.220	Public Education.

Section 12.44.010 Title

THIS ORDINANCE shall be known as the City of Menlo Park Water Conservation in Landscaping Ordinance.

Section 12.44.020 Applicability

1. The provisions of this Ordinance shall apply to all of the following landscape projects:
 - a. New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review, aggregate landscape shall apply to all areas previously unlandscaped or unirrigated that will be landscaped or irrigated, or where landscaping will be changed in the project area,
 - b. rehabilitated landscape projects with an aggregate landscape area equal to or greater than 1,000 square feet requiring a building or landscape permit, plan check, or design review;
 - c. existing landscapes limited to Sections 493, 493.1 and 493.2 in Division 2, Title 23 of the California Code of Regulations; all other existing landscapes shall only be subject to the provisions for existing landscapes provided for in Section XIII "Provisions for Existing Landscapes Over One Acre in Size".
 - d. cemeteries. New and rehabilitated cemeteries shall only be subject to the provisions of Section VIII "Water Budget Calculations", Section XIII "Landscape Audit Report", and Section XV "Landscape and Irrigation Maintenance Schedule." Existing cemeteries are limited to Section XXII "Provisions for Existing Landscapes Over One Acre in Size" .

2. Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix D.
3. For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2500 sq. ft. of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (b)(5).
4. This ordinance does not apply to:
 - a. New construction with irrigated landscape areas less than 500 square feet, rehabilitated landscapes with irrigated landscape areas less than 1,000 square feet, or landscapes that do not require a building or landscape permit, plan check or design review, or new or expanded water service;
 - b. Landscapes, or portions of landscapes, that are only irrigated for an establishment period;
 - c. Registered local, state or federal historical sites where landscaping establishes a historical landscape style, as determined by a public board or commission responsible for architectural review or historic preservation;
 - d. Ecological restoration or mined-land reclamation projects that do not require a permanent irrigation system; or
 - e. Community gardens or plant collections, as part of botanical gardens and arboretums open to the public, agricultural uses, commercial nurseries and sod farms.

Section 12.44.030 Definitions

- (a) "applied water" means the portion of water supplied by the irrigation system to the landscape.
- (b) "automatic irrigation controller" means a timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
- (c) "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- (d) "Certificate of Completion" means the document required under Section 492.9.
- (e) "certified irrigation designer" means a person certified to design irrigation systems by

an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.

(f) "certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.

(g) "check valve" or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

(h) "common interest developments" means community apartment projects, condominium projects, planned developments, and stock cooperatives per [Civil Code Section 1351](#).

(i) "compost" means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.

(j) "conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year.

(k) "distribution uniformity" means the measure of the uniformity of irrigation water over a defined area.

(l) "drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(m) "ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

(n) "effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.

(o) "emitter" means a drip irrigation emission device that delivers water slowly from the system to the soil.

(p) "established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

(q) "establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.

(r) “Estimated Total Water Use” (ETWU) means the total water used for the landscape as described in Section VIII.

(s) “ET adjustment factor” (ETAF) means a factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.

(t) “evapotranspiration rate” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

(u) “flow rate” means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

(v) “flow sensor” means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.

(w) “friable” means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

(x) “Fuel Modification Plan Guideline” means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.

(y) “graywater” means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. “Graywater” includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. [Health and Safety Code Section 17922.12](#).

(z) “hardscapes” means any durable material (pervious and non-pervious).

(aa) “hydrozone” means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.

(bb) “infiltration rate” means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

(cc) “invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic

resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

(dd) “irrigation audit” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association’s Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency “Watersense” labeled auditing program.

(ee) “irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.

(ff) “irrigation survey” means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.

(gg) “irrigation water use analysis” means an analysis of water use data based on meter readings and billing data.

(hh) “landscape architect” means a person who holds a license to practice landscape architecture in the state of [California Business and Professions Code, Section 5615](#).

(ii) “landscape area” means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

(jj) “landscape contractor” means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

(kk) “Landscape Documentation Package” means the documents required under Section IV.

(ll) “landscape project” means total area of landscape in a project as defined in “landscape area” for the purposes of this ordinance, meeting requirements under Section II.

(mm) “landscape water meter” means an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.

(nn) “lateral line” means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

(oo) “local agency” means a city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.

(pp) “local water purveyor” means any entity, including a public agency, city, county, or private water company that provides retail water service.

(qq) “low volume irrigation” means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(rr) “low water use plant” means a plant species whose water needs are compatible with local climate and soil conditions. Species classified as “very low water use” and “low water use” by WUCOLS, having a regionally adjusted plant factor of 0.0 through 0.3, shall be considered low water use plants.

(ss) “main line” means the pressurized pipeline that delivers water from the water source to the valve or outlet.

(tt) “master shut-off valve” is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.

(uu) “Maximum Applied Water Allowance” (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Section IX. It is based upon the area’s reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$

(vv) “median” is an area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.

(ww) “microclimate” means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

(xx) “microspray” means a microirrigation emission device with one or more orifices to convert irrigation water pressure to water discharge with a flow rate not to exceed 30 gallons per hour at the largest area of coverage available for the nozzle series when operated at 30 psi. Microsprays are inclusive of microbubblers, microspinners, and microspray jets.

(yy) “mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

(zz) “mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

(aaa) “native plant” means a plant indigenous to a specific area of consideration. For the purposes of these guidelines, the term shall refer to plants indigenous to the coastal ranges of Central and Northern California, and more specifically to such plants that are suited to the ecology of the present or historic natural community(ies) of the project’s vicinity.

(bbb) “new construction” means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

(ccc) “non-residential landscape” means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas and multifamily homes where landscaping is managed by a homeowners association or other common interest development

(ddd) “no-water using plant” means a plant species with water needs that are compatible with local climate and soil conditions such that regular supplemental irrigation is not required to sustain the plant after it has become established.

(eee) “operating pressure” means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

(fff) “overhead sprinkler irrigation systems” or “overhead spray irrigation systems” means systems that deliver water through the air (e.g., spray heads and rotors).

(ggg) “overspray” means the irrigation water which is delivered beyond the target area.

(hhh) “parkway” means the area between a sidewalk and the curb or traffic lane. It may be planted or unplanted, and with or without pedestrian egress.

(iii) “permit” means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.

(jjj) “pervious” means any surface or material that allows the passage of water through the material and into the underlying soil.

(kkk) “plant factor” or “plant water use factor” is a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the publication “Water Use Classification of Landscape Species”. Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).

(lll) “project applicant” means the individual or entity submitting a Landscape Documentation Package required under Section IV, to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.

(mmm) “rain sensor” or “rain sensing shutoff device” means a component which automatically suspends an irrigation event when it rains.

(nnn) “record drawing” or “as-builts” means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

(ooo) “recreational area” means areas, excluding private single family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf course tees, fairways, roughs, surrounds and greens.

(ppp) “recycled water,” “reclaimed water,” or “treated sewage effluent water” means treated or recycled waste water or reused water of a quality suitable for nonpotable uses such as landscape irrigation and water features. This water is not intended for human consumption.

(qqq) “reference evapotranspiration” or “ETo” means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Appendix A, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances so that regional differences in climate can be accommodated.

(rrr) “Regional Water Efficient Landscape Ordinance” means a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.

(sss) “rehabilitated landscape” means any relandscaping project that requires a permit,

plan check, or design review, meets the requirements of Section 490.1, and the modified landscape area is equal to or greater than 2,500 square feet.

(ttt) “residential landscape” means landscapes surrounding single family homes or multifamily homes where landscapes are managed by individual homeowners.

(uuu) “run off” means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, run off may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

(vvv) “soil moisture sensing device” or “soil moisture sensor” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

(www) “soil texture” means the classification of soil based on its percentage of sand, silt, and clay.

(xxx) “Special Landscape Area” (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.

(yyy) “sprinkler head” or “spray head” means a device which delivers water through a nozzle.

(zzz) “static water pressure” means the pipeline or municipal water supply pressure when water is not flowing.

(aaaa) “station” means an area served by one valve or by a set of valves that operate simultaneously.

(bbbb) “swimming pool” means any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above ground, and on-ground pools; hot tubs; spa and fixed in place wading pools

(cccc) “swing joint” means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

(dddd) “submeter” means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.

(eeee) “turf” means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

(ffff) “valve” means a device used to control the flow of water in the irrigation system.

(gggg) “water conserving plant species” means a plant species identified as having a very low or low plant factor.

(hhhh) “water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

(iiii) “watering window” means the time of day irrigation is allowed.

(jjjj) “WUCOLS” means the current version of the Water Use Classification of Landscape Species current edition published by the University of California Cooperative Extension and the Department of Water Resources, available at:

http://ucanr.edu/sites/WUCOLS/Download_WUCOLS_IV_List/

Section 12.44.040 Water Conservation Ordinance In Landscaping Ordinance Requirements.

1. All owners of new construction Water and rehabilitated landscapes of applicable sizes shall: (1) complete the Landscape Project Application and Documentation Package (Section VI) and (2) comply with the Landscape and Irrigation Maintenance Schedule (Section XV) requirements of this Ordinance.

2. All owners of existing landscapes over one acre in size, even if installed before enactment of this Ordinance, shall: (1) comply with local agency programs that may be instituted relating to irrigation audits, surveys and water use analysis, and (2) shall maintain landscape irrigation facilities to prevent water waste and runoff.

Section 12.44.050 Compliance with Ordinance.

1. The local agency shall:

- a. Provide the project applicant with the Ordinance and Landscape Project Application and Documentation Package requirements and the procedures for permits, plan checks, design reviews, or new or expanded water service;
- b. Review the Landscape Project Application submitted by the project applicant;
- c. Approve or deny the project applicant’s Landscape Project Application submittal;

- d. Issue or approve a permit, plan check or design review that complies with the approved Landscape Project Application or approve a new or expanded water service application that complies with the approved Landscape Project Application;
- e. Submit a copy of the complete Landscape Project Application to the local water purveyor or land use authority, as the case may be.

2. The project applicant shall:

- a. Prior to construction, submit all portions of the Landscape Project Application, except the Landscape Audit Report, to the local agency; and
- b. Upon approval of the Landscape Project Application by the local agency:
 - i. receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;
 - ii. submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
 - iii. submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

Section 12.44.060 Landscape Project Application and Documentation Package

1. The elements of a landscape must be designed to achieve water efficiency and will comply with the criteria described in this Ordinance. In completing the Landscape Project Application, project applicants may choose one of two options to demonstrate that the landscape meets the Ordinance’s water efficiency goals. Regardless of which option is selected, the applicant must complete and comply with all other elements of the Ordinance. The options include:

- a. Planting restrictions:
 - i. The landscape areas may include no turf or high-water using plants; and
 - ii. At least 80% of the plants in landscape areas shall be native plants, low-water using plants, or no-water using plants; or the
- b. Water Budget Calculation option (Section 12.44.080).

2. The Landscape Project Application shall include the following elements:

- a. Project Information;

- i. Date
 - ii. Project Applicant
 - iii. Project address (if available, parcel and/or lot numbers)
 - iv. Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - v. Total landscape area (Square feet)
 - vi. Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - vii. Checklist of all documents in Landscape Documentation Package
 - viii. Project contacts to include contact information for the project applicant and property owner
 - ix. Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package".
- b. Water Budget Calculations, if applicant selects to use a water budget approach rather than comply with the turf area limitations or specified plant type restrictions (Section 12.44.080);
 - c. Soil Management Report or Soil Management Survey (Section 12.44.070)
 - d. Landscape Design Plans (Section 12.44.090);
 - e. Irrigation System Design Plans (Section 12.44.100); and
 - f. Landscape Audit Report (Section 12.44.130)
 - g. Grading Design Plan or Grading Design Survey (Section 12.44. 110)

Section 12.44.070 Soil Management Report

1. In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, or the applicant shall complete a Soil Management Survey (Appendix E). The soil management report shall be completed as follows:

- a. Submit soil samples to a laboratory for analysis and recommendations.

- i. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
 - ii. The soil analysis shall include:
 1. soil texture;
 2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
 3. pH;
 4. total soluble salts;
 5. sodium
 6. percent organic matter; and
 7. recommendations
 - iii. In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.
2. The project applicant, or his/her designee, shall comply with one of the following:
 - a. If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or
 - b. If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.
 3. The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.
 4. The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

Section 12.44.080 Water Budget Calculations

Project applicant may elect to complete a water budget calculation for the landscape project using the Water Efficient Landscape Worksheet in Appendix B.

Water budget calculations, if prepared, shall adhere to the following requirements:

- a. The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- b. All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone..
- c. All Special Landscape Areas (SLA) shall be identified and their water use included in the water budget calculations.
- d. The reference evapotranspiration adjustment factor (ETAF) for SLA shall not exceed 1.0. The ETAF for all other landscaped areas shall not exceed 0.55 for residential areas and 0.45 for non-residential areas.
- e. ETo values from the Reference Evapotranspiration Table in Appendix A shall be used In calculating the Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU). For geographic areas not covered in Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drip system devices.
- f. MAWA shall be calculated using the equation below:

MAWA = (ETo) (0.62) [(0.55 x LA) + (0.45 x SLA)] for residential areas

MAWA = (ETo) (0.62) [(0.45 x LA) + (0.55 x SLA)] for non-residential areas

Where:

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

0.55 = Reference Evapotranspiration Adjustment Factor (ETAF) for residential areas

0.45 = Reference Evapotranspiration Adjustment Factor (ETAF) for non-residential areas

LA = Landscape Area including SLA (square feet)

0.45 = Additional Water Allowance for SLA in residential areas

0.55 = Additional Water Allowance for SLA in non-residential areas

SLA = Special Landscape Area (square feet)

- g. A local agency or project applicant may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate the MAWA:
 - i. $MAWA = (ET_o - Eppt) (0.62) [(0.55 \times LA) + (0.45 \times SLA)]$ for residential areas.
 - ii. $MAWA = (ET_o - EPPT) (0.62) [(0.45 \times LA) + (0.55 \times SLA)]$ for non-residential areas.
- h. Estimated Total Water Use (ETWU) will be calculated using the equation below. The sum of the ETWU calculated for all hydrozones will not exceed the MAWA.

$$ETWU = (ET_o)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

Where:

- ETWU = Estimated Total Water Use per year (gallons)
- ET_o = Reference Evapotranspiration (inches)
- PF = Plant Factor from WUCOLS (see Section 491)
- HA = Hydrozone Area [high, medium, and low water use areas] (square feet)
- 0.75 = Irrigation Efficiency (IE) for overhead spray devices
- 0.81 = Irrigation Efficiency (IE) for drip system devices
- SLA = Special Landscape Area (square feet)
- 0.62 = Conversion Factor

Section 12.44.090 Landscape Design Plan

1. For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

a. Plant Material

i. Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency shall include one or more of the following:

1. Protection and preservation of native species and natural vegetation
2. selection of water-conserving plant, tree and turf species, especially local native plants;

3. selection of plants based on local climate suitability, disease and pest resistance;
 4. selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area; and
 5. selection of plants from local and regional landscape program plant lists.
 6. selection of plants from local Fuel Modification Plan Guidelines.
- ii. Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 12.44.100.
 - iii. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:
 1. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
 2. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth;
 3. consider the solar orientation for plant placement to maximize summer share and winter solar gain.
 - iv. Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
 - v. High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
 - vi. A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per [Public Resources Code Section 4291\(a\)](#) and [\(b\)](#). Avoid fire-prone plant materials and highly flammable mulches. Refer to the local Fuel Modification Plan guidelines.
 - vii. The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.

viii. The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

b. Water Features

i. Recirculating water systems shall be used for water features.

ii. Where available, recycled water shall be used as a source for decorative water features.

iii. Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.

iv. Pool and spa covers are required on any newly constructed pool or spa.

c. Soil Preparation, Mulch and Amendments

i. Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.

ii. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section VII).

iii. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.

iv. A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5% of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

v. Stabilizing mulching products shall be used on slopes that meet current engineering standards.

vi. The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.

vii. Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are

not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.

2. The landscape design plan, at a minimum, shall:
 - a. delineate and label each hydrozone by number, letter, or other method;
 - b. identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
 - c. identify recreational areas;
 - d. identify areas permanently and solely dedicated to edible plants;
 - e. identify areas irrigated with recycled water;
 - f. identify type of mulch and application depth;
 - g. identify soil amendments, type, and quantity;
 - h. identify type and surface area of water features;
 - i. identify hardscapes (pervious and non-pervious);
 - j. identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the landscape design plan and examples are provided in Section XVI.
 - k. identify any applicable rain harvesting or catchment technologies as discussed in Section XVI and their 24-hour retention or infiltration capacity;
 - l. identify any applicable graywater discharge piping, system components and area(s) of distribution;
 - m. contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and
 - n. bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See [Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the](#)

California Code of Regulations, and Section 6721 of the Food and Agriculture Code.).

Section 12.44.100 Irrigation Design Plan

1. This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

a. System

i. Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq.ft. (the level at which [Water Code 535](#) applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:

1. a customer service meter dedicated to landscape use provided by the local water purveyor; or
2. a privately owned meter or submeter.

ii. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.

iii. If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

iv. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all

irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

- v. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
- vi. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.
- vii. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
- viii. Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
- ix. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- x. Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
- xi. The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
- xii. The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section VIII regarding the Maximum Applied Water Allowance.
- xiii. All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
- xiv. It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.

- xv. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
 - xvi. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
 - xvii. Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
 - xviii. Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
 - xix. Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
 - xx. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
 - xxi. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
 - 1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - 2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - 3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section X (A)(1)Prevention of overspray and runoff must be confirmed during the irrigation audit.
 - xxii. Slopes greater than 25% shall not be irrigated with an irrigation system with a application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.
- b. Hydrozone
- i. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

- ii. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
 - iii. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
 - iv. Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
 - 1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
 - 2. the plant factor of the higher water using plant is used for calculations.
 - v. Individual hydrozones that mix high and low water use plants shall not be permitted.
 - vi. On the Landscape Design Plan and Irrigation Design Plan, hydrozone areas shall be designated by number, letter, or other designation. On the Irrigation Design Plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix B Section A). This table can also assist with the irrigation audit and programming the controller.
2. The Irrigation Design Plan, at a minimum, shall contain:
- a. location and size of separate water meters for landscape;
 - b. location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
 - c. static water pressure at the point of connection to the public water supply;
 - d. flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
 - e. recycled water irrigation systems as specified in Section 12.44.170;
 - f. the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and
 - g. the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See [Sections 5500.1](#), [5615](#), [5641](#), [5641.1](#), [5641.2](#), [5641.3](#), [5641.4](#), [5641.5](#),

5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

Section 12.44.110 Grading Design Plan

1. For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan or completed Grading Design Survey (Appendix E) shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.

a. The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:

- i. height of graded slopes;
- ii. drainage patterns;
- iii. pad elevations;
- iv. finish grade; and
- v. storm water retention improvements, if applicable

b. To prevent excessive erosion and runoff, it is highly recommended that project applicants:

- i. grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
- ii. avoid disruption of natural drainage patterns and undisturbed soil; and
- iii. avoid soil compaction in landscape areas.

Section 12.44.120 Certificate of Completion

1. The Certificate of Completion (see Appendix C for a sample certificate) shall include the following six (6) elements:

- a. Project information sheet that contains:
 - i. Date
 - ii. Project name
- iii. Project applicant name, telephone, and mailing address;
- iv. Project address and location; and

- v. Property owner name, telephone, and mailing address;
 - b. certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;
 - i. where there have been significant changes made in the field during construction, these “as-built” or record drawings shall be included with the certification;
 - ii. A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
 - c. irrigation scheduling parameters used to set the controller (see Section 12.44.140);
 - d. landscape and irrigation maintenance schedule (see Section 12.44.150);
 - e. irrigation audit report (see Section 12.44.120); and
 - f. soil analysis report or soil management survey, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 12.44.070).
2. The project applicant shall:
- a. submit the signed Certificate of Completion to the local agency for review;
 - b. ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.
3. The local agency shall:
- a. receive the signed Certificate of Completion from the project applicant;
 - b. approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the local agency shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

Section 12.44.130 Landscape Audit Report

- 1. The Landscape Audit Report shall include, but is not limited to: inspection to confirm that the landscaping and irrigation system were installed as specified in the Landscape and Irrigation Design Plan, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule.
- 2. The Landscape Audit Report shall include the following statement: “The landscape and irrigation system has been installed as specified in the Landscape and Irrigation Design Plan and complies with the criteria of the Ordinance and the permit”.

3. Local agency shall administer on-going programs that may include, but not be limited to, post-installation landscape inspection, irrigation water use analysis, irrigation audits, irrigation surveys and water budget calculations to evaluate compliance with the MAWA.

Section 12.44.140 Irrigation Scheduling

1. For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:

a. Irrigation scheduling shall be regulated by automatic irrigation controllers.

b. Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

c. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

d. Parameters used to set the automatic controller shall be developed and submitted for each of the following:

- i. The plant establishment period;
- ii. The established landscape; and
- iii. Temporarily irrigated areas

e. Each irrigation schedule shall consider for each station all of the following that apply:

- i. irrigation interval (days between irrigation);
- ii. irrigation run times (hours or minutes per irrigation event to avoid runoff);
- iii. number of cycle starts required for each irrigation event to avoid runoff;
- iv. amount of applied water scheduled to be applied on a monthly basis;
- v. application rate setting;

- vi. root depth setting;
- vii. plant type setting;
- viii. soil type;
- ix. slope factor setting;
- x. shade factor setting; and
- xi. irrigation uniformity or efficiency setting.

Section 12.44.150 Landscape and Irrigation Maintenance Schedule

1. Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
2. A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost; replenishing mulch; fertilizing; pruning; weeding in all landscape areas; and removing obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
3. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
4. A Project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

Section 12.44.150 Stormwater Management and Rainwater Retention

1. Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.
2. Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.
3. All planted landscape areas are required to have friable soil to maximize water retention and infiltration. Refer to Section IX (A)(iii).
4. It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from

impervious surfaces (i.e. roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.

5. It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:
 - a. Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
 - b. Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
 - c. Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
 - d. Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
 - e. Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
 - f. Incorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
 - g. Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

Section 12.44.160 Recycled Water

1. The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.
2. All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
3. Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

Section 12.44.170 Graywater Systems

Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to Section 12.44.020) for the applicability of this ordinance to

landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

Section 12.44.180 Environmental Review

The local agency must comply with the California Environmental Quality Act (CEQA), as appropriate.

Section 12.44.190 Provisions for Existing Landscapes

A local agency may by mutual agreement, designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

Section 12.44.200 Provisions for Existing Landscapes Over One Acre in Size

This section shall apply to all existing landscapes that were installed before February 25, 2016 and are over one acre in size.

1. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

a. For landscapes that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the MAWA for existing landscapes. The MAWA for existing landscapes shall be calculated as:

$$\text{MAWA} = (0.8) (\text{ETo})(\text{LA})(0.62).$$

b. For landscapes that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.

c. All landscape irrigation audits for existing landscapes that are greater than one acre in size shall be conducted by a certified landscape irrigation auditor.

2. Water Waste Prevention.

a. Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures.

b. Restrictions regarding overspray and runoff may be modified if:

i. the landscape area is adjacent to permeable surfacing and no runoff occurs;
or

- ii. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

Section 12.44.210 Penalties

A local agency may establish and administer penalties to the project applicant for non-compliance with this Ordinance to the extent permitted by law.

1. Violation and Notice of Correction.

It is unlawful for any person, firm, partnership, association, or corporation subject to the requirements of this Ordinance to fail to comply with the outdoor water use efficiency requirements of this Ordinance. The City Manager or his designee has the authority to conduct such inquiries, audits or surveys to ensure compliance with the requirements of this Ordinance. Whenever City Manager or his designee determines that a violation of this Ordinance has occurred, City Manager or his designee may serve a notice of correction on the owner(s) of the property on which the violation is situated. The owner(s) of record shall have ninety (90) days to take corrective action.

2. Administrative Enforcement.

In addition to any other remedy provided by the City of Menlo Park's Municipal Code, any provision of this Ordinance may be enforced by an administrative order issued pursuant to any one of the administrative processes set forth in Chapter 1 of the City of Menlo Park's Municipal Code. The City Council shall serve as the administrative enforcement hearing officer for the purposes of considering any appeals.

Section 12.44.220 Public Education

1. Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.

- a. The local agency shall provide information to all applicants regarding the design, installation, management, and maintenance of water-efficient landscapes and irrigation systems.

2. Model Homes. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water-efficient landscapes that are described in this Ordinance.

- a. Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme. Signage shall include information about the site water use as designed per the local ordinance; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to landscaping such as using native plants, graywater systems, and rainwater catchment systems.

b. Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

SECTION 4. SEVERABILITY. If any section of this ordinance, or part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such section, or part hereof, shall be deemed severable from the remaining sections of this ordinance and shall in no way affect the validity of the remaining sections hereof.

SECTION 5. REGULATIONS AND RESTRICTIONS FOR ALL CUSTOMERS. It is resolved by the City Council that in order to conserve the water supply for the greatest public benefit, and to reduce the quantity of water used by the City's customers, that wasteful use be eliminated. Customers of the Water District shall observe the rules and regulations on water use as described in the current Water Conservation Plan.

SECTION 6. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. The City Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

SECTION 7. EFFECTIVE DATE AND PUBLISHING. This ordinance shall take effect 30 days after adoption. The City Clerk shall cause publication of the ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city or, if none, the posted in at least three public places in the city. Within 15 days after the adoption of the ordinance amendment, a summary of the amendment shall be published with the names of the council members voting for and against the amendment.

INTRODUCED on the __ day of _____, 2016.

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

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

APPROVED:

Ray Mueller

Mayor

ATTEST:

Pamela Aguilar
City Clerk

Appendix A: Reference Evapotranspiration (ET_o) Table

Appendix A - Reference Evapotranspiration (ET _o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
ALAMEDA													
Fremont	1.5	1.9	3.4	4.7	5.4	6.3	6.7	6.0	4.5	3.4	1.8	1.5	47.0
Livermore	1.2	1.5	2.9	4.4	5.9	6.6	7.4	6.4	5.3	3.2	1.5	0.9	47.2
Oakland	1.5	1.5	2.8	3.9	5.1	5.3	6.0	5.5	4.8	3.1	1.4	0.9	41.8
Oakland Foothills	1.1	1.4	2.7	3.7	5.1	6.4	5.8	4.9	3.6	2.6	1.4	1.0	39.6
Pleasanton	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
Union City	1.4	1.8	3.1	4.2	5.4	5.9	6.4	5.7	4.4	3.1	1.5	1.2	44.2
ALPINE													
Markleeville	0.7	0.9	2.0	3.5	5.0	6.1	7.3	6.4	4.4	2.6	1.2	0.5	40.6
AMADOR													
Jackson	1.2	1.5	2.8	4.4	6.0	7.2	7.9	7.2	5.3	3.2	1.4	0.9	48.9
Shanandoah Valley	1.0	1.7	2.9	4.4	5.6	6.8	7.9	7.1	5.2	3.6	1.7	1.0	48.8
BUTTE													
Chico	1.2	1.8	2.9	4.7	6.1	7.4	8.5	7.3	5.4	3.7	1.7	1.0	51.7
Durham	1.1	1.8	3.2	5.0	6.5	7.4	7.8	6.9	5.3	3.6	1.7	1.0	51.1
Gridley	1.2	1.8	3.0	4.7	6.1	7.7	8.5	7.1	5.4	3.7	1.7	1.0	51.9
Oroville	1.2	1.7	2.8	4.7	6.1	7.6	8.5	7.3	5.3	3.7	1.7	1.0	51.5
CALAVERAS													
San Andreas	1.2	1.5	2.8	4.4	6.0	7.3	7.9	7.0	5.3	3.2	1.4	0.7	48.8
COLUSA													
Colusa	1.0	1.7	3.4	5.0	6.4	7.6	8.3	7.2	5.4	3.8	1.8	1.1	52.8
Williams	1.2	1.7	2.9	4.5	6.1	7.2	8.5	7.3	5.3	3.4	1.6	1.0	50.8
CONTRA COSTA													
Brentwood	1.0	1.5	2.9	4.5	6.1	7.1	7.9	6.7	5.2	3.2	1.4	0.7	48.3
Concord	1.1	1.4	2.4	4.0	5.5	5.9	7.0	6.0	4.8	3.2	1.3	0.7	43.4
Courtland	0.9	1.5	2.9	4.4	6.1	6.9	7.9	6.7	5.3	3.2	1.4	0.7	48.0
Martinez	1.2	1.4	2.4	3.9	5.3	5.6	6.7	5.6	4.7	3.1	1.2	0.7	41.8
Moraga	1.2	1.5	3.4	4.2	5.5	6.1	6.7	5.9	4.6	3.2	1.6	1.0	44.9
Pittsburg	1.0	1.5	2.8	4.1	5.6	6.4	7.4	6.4	5.0	3.2	1.3	0.7	45.4
Walnut Creek	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
DEL NORTE													
Crescent City	0.5	0.9	2.0	3.0	3.7	3.5	4.3	3.7	3.0	2.0	0.9	0.5	27.7
EL DORADO													
Camino	0.9	1.7	2.5	3.9	5.9	7.2	7.8	6.8	5.1	3.1	1.5	0.9	47.3
FRESNO													
Clovis	1.0	1.5	3.2	4.8	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Coalinga	1.2	1.7	3.1	4.6	6.2	7.2	8.5	7.3	5.3	3.4	1.6	0.7	50.9
Firebaugh	1.0	1.8	3.7	5.7	7.3	8.1	8.2	7.2	5.5	3.9	2.0	1.1	55.4
FivePoints	1.3	2.0	4.0	6.1	7.7	8.5	8.7	8.0	6.2	4.5	2.4	1.2	60.4
Fresno	0.9	1.7	3.3	4.8	6.7	7.8	8.4	7.1	5.2	3.2	1.4	0.6	51.1
Fresno State	0.9	1.6	3.2	5.2	7.0	8.0	8.7	7.6	5.4	3.6	1.7	0.9	53.7
Friant	1.2	1.5	3.1	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Kerman	0.9	1.5	3.2	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.2
Kingsburg	1.0	1.5	3.4	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.6
Mendota	1.5	2.5	4.6	6.2	7.9	8.6	8.8	7.5	5.9	4.5	2.4	1.5	61.7
Orange Cove	1.2	1.9	3.5	4.7	7.4	8.5	8.9	7.9	5.9	3.7	1.8	1.2	56.7
Panoche	1.1	2.0	4.0	5.6	7.8	8.5	8.3	7.3	5.6	3.9	1.8	1.2	57.2
Parlier	1.0	1.9	3.6	5.2	6.8	7.6	8.1	7.0	5.1	3.4	1.7	0.9	52.0

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
FRESNO													
Reedley	1.1	1.5	3.2	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Westlands	0.9	1.7	3.8	6.3	8.0	8.6	8.6	7.8	5.9	4.3	2.1	1.1	58.8
GLENN													
Orland	1.1	1.8	3.4	5.0	6.4	7.5	7.9	6.7	5.3	3.9	1.8	1.4	52.1
Willows	1.2	1.7	2.9	4.7	6.1	7.2	8.5	7.3	5.3	3.6	1.7	1.0	51.3
HUMBOLDT													
Eureka	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Ferndale	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Garberville	0.6	1.2	2.2	3.1	4.5	5.0	5.5	4.9	3.8	2.4	1.0	0.7	34.9
Hoopa	0.5	1.1	2.1	3.0	4.4	5.4	6.1	5.1	3.8	2.4	0.9	0.7	35.6
IMPERIAL													
Brawley	2.8	3.8	5.9	8.0	10.4	11.5	11.7	10.0	8.4	6.2	3.5	2.1	84.2
Calipatria/Mulberry	2.4	3.2	5.1	6.8	8.6	9.2	9.2	8.6	7.0	5.2	3.1	2.3	70.7
El Centro	2.7	3.5	5.6	7.9	10.1	11.1	11.6	9.5	8.3	6.1	3.3	2.0	81.7
Holtville	2.8	3.8	5.9	7.9	10.4	11.6	12.0	10.0	8.6	6.2	3.5	2.1	84.7
Meloland	2.5	3.2	5.5	7.5	8.9	9.2	9.0	8.5	6.8	5.3	3.1	2.2	71.6
Palo Verde II	2.5	3.3	5.7	6.9	8.5	8.9	8.6	7.9	6.2	4.5	2.9	2.3	68.2
Seeley	2.7	3.5	5.9	7.7	9.7	10.1	9.3	8.3	6.9	5.5	3.4	2.2	75.4
Westmoreland	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Yuma	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
INYO													
Bishop	1.7	2.7	4.8	6.7	8.2	10.9	7.4	9.6	7.4	4.8	2.5	1.6	68.3
Death Valley Jct	2.2	3.3	5.4	7.7	9.8	11.1	11.4	10.1	8.3	5.4	2.9	1.7	79.1
Independence	1.7	2.7	3.4	6.6	8.5	9.5	9.8	8.5	7.1	3.9	2.0	1.5	65.2
Lower Haiwee Res.	1.8	2.7	4.4	7.1	8.5	9.5	9.8	8.5	7.1	4.2	2.6	1.5	67.6
Oasis	2.7	2.8	5.9	8.0	10.4	11.7	11.6	10.0	8.4	6.2	3.4	2.1	83.1
KERN													
Arvin	1.2	1.8	3.5	4.7	6.6	7.4	8.1	7.3	5.3	3.4	1.7	1.0	51.9
Bakersfield	1.0	1.8	3.5	4.7	6.6	7.7	8.5	7.3	5.3	3.5	1.6	0.9	52.4
Bakersfield/Bonanza	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Bakersfield/Greenlee	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Belridge	1.4	2.2	4.1	5.5	7.7	8.5	8.6	7.8	6.0	3.8	2.0	1.5	59.2
Blackwells Corner	1.4	2.1	3.8	5.4	7.0	7.8	8.5	7.7	5.8	3.9	1.9	1.2	56.6
Buttonwillow	1.0	1.8	3.2	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.5	0.9	52.0
China Lake	2.1	3.2	5.3	7.7	9.2	10.0	11.0	9.8	7.3	4.9	2.7	1.7	74.8
Delano	0.9	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.4	0.7	52.0
Famoso	1.3	1.9	3.5	4.8	6.7	7.6	8.0	7.3	5.5	3.5	1.7	1.3	53.1
Grapevine	1.3	1.8	3.1	4.4	5.6	6.8	7.6	6.8	5.9	3.4	1.9	1.0	49.5
Inyokern	2.0	3.1	4.9	7.3	8.5	9.7	11.0	9.4	7.1	5.1	2.6	1.7	72.4
Isabella Dam	1.2	1.4	2.8	4.4	5.8	7.3	7.9	7.0	5.0	3.2	1.7	0.9	48.4
Lamont	1.3	2.4	4.4	4.6	6.5	7.0	8.8	7.6	5.7	3.7	1.6	0.8	54.4
Lost Hills	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
McFarland/Kern	1.2	2.1	3.7	5.6	7.3	8.0	8.3	7.4	5.6	4.1	2.0	1.2	56.5
Shafter	1.0	1.7	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.5	0.9	52.1
Taft	1.3	1.8	3.1	4.3	6.2	7.3	8.5	7.3	5.4	3.4	1.7	1.0	51.2
Tehachapi	1.4	1.8	3.2	5.0	6.1	7.7	7.9	7.3	5.9	3.4	2.1	1.2	52.9
KINGS													
Caruthers	1.6	2.5	4.0	5.7	7.8	8.7	9.3	8.4	6.3	4.4	2.4	1.6	62.7

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
KINGS													
Corcoran	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Hanford	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.2	5.4	3.4	1.4	0.7	51.5
Kettleman	1.1	2.0	4.0	6.0	7.5	8.5	9.1	8.2	6.1	4.5	2.2	1.1	60.2
Lemoore	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.4	0.7	51.7
Stratford	0.9	1.9	3.9	6.1	7.8	8.6	8.8	7.7	5.9	4.1	2.1	1.0	58.7
LAKE													
Lakeport	1.1	1.3	2.6	3.5	5.1	6.0	7.3	6.1	4.7	2.9	1.2	0.9	42.8
Lower Lake	1.2	1.4	2.7	4.5	5.3	6.3	7.4	6.4	5.0	3.1	1.3	0.9	45.4
LASSEN													
Buntingville	1.0	1.7	3.5	4.9	6.2	7.3	8.4	7.5	5.4	3.4	1.5	0.9	51.8
Ravendale	0.6	1.1	2.3	4.1	5.6	6.7	7.9	7.3	4.7	2.8	1.2	0.5	44.9
Susanville	0.7	1.0	2.2	4.1	5.6	6.5	7.8	7.0	4.6	2.8	1.2	0.5	44.0
LOS ANGELES													
Burbank	2.1	2.8	3.7	4.7	5.1	6.0	6.6	6.7	5.4	4.0	2.6	2.0	51.7
Claremont	2.0	2.3	3.4	4.6	5.0	6.0	7.0	7.0	5.3	4.0	2.7	2.1	51.3
El Dorado	1.7	2.2	3.6	4.8	5.1	5.7	5.9	5.9	4.4	3.2	2.2	1.7	46.3
Glendale	2.0	2.2	3.3	3.8	4.7	4.8	5.7	5.6	4.3	3.3	2.2	1.8	43.7
Glendora	2.0	2.5	3.6	4.9	5.4	6.1	7.3	6.8	5.7	4.2	2.6	2.0	53.1
Gorman	1.6	2.2	3.4	4.6	5.5	7.4	7.7	7.1	5.9	3.6	2.4	1.1	52.4
Hollywood Hills	2.1	2.2	3.8	5.4	6.0	6.5	6.7	6.4	5.2	3.7	2.8	2.1	52.8
Lancaster	2.1	3.0	4.6	5.9	8.5	9.7	11.0	9.8	7.3	4.6	2.8	1.7	71.1
Long Beach	1.8	2.1	3.3	3.9	4.5	4.3	5.3	4.7	3.7	2.8	1.8	1.5	39.7
Los Angeles	2.2	2.7	3.7	4.7	5.5	5.8	6.2	5.9	5.0	3.9	2.6	1.9	50.1
Monrovia	2.2	2.3	3.8	4.3	5.5	5.9	6.9	6.4	5.1	3.2	2.5	2.0	50.2
Palmdale	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
Pasadena	2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3
Pearblossom	1.7	2.4	3.7	4.7	7.3	7.7	9.9	7.9	6.4	4.0	2.6	1.6	59.9
Pomona	1.7	2.0	3.4	4.5	5.0	5.8	6.5	6.4	4.7	3.5	2.3	1.7	47.5
Redondo Beach	2.2	2.4	3.3	3.8	4.5	4.7	5.4	4.8	4.4	2.8	2.4	2.0	42.6
San Fernando	2.0	2.7	3.5	4.6	5.5	5.9	7.3	6.7	5.3	3.9	2.6	2.0	52.0
Santa Clarita	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Santa Monica	1.8	2.1	3.3	4.5	4.7	5.0	5.4	5.4	3.9	3.4	2.4	2.2	44.2
MADERA													
Chowchilla	1.0	1.4	3.2	4.7	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Madera	0.9	1.4	3.2	4.8	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.5
Raymond	1.2	1.5	3.0	4.6	6.1	7.6	8.4	7.3	5.2	3.4	1.4	0.7	50.5
MARIN													
Black Point	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
Novato	1.3	1.5	2.4	3.5	4.4	6.0	5.9	5.4	4.4	2.8	1.4	0.7	39.8
Point San Pedro	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
San Rafael	1.2	1.3	2.4	3.3	4.0	4.8	4.8	4.9	4.3	2.7	1.3	0.7	35.8
MARIPOSA													
Couterville	1.1	1.5	2.8	4.4	5.9	7.3	8.1	7.0	5.3	3.4	1.4	0.7	48.8
Mariposa	1.1	1.5	2.8	4.4	5.9	7.4	8.2	7.1	5.0	3.4	1.4	0.7	49.0
Yosemite Village	0.7	1.0	2.3	3.7	5.1	6.5	7.1	6.1	4.4	2.9	1.1	0.6	41.4
MENDOCINO													
Fort Bragg	0.9	1.3	2.2	3.0	3.7	3.5	3.7	3.7	3.0	2.3	1.2	0.7	29.0
Hopland	1.1	1.3	2.6	3.4	5.0	5.9	6.5	5.7	4.5	2.8	1.3	0.7	40.9

Appendix A - Reference Evapotranspiration (ETo) Table*														
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	ETo
MENDOCINO														
Point Arena	1.0	1.3	2.3	3.0	3.7	3.9	3.7	3.7	3.0	2.3	1.2	0.7	29.6	
Sanel Valley	1.0	1.6	3.0	4.6	6.0	7.0	8.0	7.0	5.2	3.4	1.4	0.9	49.1	
Ukiah	1.0	1.3	2.6	3.3	5.0	5.8	6.7	5.9	4.5	2.8	1.3	0.7	40.9	
MERCED														
Kesterson	0.9	1.7	3.4	5.5	7.3	8.2	8.6	7.4	5.5	3.8	1.8	0.9	55.1	
Los Banos	1.0	1.5	3.2	4.7	6.1	7.4	8.2	7.0	5.3	3.4	1.4	0.7	50.0	
Merced	1.0	1.5	3.2	4.7	6.6	7.9	8.5	7.2	5.3	3.4	1.4	0.7	51.5	
MODOC														
Modoc/Alturas	0.9	1.4	2.8	3.7	5.1	6.2	7.5	6.6	4.6	2.8	1.2	0.7	43.2	
MONO														
Bridgeport	0.7	0.9	2.2	3.8	5.5	6.6	7.4	6.7	4.7	2.7	1.2	0.5	43.0	
MONTEREY														
Arroyo Seco	1.5	2.0	3.7	5.4	6.3	7.3	7.2	6.7	5.0	3.9	2.0	1.6	52.6	
Castroville	1.4	1.7	3.0	4.2	4.6	4.8	4.0	3.8	3.0	2.6	1.6	1.4	36.2	
Gonzales	1.3	1.7	3.4	4.7	5.4	6.3	6.3	5.9	4.4	3.4	1.9	1.3	45.7	
Greenfield	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5	
King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6	
King City-Oasis Rd.	1.4	1.9	3.6	5.3	6.5	7.3	7.4	6.8	5.1	4.0	2.0	1.5	52.7	
Long Valley	1.5	1.9	3.2	4.1	5.8	6.5	7.3	6.7	5.3	3.6	2.0	1.2	49.1	
Monterey	1.7	1.8	2.7	3.5	4.0	4.1	4.3	4.2	3.5	2.8	1.9	1.5	36.0	
Pajaro	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.1	
Salinas	1.6	1.9	2.7	3.8	4.8	4.7	5.0	4.5	4.0	2.9	1.9	1.3	39.1	
Salinas North	1.2	1.5	2.9	4.1	4.6	5.2	4.5	4.3	3.2	2.8	1.5	1.2	36.9	
San Ardo	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0	
San Juan	1.8	2.1	3.4	4.6	5.3	5.7	5.5	4.9	3.8	3.2	2.2	1.9	44.2	
Soledad	1.7	2.0	3.4	4.4	5.5	5.4	6.5	6.2	5.2	3.7	2.2	1.5	47.7	
NAPA														
Angwin	1.8	1.9	3.2	4.7	5.8	7.3	8.1	7.1	5.5	4.5	2.9	2.1	54.9	
Carneros	0.8	1.5	3.1	4.6	5.5	6.6	6.9	6.2	4.7	3.5	1.4	1.0	45.8	
Oakville	1.0	1.5	2.9	4.7	5.8	6.9	7.2	6.4	4.9	3.5	1.6	1.2	47.7	
St Helena	1.2	1.5	2.8	3.9	5.1	6.1	7.0	6.2	4.8	3.1	1.4	0.9	44.1	
Yountville	1.3	1.7	2.8	3.9	5.1	6.0	7.1	6.1	4.8	3.1	1.5	0.9	44.3	
NEVADA														
Grass Valley	1.1	1.5	2.6	4.0	5.7	7.1	7.9	7.1	5.3	3.2	1.5	0.9	48.0	
Nevada City	1.1	1.5	2.6	3.9	5.8	6.9	7.9	7.0	5.3	3.2	1.4	0.9	47.4	
ORANGE														
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6	
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2	
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2	
PLACER														
Auburn	1.2	1.7	2.8	4.4	6.1	7.4	8.3	7.3	5.4	3.4	1.6	1.0	50.6	
Blue Canyon	0.7	1.1	2.1	3.4	4.8	6.0	7.2	6.1	4.6	2.9	0.9	0.6	40.5	
Colfax	1.1	1.5	2.6	4.0	5.8	7.1	7.9	7.0	5.3	3.2	1.4	0.9	47.9	
Roseville	1.1	1.7	3.1	4.7	6.2	7.7	8.5	7.3	5.6	3.7	1.7	1.0	52.2	
Soda Springs	0.7	0.7	1.8	3.0	4.3	5.3	6.2	5.5	4.1	2.5	0.7	0.7	35.4	
Tahoe City	0.7	0.7	1.7	3.0	4.3	5.4	6.1	5.6	4.1	2.4	0.8	0.6	35.5	
Truckee	0.7	0.7	1.7	3.2	4.4	5.4	6.4	5.7	4.1	2.4	0.8	0.6	36.2	

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
PLUMAS													
Portola	0.7	0.9	1.9	3.5	4.9	5.9	7.3	5.9	4.3	2.7	0.9	0.5	39.4
Quincy	0.7	0.9	2.2	3.5	4.9	5.9	7.3	5.9	4.4	2.8	1.2	0.5	40.2
RIVERSIDE													
Beaumont	2.0	2.3	3.4	4.4	6.1	7.1	7.6	7.9	6.0	3.9	2.6	1.7	55.0
Blythe	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Cathedral City	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Coachella	2.9	4.4	6.2	8.4	10.5	11.9	12.3	10.1	8.9	6.2	3.8	2.4	88.1
Desert Center	2.9	4.1	6.4	8.5	11.0	12.1	12.2	11.1	9.0	6.4	3.9	2.6	90.0
Elsinore	2.1	2.8	3.9	4.4	5.9	7.1	7.6	7.0	5.8	3.9	2.6	1.9	55.0
Indio	3.1	3.6	6.5	8.3	10.5	11.0	10.8	9.7	8.3	5.9	3.7	2.7	83.9
La Quinta	2.4	2.8	5.2	6.5	8.3	8.7	8.5	7.9	6.5	4.5	2.7	2.2	66.2
Mecca	2.6	3.3	5.7	7.2	8.6	9.0	8.8	8.2	6.8	5.0	3.2	2.4	70.8
Oasis	2.9	3.3	5.3	6.1	8.5	8.9	8.7	7.9	6.9	4.8	2.9	2.3	68.4
Palm Desert	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
Palm Springs	2.0	2.9	4.9	7.2	8.3	8.5	11.6	8.3	7.2	5.9	2.7	1.7	71.1
Rancho California	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
Rancho Mirage	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Ripley	2.7	3.3	5.6	7.2	8.7	8.7	8.4	7.6	6.2	4.6	2.8	2.2	67.8
Salton Sea North	2.5	3.3	5.5	7.2	8.8	9.3	9.2	8.5	6.8	5.2	3.1	2.3	71.7
Temecula East II	2.3	2.4	4.1	4.9	6.4	7.0	7.8	7.4	5.7	4.1	2.6	2.2	56.7
Thermal	2.4	3.3	5.5	7.6	9.1	9.6	9.3	8.6	7.1	5.2	3.1	2.1	72.8
Riverside UC	2.5	2.9	4.2	5.3	5.9	6.6	7.2	6.9	5.4	4.1	2.9	2.6	56.4
Winchester	2.3	2.4	4.1	4.9	6.4	6.9	7.7	7.5	6.0	3.9	2.6	2.1	56.8
SACRAMENTO													
Fair Oaks	1.0	1.6	3.4	4.1	6.5	7.5	8.1	7.1	5.2	3.4	1.5	1.0	50.5
Sacramento	1.0	1.8	3.2	4.7	6.4	7.7	8.4	7.2	5.4	3.7	1.7	0.9	51.9
Twitchell Island	1.2	1.8	3.9	5.3	7.4	8.8	9.1	7.8	5.9	3.8	1.7	1.2	57.9
SAN BENITO													
Hollister	1.5	1.8	3.1	4.3	5.5	5.7	6.4	5.9	5.0	3.5	1.7	1.1	45.1
San Benito	1.2	1.6	3.1	4.6	5.6	6.4	6.9	6.5	4.8	3.7	1.7	1.2	47.2
San Juan Valley	1.4	1.8	3.4	4.5	6.0	6.7	7.1	6.4	5.0	3.5	1.8	1.4	49.1
SAN BERNARDINO													
Baker	2.7	3.9	6.1	8.3	10.4	11.8	12.2	11.0	8.9	6.1	3.3	2.1	86.6
Barstow NE	2.2	2.9	5.3	6.9	9.0	10.1	9.9	8.9	6.8	4.8	2.7	2.1	71.7
Big Bear Lake	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Chino	2.1	2.9	3.9	4.5	5.7	6.5	7.3	7.1	5.9	4.2	2.6	2.0	54.6
Crestline	1.5	1.9	3.3	4.4	5.5	6.6	7.8	7.1	5.4	3.5	2.2	1.6	50.8
Lake Arrowhead	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Lucerne Valley	2.2	2.9	5.1	6.5	9.1	11.0	11.4	9.9	7.4	5.0	3.0	1.8	75.3
Needles	3.2	4.2	6.6	8.9	11.0	12.4	12.8	11.0	8.9	6.6	4.0	2.7	92.1
Newberry Springs	2.1	2.9	5.3	8.4	9.8	10.9	11.1	9.9	7.6	5.2	3.1	2.0	78.2
San Bernardino	2.0	2.7	3.8	4.6	5.7	6.9	7.9	7.4	5.9	4.2	2.6	2.0	55.6
Twentynine Palms	2.6	3.6	5.9	7.9	10.1	11.2	11.2	10.3	8.6	5.9	3.4	2.2	82.9
Victorville	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
SAN DIEGO													
Chula Vista	2.2	2.7	3.4	3.8	4.9	4.7	5.5	4.9	4.5	3.4	2.4	2.0	44.2
Escondido SPV	2.4	2.6	3.9	4.7	5.9	6.5	7.1	6.7	5.3	3.9	2.8	2.3	54.2
Miramar	2.3	2.5	3.7	4.1	5.1	5.4	6.1	5.8	4.5	3.3	2.4	2.1	47.1

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
SAN DIEGO													
Oceanside	2.2	2.7	3.4	3.7	4.9	4.6	4.6	5.1	4.1	3.3	2.4	2.0	42.9
Otay Lake	2.3	2.7	3.9	4.6	5.6	5.9	6.2	6.1	4.8	3.7	2.6	2.2	50.4
Pine Valley	1.5	2.4	3.8	5.1	6.0	7.0	7.8	7.3	6.0	4.0	2.2	1.7	54.8
Ramona	2.1	2.1	3.4	4.6	5.2	6.3	6.7	6.8	5.3	4.3	2.8	2.1	51.6
San Diego	2.1	2.4	3.4	4.6	5.1	5.3	5.7	5.6	4.3	3.6	2.4	2.0	46.5
Santee	2.1	2.7	3.7	4.5	5.5	6.1	6.6	6.2	5.4	3.8	2.6	2.0	51.1
Torrey Pines	2.2	2.3	3.4	3.9	4.0	4.1	4.6	4.7	3.8	2.8	2.0	2.0	39.8
Warner Springs	1.6	2.7	3.7	4.7	5.7	7.6	8.3	7.7	6.3	4.0	2.5	1.3	56.0
SAN FRANCISCO													
San Francisco	1.5	1.3	2.4	3.0	3.7	4.6	4.9	4.8	4.1	2.8	1.3	0.7	35.1
SAN JOAQUIN													
Farmington	1.5	1.5	2.9	4.7	6.2	7.6	8.1	6.8	5.3	3.3	1.4	0.7	50.0
Lodi West	1.0	1.6	3.3	4.3	6.3	6.9	7.3	6.4	4.5	3.0	1.4	0.8	46.7
Manteca	0.9	1.7	3.4	5.0	6.5	7.5	8.0	7.1	5.2	3.3	1.6	0.9	51.2
Stockton	0.8	1.5	2.9	4.7	6.2	7.4	8.1	6.8	5.3	3.2	1.4	0.6	49.1
Tracy	1.0	1.5	2.9	4.5	6.1	7.3	7.9	6.7	5.3	3.2	1.3	0.7	48.5
SAN LUIS OBISPO													
Arroyo Grande	2.0	2.2	3.2	3.8	4.3	4.7	4.3	4.6	3.8	3.2	2.4	1.7	40.0
Atascadero	1.2	1.5	2.8	3.9	4.5	6.0	6.7	6.2	5.0	3.2	1.7	1.0	43.7
Morro Bay	2.0	2.2	3.1	3.5	4.3	4.5	4.6	4.6	3.8	3.5	2.1	1.7	39.9
Nipomo	2.2	2.5	3.8	5.1	5.7	6.2	6.4	6.1	4.9	4.1	2.9	2.3	52.1
Paso Robles	1.6	2.0	3.2	4.3	5.5	6.3	7.3	6.7	5.1	3.7	2.1	1.4	49.0
San Luis Obispo	2.0	2.2	3.2	4.1	4.9	5.3	4.6	5.5	4.4	3.5	2.4	1.7	43.8
San Miguel	1.6	2.0	3.2	4.3	5.0	6.4	7.4	6.8	5.1	3.7	2.1	1.4	49.0
San Simeon	2.0	2.0	2.9	3.5	4.2	4.4	4.6	4.3	3.5	3.1	2.0	1.7	38.1
SAN MATEO													
Hal Moon Bay	1.5	1.7	2.4	3.0	3.9	4.3	4.3	4.2	3.5	2.8	1.3	1.0	33.7
Redwood City	1.5	1.8	2.9	3.8	5.2	5.3	6.2	5.6	4.8	3.1	1.7	1.0	42.8
Woodside	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
SANTA BARBARA													
Betteravia	2.1	2.6	4.0	5.2	6.0	5.9	5.8	5.4	4.1	3.3	2.7	2.1	49.1
Carpenteria	2.0	2.4	3.2	3.9	4.8	5.2	5.5	5.7	4.5	3.4	2.4	2.0	44.9
Cuyama	2.1	2.4	3.8	5.4	6.9	7.9	8.5	7.7	5.9	4.5	2.6	2.0	59.7
Goleta	2.1	2.5	3.9	5.1	5.7	5.7	5.4	5.4	4.2	3.2	2.8	2.2	48.1
Goleta Foothills	2.3	2.6	3.7	5.4	5.3	5.6	5.5	5.7	4.5	3.9	2.8	2.3	49.6
Guadalupe	2.0	2.2	3.2	3.7	4.9	4.6	4.5	4.6	4.1	3.3	2.4	1.7	41.1
Lompoc	2.0	2.2	3.2	3.7	4.8	4.6	4.9	4.8	3.9	3.2	2.4	1.7	41.1
Los Alamos	1.8	2.0	3.2	4.1	4.9	5.3	5.7	5.5	4.4	3.7	2.4	1.6	44.6
Santa Barbara	2.0	2.5	3.2	3.8	4.6	5.1	5.5	4.5	3.4	2.4	1.8	1.8	40.6
Santa Maria	1.8	2.3	3.7	5.1	5.7	5.8	5.6	5.3	4.2	3.5	2.4	1.9	47.4
Santa Ynez	1.7	2.2	3.5	5.0	5.8	6.2	6.4	6.0	4.5	3.6	2.2	1.7	48.7
Sisquoc	2.1	2.5	3.8	4.1	6.1	6.3	6.4	5.8	4.7	3.4	2.3	1.8	49.2
Solvang	2.0	2.0	3.3	4.3	5.0	5.6	6.1	5.6	4.4	3.7	2.2	1.6	45.6
SANTA CLARA													
Gilroy	1.3	1.8	3.1	4.1	5.3	5.6	6.1	5.5	4.7	3.4	1.7	1.1	43.6
Los Gatos	1.5	1.8	2.8	3.9	5.0	5.6	6.2	5.5	4.7	3.2	1.7	1.1	42.9
Morgan Hill	1.5	1.8	3.4	4.2	6.3	7.0	7.1	6.0	5.1	3.7	1.9	1.4	49.5
Palo Alto	1.5	1.8	2.8	3.8	5.2	5.3	6.2	5.6	5.0	3.2	1.7	1.0	43.0

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
SANTA CLARA													
San Jose	1.5	1.8	3.1	4.1	5.5	5.8	6.5	5.9	5.2	3.3	1.8	1.0	45.3
SANTA CRUZ													
De Laveaga	1.4	1.9	3.3	4.7	4.9	5.3	5.0	4.8	3.6	3.0	1.6	1.3	40.8
Green Valley Rd	1.2	1.8	3.2	4.5	4.6	5.4	5.2	5.0	3.7	3.1	1.6	1.3	40.6
Santa Cruz	1.5	1.8	2.6	3.5	4.3	4.4	4.8	4.4	3.8	2.8	1.7	1.2	36.6
Watsonville	1.5	1.8	2.7	3.7	4.6	4.5	4.9	4.2	4.0	2.9	1.8	1.2	37.7
Webb	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.2
SHASTA													
Burney	0.7	1.0	2.1	3.5	4.9	5.9	7.4	6.4	4.4	2.9	0.9	0.6	40.9
Fall River Mills	0.6	1.0	2.1	3.7	5.0	6.1	7.8	6.7	4.6	2.8	0.9	0.5	41.8
Glenburn	0.6	1.0	2.1	3.7	5.0	6.3	7.8	6.7	4.7	2.8	0.9	0.6	42.1
McArthur	0.7	1.4	2.9	4.2	5.6	6.9	8.2	7.2	5.0	3.0	1.1	0.6	46.8
Redding	1.2	1.4	2.6	4.1	5.6	7.1	8.5	7.3	5.3	3.2	1.4	0.9	48.8
SIERRA													
Downieville	0.7	1.0	2.3	3.5	5.0	6.0	7.4	6.2	4.7	2.8	0.9	0.6	41.3
Sierraville	0.7	1.1	2.2	3.2	4.5	5.9	7.3	6.4	4.3	2.6	0.9	0.5	39.6
SISKIYOU													
Happy Camp	0.5	0.9	2.0	3.0	4.3	5.2	6.1	5.3	4.1	2.4	0.9	0.5	35.1
MacDoel	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
Mt Shasta	0.5	0.9	2.0	3.0	4.5	5.3	6.7	5.7	4.0	2.2	0.7	0.5	36.0
Tule Lake FS	0.7	1.3	2.7	4.0	5.4	6.3	7.1	6.4	4.7	2.8	1.0	0.6	42.9
Weed	0.5	0.9	2.0	2.5	4.5	5.3	6.7	5.5	3.7	2.0	0.9	0.5	34.9
Yreka	0.6	0.9	2.1	3.0	4.9	5.8	7.3	6.5	4.3	2.5	0.9	0.5	39.2
SOLANO													
Benicia	1.3	1.4	2.7	3.8	4.9	5.0	6.4	5.5	4.4	2.9	1.2	0.7	40.3
Dixon	0.7	1.4	3.2	5.2	6.3	7.6	8.2	7.2	5.5	4.3	1.6	1.1	52.1
Fairfield	1.1	1.7	2.8	4.0	5.5	6.1	7.8	6.0	4.8	3.1	1.4	0.9	45.2
Hastings Tract	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Putah Creek	1.0	1.6	3.2	4.9	6.1	7.3	7.9	7.0	5.3	3.8	1.8	1.2	51.0
Rio Vista	0.9	1.7	2.8	4.4	5.9	6.7	7.9	6.5	5.1	3.2	1.3	0.7	47.0
Suisun Valley	0.6	1.3	3.0	4.7	5.8	7.0	7.7	6.8	5.3	3.8	1.4	0.9	48.3
Winters	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
SONOMA													
Bennett Valley	1.1	1.7	3.2	4.1	5.5	6.5	6.6	5.7	4.5	3.1	1.5	0.9	44.4
Cloverdale	1.1	1.4	2.6	3.4	5.0	5.9	6.2	5.6	4.5	2.8	1.4	0.7	40.7
Fort Ross	1.2	1.4	2.2	3.0	3.7	4.5	4.2	4.3	3.4	2.4	1.2	0.5	31.9
Healdsburg	1.2	1.5	2.4	3.5	5.0	5.9	6.1	5.6	4.5	2.8	1.4	0.7	40.8
Lincoln	1.2	1.7	2.8	4.7	6.1	7.4	8.4	7.3	5.4	3.7	1.9	1.2	51.9
Petaluma	1.2	1.5	2.8	3.7	4.6	5.6	4.6	5.7	4.5	2.9	1.4	0.9	39.6
Santa Rosa	1.2	1.7	2.8	3.7	5.0	6.0	6.1	5.9	4.5	2.9	1.5	0.7	42.0
Valley of the Moon	1.0	1.6	3.0	4.5	5.6	6.6	7.1	6.3	4.7	3.3	1.5	1.0	46.1
Windsor	0.9	1.6	3.0	4.5	5.5	6.5	6.5	5.9	4.4	3.2	1.4	1.0	44.2
STANISLAUS													
Denair	1.0	1.9	3.6	4.7	7.0	7.9	8.0	6.1	5.3	3.4	1.5	1.0	51.4
La Grange	1.2	1.5	3.1	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Modesto	0.9	1.4	3.2	4.7	6.4	7.7	8.1	6.8	5.0	3.4	1.4	0.7	49.7
Newman	1.0	1.5	3.2	4.6	6.2	7.4	8.1	6.7	5.0	3.4	1.4	0.7	49.3
Oakdale	1.2	1.5	3.2	4.7	6.2	7.7	8.1	7.1	5.1	3.4	1.4	0.7	50.3

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
STANISLAUS													
Patterson	1.3	2.1	4.2	5.4	7.9	8.6	8.2	6.6	5.8	4.0	1.9	1.3	57.3
Turlock	0.9	1.5	3.2	4.7	6.5	7.7	8.2	7.0	5.1	3.4	1.4	0.7	50.2
SUTTER													
Nicolaus	0.9	1.6	3.2	4.9	6.3	7.5	8.0	6.9	5.2	3.4	1.5	0.9	50.2
Yuba City	1.3	2.1	2.8	4.4	5.7	7.2	7.1	6.1	4.7	3.2	1.2	0.9	46.7
TEHAMA													
Corning	1.2	1.8	2.9	4.5	6.1	7.3	8.1	7.2	5.3	3.7	1.7	1.1	50.7
Gerber	1.0	1.8	3.5	5.0	6.6	7.9	8.7	7.4	5.8	4.1	1.8	1.1	54.7
Gerber Dryland	0.9	1.6	3.2	4.7	6.7	8.4	9.0	7.9	6.0	4.2	2.0	1.0	55.5
Red Bluff	1.2	1.8	2.9	4.4	5.9	7.4	8.5	7.3	5.4	3.5	1.7	1.0	51.1
TRINITY													
Hay Fork	0.5	1.1	2.3	3.5	4.9	5.9	7.0	6.0	4.5	2.8	0.9	0.7	40.1
Weaverville	0.6	1.1	2.2	3.3	4.9	5.9	7.3	6.0	4.4	2.7	0.9	0.7	40.0
TULARE													
Alpaugh	0.9	1.7	3.4	4.8	6.6	7.7	8.2	7.3	5.4	3.4	1.4	0.7	51.6
Badger	1.0	1.3	2.7	4.1	6.0	7.3	7.7	7.0	4.8	3.3	1.4	0.7	47.3
Delano	1.1	1.9	4.0	4.9	7.2	7.9	8.1	7.3	5.4	3.2	1.5	1.2	53.6
Dinuba	1.1	1.5	3.2	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Lindcove	0.9	1.6	3.0	4.8	6.5	7.6	8.1	7.2	5.2	3.4	1.6	0.9	50.6
Porterville	1.2	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.3	3.4	1.4	0.7	52.1
Visalia	0.9	1.7	3.3	5.1	6.8	7.7	7.9	6.9	4.9	3.2	1.5	0.8	50.7
TUOLUMNE													
Groveland	1.1	1.5	2.8	4.1	5.7	7.2	7.9	6.6	5.1	3.3	1.4	0.7	47.5
Sonora	1.1	1.5	2.8	4.1	5.8	7.2	7.9	6.7	5.1	3.2	1.4	0.7	47.6
VENTURA													
Camarillo	2.2	2.5	3.7	4.3	5.0	5.2	5.9	5.4	4.2	3.0	2.5	2.1	46.1
Oxnard	2.2	2.5	3.2	3.7	4.4	4.6	5.4	4.8	4.0	3.3	2.4	2.0	42.3
Piru	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Port Hueneeme	2.0	2.3	3.3	4.6	4.9	4.9	4.9	5.0	3.7	3.2	2.5	2.2	43.5
Thousand Oaks	2.2	2.6	3.4	4.5	5.4	5.9	6.7	6.4	5.4	3.9	2.6	2.0	51.0
Ventura	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5
YOLO													
Bryte	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
Davis	1.0	1.9	3.3	5.0	6.4	7.6	8.2	7.1	5.4	4.0	1.8	1.0	52.5
Esparto	1.0	1.7	3.4	5.5	6.9	8.1	8.5	7.5	5.8	4.2	2.0	1.2	55.8
Winters	1.7	1.7	2.9	4.4	5.8	7.1	7.9	6.7	5.3	3.3	1.6	1.0	49.4
Woodland	1.0	1.8	3.2	4.7	6.1	7.7	8.2	7.2	5.4	3.7	1.7	1.0	51.6
Zamora	1.1	1.9	3.5	5.2	6.4	7.4	7.8	7.0	5.5	4.0	1.9	1.2	52.8
YUBA													
Browns Valley	1.0	1.7	3.1	4.7	6.1	7.5	8.5	7.6	5.7	4.1	2.0	1.1	52.9
Brownsville	1.1	1.4	2.6	4.0	5.7	6.8	7.9	6.8	5.3	3.4	1.5	0.9	47.4

* The values in this table were derived from:

- 1) California Irrigation Management Information System (CIMIS);
- 2) Reference Evapotranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999; and
- 3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922;
- 4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426

Appendix B

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo)

Hydrozone # /Planting Description ^a	Plant Factor (PF)	Irrigation Method ^b	Irrigation Efficiency (IE) ^c	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU) ^e
Regular Landscape Areas							
				Totals	(A)	(B)	
Special Landscape Areas							
				1			
				1			
				1			
				Totals	(C)	(D)	
				ETWU Total			
				Maximum Allowed Water Allowance (MAWA)^e			

^a**Hydrozone #/Planting Description**
 E.g
 1.) front lawn
 2.) low water use plantings
 3.) medium water use planting

^b**Irrigation Method**
 overhead spray
 or drip

^c**Irrigation Efficiency**
 0.75 for spray head
 0.81 for drip

^d**ETWU (Annual Gallons Required) =**
 $Eto \times 0.62 \times ETAF \times Area$
 where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

^e**MAWA (Annual Gallons Allowed) =** $(Eto) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$
 where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	(B)
Total Area	(A)
Average ETAF	B ÷ A

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)
Total Area	(A+C)
Sitewide ETAF	(B+D) ÷ (A+C)

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CERTIFICATE OF COMPLETION & INSTALLATION SUBMIT UPON COMPLETION OF THE LANDSCAPE PROJECT BAWSCA Water Efficient Landscape Ordinance		
Project Information		
Date:	Telephone	
Project Name	Email	
Applicant Name (print):	Street Address	
Title	State	
Company	Zip	
Project Owner - Declaration of Completion		
Project Owner Name or Designee:		
Title		
Company		
I certify that I have received copies of all the documents associated with the landscape project and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule.		
Property Owner Signature	Date	
Licensed Professional - Declaration of Installation		
I certify that based upon periodic site observations, the work has been substantially completed in accordance with the ordinance and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package.		
Print Name and Company of Landscape Architect or Irrigation Designer	Signature*	License Number
Email Address	Phone Number	
*Signer of the landscape design plan, signer of the irrigation plan, or a licensed landscape contractor.		
REQUIRED ATTACHMENTS:		
<u>IRRIGATION SCHEDULING</u> Attach parameters for setting the irrigation schedule on controller as required by the ordinance.		
<u>SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE</u> Attach schedule of Landscape and Irrigation Maintenance.		
<u>LANDSCAPE IRRIGATION AUDIT REPORT</u> Attach Landscape Irrigation Audit Report as required by the MWELo ordinance.		
<u>SOIL MANAGEMENT REPORT/SOIL MANAGEMENT AND GRADING DESIGN SURVEY</u> Attach soil analysis report OR Soil Management and Grading Design Survey, if not previously submitted with the Landscape Documentation Package as required by the ordinance. Attach documentation verifying implementation of recommendations from soil analysis report as required.		

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Appendix D - Prescriptive Compliance Option

(a) This appendix contains prescriptive requirements which may be used as a compliance option to the Water Efficient Landscape Ordinance.

(b) Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:

(1) Submit a Landscape Documentation Package which includes the following elements:

(A) date

(B) project applicant

(C) project address (if available, parcel and/or lot number(s))

(D) total landscape area (square feet), including a breakdown of turf and plant material

(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)

(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well

(G) contact information for the project applicant and property owner

(H) applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the MWELD".

(2) Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test);

(3) Plant material shall comply with all of the following;

(A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using

recycled water;

(B) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

(4) Turf shall comply with all of the following:

(A) Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;

(B) Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;

(C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.

(5) Irrigation systems shall comply with the following:

(A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.

(B) Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.

(C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.

(D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

(E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard," All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(F) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.

(6) For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.

(c) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

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Soil Management and Grading Design Survey

Project Name:

Project Location:

Project Lot Size:

Site Analysis Completed By:

Signature

Date

This soil analysis and grading report form is designed to assist the applicant in reviewing existing conditions at their project site and evaluate opportunities to maximize benefits. Respond to the following questions, and submit a report detailing geographic features surrounding the site, topography, vegetation and other site features as directed below.

Soil Management Survey

Laboratory soil analysis results are attached.

OR answer the following questions:

1. What is the infiltration rate in inches per hour for the site soil type?
(Instructions – in a minimum of three distinct locations dig a hole that would accommodate planting a 5-gallon plant. Fill hole with water and let drain. Fill hole again and measure the depth of the water in the hole and record the time it takes to infiltrate totally into the soil with no remaining standing water. Note the time of year and the level of existing soil saturation by touch).
2. What is the primary project site soil texture? (Example – clay, loam, silt, sand, etc)
3. What is the soil color at 2 inches depth? What is the color at 6 inches? What is the color at 12 inches? (Example – black, dark or light brown, red, gold, gray, blue, etc)
4. Has the site been previously or historically contaminated with toxic materials?

Comments:

[Type here]

Grading Design Survey

Grading Design Plan is attached.

OR answer the following questions:

1. Does the stormwater runoff from the site discharge to (check all that apply):
 - Indirectly to waters of the U.S. (i.e. discharge flows overland across adjacent properties or rights-of-way prior to discharging into water of the United States)
 - Storm drain system
 - Directly to the water of the U.S. (e.g. river, lake, creek, stream, bay, ocean, etc.)

2. Has a stormwater pollution prevention plan been prepared for this site?
 - Yes
 - No

3. Is there potential for filtering or infiltrating stormwater in the landscape areas (e.g. grassy swales, infiltration planters, bioretention areas)?
 - Yes
 - No

4. Is there potential to store rainwater for future use?
 - Yes
 - No

5. Is the proposed site within a 100 year floodplain?
 - Yes
 - No

6. Is a creek protection plan required for this site?
 - Yes
 - No

Comments:

2016 Menlo Park WELO

WELO Triggers	
New landscaping	500 sq. ft. or more
Rehabilitated landscaping	1,000 sq. ft or more

Customers have two options to meet WELO requirements:

1. Turf area and plant limitations (proscriptive compliance)
2. Water budget

Example	Triggered by	Required by
New home	New landscaping equal to or greater than 500 sq. ft.	WELO
Home addition	Rehabilitated landscape equal to or greater than 1,000 sq. ft.	WELO
HOA maintained areas	<ul style="list-style-type: none"> - New landscaping equal to or greater than 500 sq. f.t - Rehabilitated landscaping equal to or greater than 1,000 sq. ft. 	WELO
Public Schools	N/A	State of California permit may be required

Sample Use Case	Description	Notes
Single Family, New/Major Rebuild	A resident or developer plans to make a 900 sq. ft. house into a 3,000 sq. ft. house, landscaping will be removed and replaced	WELO will be triggered in most cases under these circumstances, with the possible exception that developer is allowed to leave a dirt lot around the new home, or if a portion of the site is undisturbed that portion would not require re-landscaping
Single Family Room Addition	A resident plans to add a room(s) in the backyard, currently landscaped with lawn. The lawn surrounding the newly built area will be left as is, no new landscaping nor will irrigation be installed.	WELO is not triggered unless 1,000 sq. ft. of landscaping will be rehabilitated. WELO would have been triggered, if the project had proposed new or changed landscaping of 1,000 sq. ft., or if the project had proposed to irrigate or landscape a 1,000 sq. ft. area not currently irrigated, or if a 1,000 sq. ft. area revealed by removing existing building area and replacing it with building in another area of the lot was then landscaped or irrigated.
Public School Project	Any project on public school property is not subject to Menlo Park ordinances, because Public Schools are part of the State of California jurisdiction	The State of California may permit and control construction and landscaping on public school property
Home Owners Associations (HOA) common areas and front yards maintained by the HOA	A new development is planned with common area playground and front yards maintained by the HOA	<p>Applicant may:</p> <ol style="list-style-type: none"> 1. Use mulch, drought tolerant plantings and ground cover, or other surface for play area and front yards for prescriptive compliance, or 2. Use water budget for limited natural turf area, and drought tolerant plantings and permeable surfaces for balance of landscape area.
City and private commercial recreational areas	Applicant plans to rehabilitate sod and irrigation systems for area larger than 1,000 sq. ft.	<p>Options:</p> <ol style="list-style-type: none"> 1. Applicant may use water budget for special landscape area, which provides water allocation for recreational areas, landscape architect to check sod type's water requirements and water efficiency of irrigation equipment proposed 2. Alternatives include, reducing project size, reseeding instead of rehabilitating field, considering alternative sod or plant types, using a mix of sod and other planting areas, or consider other surfaces

**STAFF REPORT****City Council****Meeting Date:** 1/26/2016**Staff Report Number:** 16-011-CC

Regular Business: **Receive and File the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015 and Allocate 2014-15 General Fund Surplus**

Recommendation

Staff recommends that the City Council receive and file the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2015 and allocated the 2014-15 General Fund operating surplus of \$3.345 million.

Policy Issues

The City is required to issue independent audited financial statements on an annual basis. The City Council is asked to receive and file the CAFR once presented by City staff.

Background

Following the close of each fiscal year, the City's external auditors conduct an audit of the City's financial records and assist in the compilation of the Comprehensive Annual Financial Report (CAFR). The paramount objective of general purpose external financial reporting is accountability. The goal of a financial statement audit is to provide users with a reasonable assurance from an independent source that the information presented in the statements is reliable. The audit for the fiscal year ended June 30, 2015, was recently completed by Badawi and Associates (Auditor), Certified Public Accountants. Badawi was selected by the Council as the City's independent auditor on March 18, 2014 and this is their second year of an initial four year engagement.

Analysis

The City of Menlo Park is in excellent financial health with assets trending up, liabilities trending down, and net assets positive inclusive of recent accounting changes related to pension liabilities. As a result of their annual independent audit of the City's financial records and statements, the Auditor has rendered an unmodified opinion, the optimal opinion issued by independent auditors, on the City's financial statements for the fiscal year ended June 30, 2015. In their opinion, "the financial statements... present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of June 30, 2015, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America."

A detailed analysis of the City's financial position as of June 30, 2015 is included in the CAFR document menlopark.org/CAFR (Attachment A). In accordance with Government Auditing Standards, the auditors

also identify any deficiencies in internal control over financial reporting and provide recommendations to City management on correcting these deficiencies. The report on internal control is included in the Single Audit Reports for Federal Awards (Attachment B). The Auditor also issued a report on the Appropriations Limit (Attachment C) and a report on Measure A funds (Attachment D).

Of particular note in the reports, are the following three items:

1. General Fund Operating Surplus of \$3.345 million - The City's General Fund, the largest fund under which most city operations fall, ended fiscal year 2014-15 with a surplus of \$3.345 million. For 2014-15, the City Council adopted a budget with anticipated revenues of \$46.079 million and expenditures of \$44.254 million with transfers in of \$0.405 and transfers out of \$2.243. In the year ended June 30, 2015, the City's revenues exceeded expenditures and transfers in/out by \$3.345 million due to the following major components a) higher than budgeted property tax revenue (\$1.904 million), b) higher than budgeted other taxes, specifically transient occupancy tax (TOT or hotel tax) revenue (\$0.425 million), and c) lower than budgeted personnel costs (\$1.163 million) due to vacancies. The higher than anticipated transient occupancy tax reflects strong demand for hotel rooms in Menlo Park.

Consistent with prior years where the City Council took action to allocate prior year operating surplus in the General Fund, staff has developed the following proposal to allocate the \$3.345 million General Fund operating surplus toward one-time uses and in a manner that is consistent with the City Council's adopted policies and 2015-16 work plan.

- \$837,000 to the Strategic Pension Contingency – Established in 2013-14, the City Council adopted a policy of assigning/reserving 25% of each year's operating surplus for the purpose of paying extraordinary increases in pension costs and/or to take advantage of one-time payment of pension liabilities that are beneficial to the City's financial position. In accordance with the City Council adopted policy, \$837,000 of the 2014-15 operating surplus should be added to the Strategic Pension Contingency, bringing the total of that contingency reserve assignment to \$2.767 million.
- \$2.383 million to the General Capital Improvement Project (CIP) Fund – The allocation of one-time operating surplus to provide for improvements that will yield future benefits to the community is generally accepted as a prudent use of resources. As the development of the 2016-17 CIP budget is currently underway, the recommendation is to transfer \$2.383 million of the 2014-15 surplus to the General Capital Improvement Project Fund. Staff will seek City Council approval to appropriate \$565,000 of this allocation to fund the City Hall Renovation project. Additionally, staff anticipates that the Technology Master Plan will recommend a significant investment in technology such as replacement of the existing finance, human resources, payroll, and land development software. Additional appropriation recommendations will be made once the Technology Master Plan findings are received in March 2016.
- \$125,000 for One-time Employee Recruitment & Retention Initiatives – The challenges faced by the City in the area of employee recruitment and retention is a matter that has taken center stage in 2015-16. To better understand the City's position in the labor marketplace, the City is currently working with a consultant on a comprehensive Classification and Compensation Study for non-safety employees. While the outcome of the study is unknown at this time, there are other areas beyond compensation that the City can explore to increase its attractiveness as an employer. Staff recommends

earmarking one-time monies to fund recruitment and retention initiatives that will position the City as an employer of choice in this tight labor market. The recommendation is to allocate an amount equal to 1% of non-safety payroll or \$125,000.

2. New Governmental Accounting Standards Board (GASB) Pronouncement No. 68 (GASB 68) – GASB 68 is a new accounting standard that requires cities to report their actuarially calculated pension liability/asset on the government-wide balance sheet (Statement of Net Position). The purpose of the Statement of Net Position is to provide a schedule that presents the agency's asset, liabilities, and net position/equity using standards similar to those found in private sector. Up until this year's financial statements, governments were not required to report the unfunded pension liability on the Statement of Net Assets. Nonetheless, recent CAFRs have disclosed the unfunded pension liabilities in the Notes to Basic Financial Statements. For the City, this new pronouncement results in the addition of a Net Pension Liability of \$34.371 million. This liability is not new to the CAFR given that most pension liabilities were previously reported in the notes, but it is a new line on the Statement of Net Position. Effectively, this liability has moved from the footnotes to the balance sheet proper. One key consideration when evaluating the financial strength of the City is to look at the City's net unrestricted net assets once the pension liability is added to the balance sheet. For Menlo Park, after accounting for pension liabilities, the City maintains a positive unrestricted net assets of \$29.909 million. This positive unrestricted net assets is in stark contrast to some other governmental agencies that now show negative unrestricted net assets as a result of this accounting change.
3. Delay in issuance of financial statements – The Auditor noted that the City had a significant deficiency in internal controls due to the impact of staff turnover on the timely preparation of the CAFR. The City has implemented a plan to remediate the complications experienced in the 2014-15 year-end close and report preparation. Effective January 13, 2016, the finance division is fully staffed. Although being fully staffed is important, it is also important to continue training and development of other accounting staff to ensure their success in working to support the year-end close and preparation of the financial statements. In addition to new staff and training efforts, the City is in discussions with a qualified consultant to assist with the year-end close procedures. In the event that the finance division experiences staff turnover similar to 2015, the consultant will provide continuity to ensure timely preparation of financial statements. The Auditor has expressed satisfaction with the City's remediation plan as presented and will opine on the efficacy of the plan in their audit for the fiscal year ended 2015-16.

The Finance & Audit Committee met on January 19, 2016 to review the CAFR and received required communications from the Auditor. After the presentation and discussion, the Committee completed its review and recommended City Council acceptance of the CAFR.

Impact on City Resources

The cost of preparing the CAFR and the independent audit was budgeted as part of the 2015-16 operating budget. There is no additional fiscal impact to report at this time.

Environmental Review

An Environmental Review is not required for this item.

Public Notice

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

Attachments

- A. Hyperlink to City of Menlo Park, California Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015 – menlopark.org/CAFR
- B. City of Menlo Park, California Single Audit Reports
- C. City of Menlo Park, California Report on Agreed-Upon Procedures Applied to Appropriations Limit Schedule
- D. City of Menlo Park, California Report on Schedule of Receipts and Disbursements related to Measure A

Report prepared by:

Nick Pegueros, Administrative Services Director

Rosendo Rodriguez, Finance & Budget Manager

City of Menlo Park

Menlo Park, California

Single Audit Reports

For the year ended June 30, 2015



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**City of Menlo Park
Single Audit Reports**

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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Menlo Park, California (City), as of and for the year ended June 30, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements and have issued our report thereon dated January 15, 2016.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings and questioned costs as FS2015-001 that we consider to be a significant deficiency.

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, California
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Compliance and Other Matters

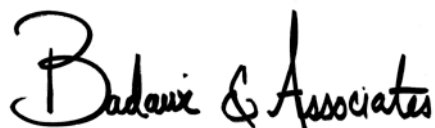
As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

City's Response to Findings

The City's response to the findings identified in our audit is described in the accompanying schedule of findings and questioned costs. The City's response was not subject to the auditing procedures applied in the audit of financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Badawi & Associates
Certified Public Accountants
Oakland, California
January 15, 2016



INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY OMB CIRCULAR A-133

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, California

Report on Compliance for Each Major Federal Program

We have audited the City of Menlo Park, California (City)'s compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2015. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the City's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City's compliance.

Opinion on Each Major Federal Program

In our opinion, the City, complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2015.

Report on Internal Control Over Compliance

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

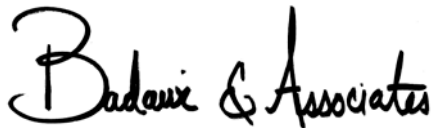
Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, California
Page 3

Report on Schedule of Expenditures of Federal Awards Required by OMB Circular A-133

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City, as of and for the year ended June 30, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We issued our report thereon dated January 15, 2016, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.



Badawi & Associates
Certified Public Accountants
Oakland, California
January 15, 2016

City of Menlo park
Schedule of Expenditures of Federal Awards
For the year ended June 30, 2015

Grantor Agency and Grant Title	Federal Catalog Number	State Pass-through Number	Program Expenditures
U.S. Department of Agriculture			
<i>Passed through the California Department of Education</i>			
After School Snack Program	10.558	13534	4,327
Total U.S. Department of Agriculture			4,327
U.S. Department of Transportation:			
<i>Passed through California Department of Transportation</i>			
Highway Planning and Construction	20.205	04120000192L1-N	427,000
Total U.S. Department of Transportation			427,000
U.S. Department of Health & Human Services			
<i>Passed through San Mateo County Area Agency on Aging</i>			
Title III Part B - Transportation	93.044	57000.14.D039	19,967
Title III Part C - Nutrition	93.045	57000.14.D039	4,000
Child Development Program	93.575	13609-2184	112,691
Child Development Program	93.596	15136-2184	59,714
Total U.S. Department of Health & Human Services			196,372
Total Expenditures of Federal Awards			\$ 627,699

See accompanying Notes to Schedule of Expenditures of Federal Awards.

City of Menlo Park
Single Audit Reports
Notes to Schedule of Expenditures of Federal Awards
For the Year Ended June 30, 2015

1. REPORTING ENTITY

The financial reporting entity consists of (a) the primary government, City of Menlo Park, California (City), (b) organizations for which the primary government is financially accountable, and (c) other organizations for which the primary government is not accountable, but for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete. The City has no other organizations as defined in (b) and (c) that would be required to be included in the City's financial statements.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting for the Schedule of Expenditures of Federal Awards

Funds received under the various grant programs have been recorded within the special revenue funds of the City. The City utilizes the modified accrual method of accounting for the special revenue funds. Modified accrual accounting recognizes revenues when they become available and measurable and, with a few exceptions, recognizes expenditures when liabilities are incurred. The accompanying Schedule of Expenditures of Federal Awards (Schedule) has been prepared on the modified accrual basis of accounting.

3. DIRECT AND INDIRECT (PASS-THROUGH) FEDERAL AWARDS

Federal awards may be granted directly to the City by a federal granting agency or may be granted to other government agencies which pass-through federal awards to the City. The Schedule includes both of these types of Federal award programs when they occur.

**City of Menlo Park
 Single Audit Reports
 Schedule of Findings and Questioned Costs
 For the Year Ended June 30, 2015**

A. Section I - Summary of Auditor's Results

Financial Statements

Types of auditors' report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? No
- Significant deficiency(ies) identified? Yes

Any noncompliance material to the financial statements noted No

Federal Awards

Internal control over major programs:

- Material weakness(es) identified? No
- Significant deficiency(ies) identified? None reported

Type of auditor's report issued on compliance for major programs Unmodified

Any audit findings disclosed that are required to be reported in Accordance with section 510(a) of OMB Circular A-133 No

Identification of major programs:

<u>CFDA Number</u>	<u>Name of Federal Program or Cluster</u>	<u>Expenditures</u>
20.205	Highway Planning and Construction	\$ 427,000

Dollar threshold used to distinguish between type A and type B program \$300,000

Auditee qualified as low-risk auditee under section 530 of OMB Circular A-133? No

City of Menlo Park
Single Audit Reports
Schedule of Findings and Questioned Costs, Continued
For the Year Ended June 30, 2015

B. FINDINGS - FINANCIAL STATEMENTS AUDIT

FS 2015-001 Staff Turnover and its Impact on the Financial Audit

Criteria:

The City is responsible for the fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America. In addition, timely financial closing and reporting provides reasonable assurance for the reliability of financial information, and compliance with laws and regulations.

Condition:

During the performance of the audit, we experienced some delays in receiving adequate responses for audit requests due to the turnover of key employees. In addition, we noted several errors to cash and investments, interest payable and deferred revenues that were not detected by the City during its closing process.

Cause:

The City experienced recent turnover in positions with significant roles in the City's financial reporting and closing process. The City's response to the turnover was not adequate as no sufficient cross training were in place to ensure continuity of the financial reporting and audit process.

Context and Effect:

As a result of the turnover experienced by the City, and the City's inadequate response to the turnover, there were delays in the audit and financial closing and reporting process. The City has missed the filing deadline for the Childcare program financial and compliance audit.

Recommendation:

We recommend that the City update its risk assessment process to identify potential unusual circumstances that would result in significant delays in financial closing and reporting, and develop policies and procedures to prevent or mitigate the effects of these circumstances when they occur. Cross training of finance staff can ensure continuity during the audit and financial reporting process in case the City experience turnover in key finance positions.

**City of Menlo Park
Single Audit Reports
Schedule of Findings and Questioned Costs, Continued
For the Year Ended June 30, 2015**

B. FINDINGS - FINANCIAL STATEMENTS AUDIT, Continued

Management Response:

The City concurs with the recommendation that: "The City update its risk assessment process to identify potential unusual circumstances that would result in significant delays in financial closing and reporting, and develop policies and procedures to prevent or mitigate the effects of these circumstances when they occur."

The City experienced extraordinary turnover in its financial department in August 2015 with the departure of the Finance Director and the Financial Services Supervisor, the two individuals who had previously taken the lead on the year-end close and worked closely with the City's independent auditors. As of January 4, 2016, the City has hired a new Administrative Services Director with over fifteen years of municipal finance experience to oversee the City's finance division. Further, new Finance & Budget Manager has also been appointed with a start date of January 13, 2016.

In addition to making key staff appointments, the City has opened discussions with Vavrinek, Trine, Day and Associates (VTD) about providing ongoing accounting consultant services with financial reporting matters and annual assistance with the year-end close. In the unlikely event that both the Administrative Services Director and the Finance & Budget Manager were to leave the City's employ, VTD's services will provide continuity through the transition.

Finally, delay in issuing the financial reports for the fiscal year ended June 30, 2015 has provided the new Administrative Services Director with an excellent opportunity to assess the skill set of the City's current finance staff and identify areas for training and development well in advance of the next year end close.

C. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD PROGRAM AUDIT

No current year major program findings.

D. PRIOR YEAR FINDINGS AND QUESTIONED COSTS

No prior year major program findings.

City of Menlo Park

Menlo Park, California

*Independent Accountants' Report on
Agreed-Upon Procedures Applied to
Appropriations Limit Schedule*

For the year ending June 30, 2016



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**INDEPENDENT ACCOUNTANTS' REPORT ON LIMITED
PROCEDURES REVIEW OF APPROPRIATIONS LIMIT UNDER
ARTICLE XIII-B OF THE CALIFORNIA CONSTITUTION**

To the Honorable Mayor and City Council
of the City of Menlo Park
Menlo Park, California

We have performed the procedures enumerated below to the accompanying Appropriations Limit Schedule of the City of Menlo Park (City) for the fiscal year ending June 30, 2016. These procedures, which were agreed to by the City and the League of California Cities (as presented in the publication entitled *Agreed-upon Procedures Applied to the Appropriations Limitation Prescribed by Article XIII-B of the California Constitution*), were performed solely to assist you in meeting the requirements of Section 1.5 of Article XIII-B of the California Constitution. The City management is responsible for the Appropriations Limit Schedule. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

The procedures performed and our findings are described below:

1. We obtained the completed worksheets used by the City to calculate its appropriations limit for the fiscal year ending June 30, 2016, and determined that the limit and annual calculation factors were adopted by resolution of City Council. We also determined that the population and inflation options were selected by a recorded vote of City Council.

Finding: No exceptions were noted as a result of our procedures.

2. For the accompanying Appropriations Limit Schedule, we added the prior year's limit to the total adjustments, and agreed the resulting amount to the current year's limit.

Finding: No exceptions were noted as a result of our procedures.

3. We agreed the current year information presented in the accompanying Appropriations Limit Schedule to corresponding information in worksheets used by the City.

Finding: No exceptions were noted as a result of our procedures.

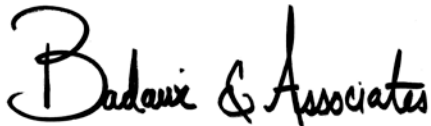
4. We agreed the prior year appropriations limit presented in the accompanying Appropriations Limit Schedule to the prior year appropriations limit adopted by the City Council during the prior year.

Finding: No exceptions were noted as a result of our procedures.

To the Honorable Mayor and Members of City Council
of the City of Menlo Park
Menlo Park, California

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the accompanying Appropriation Limit Schedule. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by Article XIII-B of the California Constitution.

This report is intended solely for the information and use of the City Council and management of the City and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

A handwritten signature in black ink that reads "Badawi & Associates". The signature is written in a cursive, flowing style.

Badawi and Associates
Certified Public Accountants
Oakland, California
January 15, 2016

City of Menlo Park
Appropriations Limit Schedule
For the year ending June 30, 2016

	<u>Amount</u>	<u>Source</u>
A. Appropriations limit for the year ended June 30, 2015	\$ 49,308,784	Prior year schedule
B. Calculation factors:		
1. Population increase ratio	1.0109	State Department of Finance
2. Inflation increase ratio	1.0382	State Department of Finance
3. Total adjustment factor ratio	<u>1.0495</u>	B1 * B2
C. Annual adjustment increase	2,441,592	[(B3-1)*A]
D. Other adjustments:		
Loss responsibility (-)	-	N/A
Transfers to private (-)	-	N/A
Transfers to fees (-)	-	N/A
Assumed responsibility (+)	-	N/A
E. Total adjustments	<u>2,441,592</u>	(C+D)
F. Appropriations limit for the year ending June 30, 2016	<u>\$ 51,750,376</u>	(A+E)

City of Menlo Park
Notes to Appropriations Limit Schedule
For the year ending June 30, 2016

1. PURPOSE OF LIMITED PROCEDURES REVIEW

Under Article XIII B of the California Constitution (the Gann Spending Limitation Initiative), California governmental agencies are restricted as to the amount of annual appropriations from proceeds of taxes. Effective for years beginning on or after July 1, 1990, under Section 1.5 of Article XIII B, the annual calculation of the appropriations limit is subject to this agreed upon procedures engagement.

2. METHOD OF CALCULATION

Under Section 10.5 of Article XIII B, for fiscal years beginning on or after July 1990, the appropriations limit is required to be calculated based on the limit for the fiscal year 1986-1987, adjusted for the inflation and population factors discussed in Notes 3 and 4 below.

3. INFLATION FACTORS

A California governmental agency may use as its inflation factor either the annual percentage change in the 4th quarter per capita personal income (which percentage is supplied by the State Department of Finance), or the percentage change in the local assessment roll from the preceding year due to the change of local nonresidential construction. The factor adopted by the City of Menlo Park for the fiscal year 2015-2016 represents the percentage growth in the State of California per capita personal income cost of living during FY 14-15.

4. POPULATION FACTORS

A California governmental agency may use as its population factor either the annual percentage change of the jurisdiction's own population, or the annual percentage change in population in the County where the jurisdiction is located. The factor adopted by the City of Menlo Park for fiscal year 2015-2016 represents the population change for the City of Menlo Park during FY 14-15.

5. OTHER ADJUSTMENTS

A California government agency may be required to adjust its appropriations limit when certain events occur, such as the transfer of responsibility for municipal services to, or from, another government agency or private entity. There were no adjustments made for the fiscal year ending June 30, 2016.

City of Menlo Park

Measure A Fund
Menlo Park, California

*Independent Accountant's Report on
Schedule of Receipts and Disbursements*

For the year ended June 30, 2015



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City of Menlo Park
Measure A Funds
For the year ended June 30, 2015

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Schedule of Receipts and Disbursements.....	3
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INDEPENDENT ACCOUNTANT'S REPORT

To the Honorable Mayor and Members of the City Council
of the City of Menlo Park
Menlo Park, California

We have examined management's assertion, included in the accompanying Management's Report on Compliance with the *Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes* (Agreement) between the City of Menlo Park (City) and the San Mateo County Transportation Authority entered into on June 19, 1989, which was extended on January 20, 2009, that the City complied with the requirements of the Agreement during the year ended June 30, 2015. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on management's assertion about the City's compliance based upon our examination.

Our examination was made in accordance with attestation standards established by the American Institute of Certified Public Accountants and accordingly, included examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination of the City's compliance with specified requirements.

In our opinion, management's assertion that the City complied with the aforementioned requirements for the fiscal year ended June 30, 2015, is, in all material respects, fairly stated.

A handwritten signature in black ink that reads 'Badawi & Associates' in a cursive script.

Badawi and Associates
Certified Public Accountants
Oakland, California
January 15, 2016

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City of Menlo Park Measure A Transportation Fund
Schedule of Receipts and Disbursements
For the year ended June 30, 2015

Receipts:	
Sales and Use Taxes	\$ 888,189
Interest Income	6,147
Total receipts	<u>894,336</u>
Disbursements:	
Multi-modal management	424,527
Streets	220,179
Street improvement project	6,664
Sidewalk masterplan implementation	1,351
Right-of-way	11,544
Transportation demand management program	539,471
ECR Lange reconfiguration study	143,359
Environmental	4,704
Willow Road Signal	12,980
Willow/VA Hospital	2,395
Safe routes to schools	694
Development services	<u>4,532</u>
Total disbursements	<u>1,372,400</u>
Disbursements over receipts	<u>\$ (478,064)</u>

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January 15, 2016

San Mateo County Transportation Authority
120 San Carlos Avenue
San Carlos, CA94070

RE: Management's Report on Compliance with the Agreement for Distribution of San Mateo County Measure

Dear San Mateo County Transportation Authority,

The City of Menlo Park (the "City") is responsible for complying with the Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes (the "Agreement") between the City and the San Mateo County Transportation Authority entered into on August 18, 1989, and amended on June 17, 2009. The Agreement states that in return for receiving an annual allocation of a specified portion of the retail transaction and use tax approved by Measure A – San Mateo County Expenditure Plan (the "Measure"), the City, in use of these funds, shall "refrain from substituting funds provided to it pursuant to this Agreement for property tax funds which are currently being used to fund existing local transportation programs and limit the use of said funds to the improvement of local transportation, including streets and road improvements."

With respect to compliance with the Agreement, management attests to the following for the year ended June 30, 2015:

- Management is responsible for establishing and maintaining effective internal controls with respect to compliance with the Agreement;
- Management is responsible for complying with the Agreement;
- Management has evaluated the City's compliance with requirements of the Agreement; and
- All transactions, as summarized in the attached Schedule of Receipts and Distributions for the fiscal year ended June 30, 2015, are in compliance with the Agreement.

Sincerely,


Alex D. McIntyre
City Manager


Nick Pegueros
Administrative Services Director

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STAFF REPORT

City Council

Meeting Date: 1/26/2016

Staff Report Number: 16-017-CC

Consent Calendar: **Adopt a resolution accepting dedication of an Emergency Vehicle Access Easement from Bohannon Development Company at 100-190 Independence Drive and authorize the City Manager to sign agreements required by conditions of approval of the project**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) accepting dedication for an emergency vehicle access easement from Bohannon Development Company at 100-190 Independence Drive and authorize the City Manager to sign agreements as required by conditions of approval of the project and described in this staff report.

Policy Issues

In order for the access easement to become public, it must be accepted by the City Council. City Council authorization is required to allow the City Manager to enter into the agreements.

Background

In June 2010, the City Council voted to approve the Menlo Gateway project, subject to voter approval of a ballot measure for the November 2, 2010 general election. The voters approved Measure T, and the project approvals became effective with the certification of the election results on December 7, 2010.

During a March 10, 2015 City Council study session, the applicant presented an update on the Menlo Gateway project including an introduction of the new hotel brand, Marriott Autograph Collection, and the new hotel operator, Ensemble Partners. During the study session, the City Council expressed support for the modified project and urged staff to expedite the approval process to permit construction.

In May 2015, the Planning Commission recommended the modified project for approval by the City Manager. In June 2015 the City Manager issued a letter with the determination that the modifications to the project are substantially consistent with the existing project approvals and do not result in any new or increased environmental impacts. Upon issuance of the letter, the project proceeded with preparation of construction drawings and the submittal of building permits. The applicant is required to meet conditions of approval and to dedicate on the Parcel Map Public Access Easements for utilization by emergency vehicle.

Analysis

The Emergency Vehicle Access Easement (EVAE) dedicated to the City will provide access for emergency vehicles from Independence Drive and Chrysler Drive to both the hotel site and the garage/office site. The EVAE was requested by the Fire District and is required by California Fire Code. Other developments projects that required EVAEs include the Rosewood Hotel and Facebook East Campus. The proposed easement dedication is shown in Attachment B. The final easement description will be approved by the City Attorney and Public Works Director.

Agreements

Agreement for Water Line

The existing water mains in Independence Drive, Constitution Drive, and Chrysler Drive are asbestos cement pipe over 50 years old, and require frequent maintenance. The Project will be removing approximately 9 existing water meters and laterals and installing 6 new connections to the water main ("base cost"). The City has determined that there is a cost benefit to performing the water main replacement in conjunction with the Project construction activities. Bohannon Development Company has agreed to replace the existing water mains in Independence Drive, Constitution Drive, and Chrysler Drive as part of their Project, subject to a funding agreement with the City. The City will reimburse the applicant through credit issued toward Water Connection Fees and payment issued from the Water Main Replacement Project. The City's share is for the net increase in cost for replacement of the water line, not including the "base cost" which will be paid for by the Bohannon Development Company. Staff is requesting authorization from the City Council for the City Manager to enter into the agreement.

Agreement for Street Resurfacing

The Project will be installing a significant number of utilities which require pavement patching as part of the trenching operation. The City was scheduled to reconstruct Independence Drive as part of the Street Resurfacing Project, but elected to wait to reconstruct the street in order to coordinate the pavement work with the Project. Bohannon Development Company has agreed to reconstruct Independence Drive as part of the Project, and the proposed funding agreement will allow the City to reimburse the applicant through credit issued toward the Building Construction Street Impact fees. The City's share is for the net increase in cost not being reconstructed by the Bohannon Development Company. Staff is requesting authorization from the City Council for the City Manager to enter into the agreement.

Joint Agreement for Marsh Road Improvements

Sobrato Development is nearing completion of redeveloping the property located at 151 Commonwealth Drive and 164 Jefferson Drive by demolishing the existing buildings and developing the Property with two four-story office buildings. Sobrato Development, as a requirement of their conditional development permit, is responsible for the construction of a third right-turn lane on eastbound Marsh Road at Bayfront Expressway and bicycle/pedestrian improvements for the eastbound approach on Marsh Road. The Menlo Gateway project as required of their conditional development permit is responsible for the construction of a bike/pedestrian path on Marsh Road from Constitution Drive to Bayfront Expressway and landscaping improvements along the eastbound approach of Marsh Road.

Staff is working on an agreement between Sobrato and Bohannon Developments regarding the improvements and who will lead the design and construction. The agreement is still in the development stage and staff is requesting authorization from the City Council for the City Manager to enter into the agreement.

The project on the Independence site is on track with hotel occupancy targeted for 2018.

Impact on City Resources

The staff time associated with review and development of the agreements and Emergency Vehicle Access Easement dedication is fully recoverable through fees collected from the applicant.

The City's share of the water line agreement is approximately \$300,000 and will be funded by credits toward Bohannons water fees and the water main replacement project. The City's share of the street reconstruction is approximately \$200,000 and will be funded by credits issued toward the Building Construction Street Impact fees. The Joint Agreement for Marsh Road Improvements will be funded by Bohannon and Sobrato development.

Environmental Review

Environmental review is not required for this action. On June 15, 2010, the City Council adopted findings in accordance with the California Environmental Quality Act and certified the Environmental Impact Report (EIR) prepared for the project.

Public Notice

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

Attachments

- A. Resolution
- B. Proposed Easement Dedication

Report prepared by:
Theresa Avedian, P.E, *Senior Civil Engineer*

Report reviewed by:
Ruben Niño, P.E., Assistant Public Works Director

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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ACCEPTING AN EMERGENCY VEHICLE ACCESS EASEMENT AS SHOWN
ON THE APPORVED PARCEL MAP FROM BOHANNON DEVELOPMENT
COMPANY**

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 emergency vehicle access easement from Bohannon Development Company.

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 twenty sixth day of January, 2016, by the following votes:

AYES:

NOES:

ABSENT:

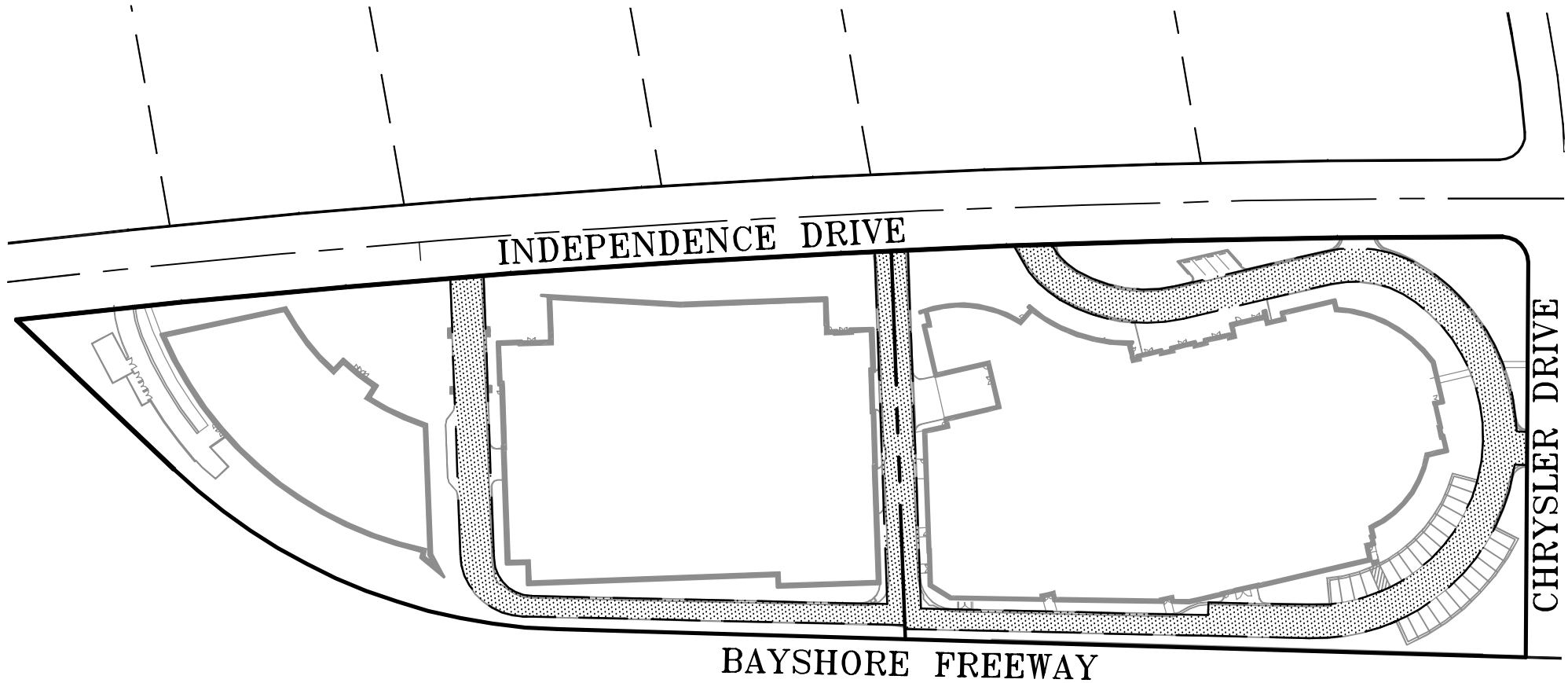
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty sixth day of January, 2016.



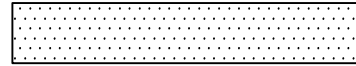
Pamela Aguilar
City Clerk

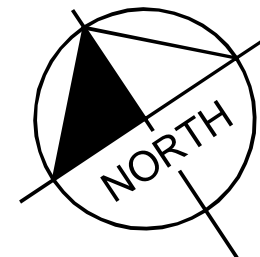
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EMERGENCY VEHICLE ACCESS EASEMENT MENLO PARK - INDEPENDENCE DRIVE



LEGEND

-  PROJECT BOUNDARY
-  PROPOSED LOT LINE
-  EMERGENCY VEHICLE ACCESS EASEMENT



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STAFF REPORT

City Council

Meeting Date: 1/26/2016
Staff Report Number: 16-009-CC

Consent Calendar: **Authorize the City Manager to Execute Amended Agreements with the Peninsula Corridor Joint Powers Board for the City Shuttle Program for Fiscal Year 2015-2016**

Recommendation

Staff recommends that the City Council authorize the City Manager to execute amended agreements with the Peninsula Corridor Joint Powers Board (JPB) for the City of Menlo Park's Shuttle Program for Fiscal Year 2015-2016.

Policy Issues

This project supports the objectives of the City of Menlo Park's *General Plan* and *Complete Streets Policy* to promote the use of public transit and to promote the use of alternatives to the single-occupant automobile.

Background

The City of Menlo Park manages an extensive shuttle program that provides alternative transportation service to many residents, employees, and visitors. Four shuttle routes are operated that are free to passengers: Marsh Road, Willow Road, Midday, and Shoppers' services.

The Marsh Road and Willow Road services provide last-mile connections for commuters from the Menlo Park Caltrain station to key employment centers on Marsh Road and Willow Road. The Midday service provides a community circulator route that serves the Onetta Harris Community Center, Senior Center, the Belle Haven neighborhood, the Veterans Administration Hospital, and key jobs, shopping and services destinations in Menlo Park and Palo Alto. The Shoppers' service provides a curb-to-curb service, primarily for seniors, that operates three times per week providing transportation to Little House, Menlo Park Senior Center, Downtown Menlo Park, the main library, Sharon Heights Shopping Center, Safeway on El Camino Real, and the Caltrain station.

Analysis

The City's shuttle program is primarily funded by generous grants provided by City/County Association of Governments of San Mateo County (C/CAG), the JPB, and the Metropolitan Transportation Commission (MTC), via the San Mateo County Transit District. These funds are typically made available following the successful completion of a competitive application process, an executed agreement between parties, and

a demonstrated adherence to the agreement details.

The City contracts with a competitively awarded contractor via the JPB to operate the shuttle services. Following the City's successful application for shuttle program funds in 2014, an agreement was executed for Fiscal Year 2014-2015 with the JPB to provide these services. The proposed agreements included in Attachment A represent the first amendment to the agreements, and would cover service for Fiscal Year 2015-2016. The amendment includes modifications to the agreement term and primary and secondary contacts.

Impact on City Resources

The allocation of all awarded grant and other fund amounts for the program is summarized in the following table	
Funding Source, FY 2015-2016	Total
C/CAG Grant	\$454,000
MTC "Lifeline" Grant	\$95,500
JPB Grant	\$69,000
Shuttle Development Fee	\$37,000
Total:	\$655,500

Currently, the program is 100 percent cost-recovered by grant or developer-paid fees. Grants are secured through the end of this fiscal year, thus, no additional City funds are requested to operate the shuttle program for this fiscal year. Staff is currently preparing an application to C/CAG and the San Mateo County Transportation Authority for future year funding, and anticipates returning to Council in February to request authorization of the program for future years.

Environmental Review

This project is Categorically Exempt from environmental review, per Section 15301 and 15308 of the California Environmental Quality Act.

Public Notice

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

Attachments

- A. Amendment Number 1 to Rail Shuttle Bus Service Administration Agreements for Marsh Road, Willow Road, Midday and Shoppers' Shuttle Services

Report prepared by:
Nicole H. Nagaya, PE, Transportation Manager



BOARD OF DIRECTORS 2015

ADRIENNE TISSIER, CHAIR
 PERRY WOODWARD, VICE CHAIR
 JOSÉ CISNEROS
 MALIA COHEN
 JEFF GEE
 ROSE GUILBAULT
 ASH KALRA
 TOM NOLAN
 KEN YEAGER

JIM HARTNETT
 EXECUTIVE DIRECTOR

Amendment No. 1**To**

**RAIL SHUTTLE BUS SERVICE ADMINISTRATION AGREEMENT BETWEEN
 PENINSULA CORRIDOR JOINT POWERS BOARD AND THE CITY OF MENLO
 PARK FOR MARSH ROAD CALTRAIN SHUTTLE**

THIS AMENDMENT modifies the Rail Shuttle Bus Service Administration Agreement (“Agreement”), which was effective November 24, 2014, by and between the Peninsula Corridor Joint Powers Board (“JPB”) and City of Menlo Park (“Lead Organization”).

The JPB and the Lead Organization entered into the Agreement, whereby the Lead Organization participates in the JPB shuttle bus services program; and

The Agreement is set to expire on June 30, 2015; and

The Parties desires to extend the Agreement for a one year period; and

The Parties desire to amend the Agreement in accordance with the terms and conditions of this First Amendment.

NOW THEREFORE, IT IS AGREED to amend the Agreement as follows:

1. Section 2 of the Agreement, Lead Organization, is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, the Lead Organization shall provide the projected minimum Seventy-Five point Eight percent (75.8%) financial share.

2. Section 3 of the Agreement, Shuttle Service Vendor, is amended by replacing the following language as the first paragraph:

JPB shall make available to Lead Organization the above described Shuttle Service operated by the JPB's Shuttle Provider (“Vendor”) in full accordance with the terms and conditions of the contract between the JPB and the Vendor. The Lead Organization will have daily management responsibilities for the Shuttle.

3. Section 4 of the Agreement, Term, is amended by adding the following language as the second paragraph:

Effective July 1, 2015, the term of the Agreement shall be extended for 12 months commencing July 1, 2015 and ending June 30, 2016.

4. Section 5 of the Agreement, Maximum Contribution; Payment, is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, the JPB's maximum contribution (which includes contributions from all other funding agencies involved, if any) for Shuttle Service shall not exceed Thirty-Two Thousand Three Hundred Thirty Dollars (\$32,330) or Twenty-Four point Two percent (24.2%) of the estimated total operating costs for the Shuttle Service as determined by the JPB, **whichever is less**.

5. Section 6 of the Agreement, Lead Organization's Payment is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, Lead Organization shall pay Seventy-Five point Eight percent (75.8%) of the total actual costs of operating the Shuttle Service. Lead Organization's share shall equal One Hundred One Thousand Two Hundred Seventy Dollars (\$101,270), subject to a final adjustment.

6. Section 14 of the Agreement, Notices is amended by revising the Lead Organization's Liaison information:

If to Lead Organization:

Jessica Almanza
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Acting Transportation System
Management
(650) 330-6773
anza@menlopark.org

7. Section 15 of the Agreement, Liaison is amended by revising the Lead Organization's Liaison information and adding the following language after the Lead Organization's Liaison information:

Lead Organization's Liaison: Jessica Almanza
Acting Transportation System
Management
(650) 330-6773
anza@menlopark.org

When the primary Lead Organization's Liaison is unavailable, a secondary contact shall be:

Lead Organization's 2nd Liaison: Nicole H. Nagaya
Transportation Manager
(650) 330-6781
nhnagaya@menlopark.org

8. Effective July 1, 2015, the following Exhibits have been deleted and replaced by revised Exhibits:

EXHIBIT B SCHEDULE OF SHUTTLE SERVICE
EXHIBIT C MARKETING PROGRAM
EXHIBIT D FUNDING BENCHMARKS
EXHIBIT F INDEMNITY INCLUSION

Except for those changes expressly specified in this First Amendment, all other provisions, requirements, conditions, and sections of the underlying Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the date first written above with the intent to be legally bound.

PENINSULA CORRIDOR JOINT
POWERS BOARD

CITY OF MENLO PARK

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

APPROVED AS TO FORM

JPB Attorney

EXHIBIT B

SCHEDULE OF SHUTTLE SERVICE
(7/1/15)

MORNING SCHEDULE

FROM:	206	210	220	230
SAN FRANCISCO	312	322		
Caltrain Arrives Menlo Park	6:56	7:25	8:25	9:25
		7:35	8:35	
Menlo Park Caltrain	6:58	7:47	8:47	9:25
Post Office	7:05	7:54	8:54	9:31
Bohannon Dr./Campbell	7:06	7:55	8:55	9:32
140/160 Scott	7:08	7:57	8:57	9:34
Scott/Marsh	7:09	7:58	8:58	9:35
130 Constitution	7:14	8:03	9:03	9:40
Constitution/Chrysler	7:14	8:03	9:03	9:40
149 Commonwealth	7:15	8:04	9:04	9:41
150 Jefferson	7:16	8:05	9:05	9:42
180 Jefferson	7:17	8:06	9:06	9:43
300 Constitution	7:18	8:07	9:07	9:44
Marsh Rd./Florence St.	7:21	8:10	9:10	9:47

Shuttles wait 5 minutes past scheduled departure time for late trains.

FROM:	207	217	227	233
SAN JOSE	211	221	231	
Caltrain Arrives Menlo Park	6:39	7:39	8:39	9:17
	6:45	7:45	8:45	
Menlo Park Caltrain	6:58	7:47	8:47	9:25
Post Office	7:05	7:54	8:54	9:31
Bohannon Dr./Campbell	7:06	7:55	8:55	9:32
140/160 Scott	7:08	7:57	8:57	9:34
Scott/Marsh	7:09	7:58	8:58	9:35
130 Constitution	7:14	8:03	9:03	9:40
Constitution/Chrysler	7:14	8:03	9:03	9:40
149 Commonwealth	7:15	8:04	9:04	9:41
150 Jefferson	7:16	8:05	9:05	9:42
180 Jefferson	7:17	8:06	9:06	9:43
300 Constitution	7:18	8:07	9:07	9:44
Marsh Rd./Florence St.	7:21	8:10	9:10	9:47

AFTERNOON SCHEDULE

TO:	224	3:29	4:07	4:42	5:49
SAN FRANCISCO					
130 Constitution	2:24	3:29	4:07	4:42	5:49
Constitution/Chrysler	2:25	3:29	4:07	4:42	5:49
149 Commonwealth	2:26	3:30	4:08	4:43	5:50
150 Jefferson	2:27	3:31	4:09	4:44	5:51
180 Jefferson	2:27	3:32	4:10	4:45	5:52
300 Constitution	2:28	3:33	4:11	4:46	5:53
Scott/Marsh	2:39	3:39	4:14	4:51	5:58
140/160 Scott	2:40	3:40	4:15	4:52	5:59
Bohannon Dr./Campbell	2:42	3:42	4:17	4:54	6:01
Post Office	2:43	3:43	4:18	4:55	6:02
Marsh Rd./Florence St.	2:43	3:43	4:18	4:55	6:02
Menlo Park Caltrain	2:52	3:52	4:30	5:05	6:12
	2:57	2:57	3:52	4:30	6:12
Caltrain Arrives Menlo Park	3:14	4:19	4:46	5:19	6:19
			4:57	5:47	

TO:	224	3:29	4:42	5:49
SAN JOSE				
130 Constitution	2:24	3:29	4:42	5:49
Constitution/Chrysler	2:25	3:29	4:42	5:49
149 Commonwealth	2:26	3:30	4:43	5:50
150 Jefferson	2:27	3:31	4:44	5:51
180 Jefferson	2:27	3:32	4:45	5:52
300 Constitution	2:28	3:32	4:46	5:53
Scott/Marsh	2:39	3:39	4:51	5:58
140/160 Scott	2:40	3:40	4:52	5:59
Bohannon Dr./Campbell	2:42	3:42	4:54	6:01
Post Office	2:43	3:43	4:55	6:02
Marsh Rd./Florence St.	2:43	3:43	4:55	6:02
Menlo Park Caltrain	2:52	3:52	5:05	6:12
	1:52	1:56	2:64	2:74
Caltrain Arrives Menlo Park	3:02	4:02	5:30	6:30
			5:36	6:36

Schedule subject to change with Caltrain permission.

EXHIBIT C

MARKETING PROGRAM

Menlo Park's Marketing Program

The City is proposing the following marketing plan in order to achieve the following goals:

1. Increase public awareness of the shuttle services.
2. Increase ridership on each of the four shuttles.

Marsh Road Shuttle

- Informational materials. In advance of outreach efforts to businesses located along the Caltrain shuttle routes, service brochures for each shuttle would be developed. The proposed brochures would include maps, timetables, and essential service details.
- Employer outreach. Once the Caltrain Shuttle brochure has been developed and produced, it would be incorporated into a promotional packet for distribution to businesses in the service areas. The packets mailed to the businesses would include an introductory letter, the newly designed brochure, a postcard requesting follow-up assistance/communication with City staff and an FAQ one-sheet for the human resources manager/office manager at each facility.
- Employer follow-up. Approximately two or three weeks following the initial packet distribution, follow-up calls would be made to connect with the on-site point of contact, gauge the impact of the mailing, answer questions, and inquire about sending additional materials. The outcome of each contact would be documented.

EXHIBIT D
FUNDING BENCHMARKS

As of July 1, 2015

Following are the funding benchmarks the JPB is encouraged to meet, for the Shuttle Service to be considered for competitive funding in future grant cycles:

1. Less than \$175,000 per ton of emissions reduced (based on BAAQMD evaluation criteria);
2. Cost per Passenger: Less than or equal to \$4.00 per passenger;
3. Riders per Service Hour: Greater than or equal to 10 riders per service hour;

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EXHIBIT F
INDEMNITY INCLUSION

10. USE OF SUBCONTRACTORS

The CONTRACTOR shall not subcontract any services to be performed by it under this Agreement without the prior written approval of the JPB, except for service firms engaged in drawing, reprographics, typing, and printing. Any subcontractors must be engaged under written contract with the CONTRACTOR with provisions allowing the CONTRACTOR to comply with all requirements of this Agreement, including without limitation the "Ownership of Work" provisions in Section 8. The CONTRACTOR shall be solely responsible for reimbursing any subcontractors and the JPB shall have no obligation to them.

11. CHANGES

The JPB may at any time, by written order, make changes within the scope of work and services described in this Agreement. If such changes cause an increase or decrease in the budgeted cost of or the time required for performance of the agreed upon work, an equitable adjustment as mutually agreed shall be made in the limit on compensation as set forth in Section 5 or in the time of required performance as set forth in Section 3, or both. In the event that CONTRACTOR encounters any unanticipated conditions or contingencies that may affect the scope of work or services and result in an adjustment in the amount of compensation specified herein, or identifies any JPB conduct (including actions, inaction, and written or oral communications other than a formal contract modification) that the CONTRACTOR regards as a change to the contract terms and conditions, CONTRACTOR shall so advise the JPB immediately upon notice of such condition or contingency. The written notice shall explain the circumstances giving rise to the unforeseen condition or contingency and shall set forth the proposed adjustment in compensation. This notice shall be given to the JPB prior to the time that CONTRACTOR performs work or services related to the proposed adjustment in compensation. The pertinent changes shall be expressed in a written supplement to this Agreement issued by the Contracts and Procurement Department prior to implementation of such changes. Failure to provide written notice and receive JPB approval for extra work prior to performing extra work may, at the JPB's sole discretion, result in nonpayment of the invoices reflecting such work.

Notwithstanding the foregoing, the JPB may delete or modify routes should ridership or funding increase or decrease. The JPB may change schedules, street routing, and passenger pickup/drop off points at any time during the term of the Agreement. In the event the total number of vehicles required for operating the service increases or decreases by 40% from the initial base quantities set forth in Exhibit A, the JPB and the CONTRACTOR will renegotiate the Vehicle Revenue Hour rates as appropriate.

12. RESPONSIBILITY: INDEMNIFICATION

The CONTRACTOR shall indemnify, keep and save harmless the JPB, the Bay Area Air Quality Management District, City/County Association of Governments, the San Mateo County Transportation Authority, and their respective directors, officers, agents and employees and entities participating in the JPB's shuttle program ("Lead Organizations") against any and all suits, claims or actions arising out of any of the following:

- A. Any injury to persons or property that may occur, or that may be alleged to have occurred, arising from the performance of this Agreement by the CONTRACTOR caused by a negligent act or omission or willful misconduct of the CONTRACTOR or its employees, subcontractors or agents; or
- B. Any allegation that materials or services provided by the CONTRACTOR under this Agreement infringe or violate any copyright, trademark, patent, trade secret, or any other intellectual-property or proprietary right of any third party.

CONFORMED

10889997.1

- C. Any claims that may be asserted under Section 13(c) and 15(n)(l) of the Federal Transit Administration Act of 1964, as amended, or any comparable provisions of federal or state law (or under any regulations promulgated thereunder), as said laws or regulations now exist or hereafter may be amended.

The CONTRACTOR further agrees to defend any and all such actions, suits or claims and pay all charges of attorneys and all other costs and expenses of defenses as they are incurred. If any judgment is rendered against the JPB or any of the other entities or individuals enumerated above in any such action, the CONTRACTOR shall, at its expense, satisfy and discharge the same. This indemnification shall survive termination or expiration of the Agreement.

13. INSURANCE

Refer to Attachment A, appended hereto and incorporated herein, for the Insurance Requirements.

14. CALIFORNIA LABOR CODE SECTION 1070 ET SEQ.

Upon the commencement and throughout the full term of this Agreement, CONTRACTOR and its subcontractor(s), if applicable, shall maintain a list of all employees providing the Services required under the Agreement, which includes the information required by Labor Code Section 1070 et seq. and which indicates which employees were employed by the prior contractor and its subcontractor(s), if any. The CONTRACTOR and its subcontractor(s) must also maintain a list of all employees of the prior contractor and its subcontractor(s) that were not retained by the CONTRACTOR or its subcontractor(s), and such list must indicate the reasons why such employees were not retained.

Upon request from the JPB, the CONTRACTOR and its subcontractor(s) must provide such lists to the JPB within 10 days of such request. The JPB has the ability to request such lists throughout the term of the Agreement.

The CONTRACTOR shall be responsible for defending, and shall hold the JPB (as well as all JPB Indemnitees) harmless from, any claims or controversies alleging any violation or breach of Labor Code Section 1070 et seq., whether made by the CONTRACTOR's own employees, the employees of its subcontractor(s), or employees of the prior contractor or its subcontractor(s), arising from or related to the terms and conditions of employment of employees hired to work for the CONTRACTOR as of the effective date of this Agreement. Notwithstanding any other provision of this Agreement, no cost of liability for which CONTRACTOR is responsible under this paragraph shall be deemed an allowable cost payable to the CONTRACTOR or claim or liability for which the CONTRACTOR is entitled to indemnification or reimbursement from the JPB. The CONTRACTOR shall be exclusively responsible for satisfaction of all obligations that may be owed to its employees of the prior contractor, pursuant to Labor Code Section 1070 et seq., both during and subsequent to the term of the Agreement.

At least twelve months before the end of the Agreement, the CONTRACTOR and its subcontractor(s) will provide the JPB a list of employees working at Shuttle Services location(s). This list of employees shall indicate the length of service of each employee, their job title and description, and their current salary. This information may be distributed to future proposers for a new contract that will commence whenever the current Agreement term ends. The CONTRACTOR and its subcontractor(s) must provide updates on a monthly basis of the employee lists after the original employee list has been submitted. The CONTRACTOR's and its subcontractors' obligation to provide monthly updates of the employee lists will last until the end of the Agreement term.

If a new contract is awarded to a different contractor at the end of the CONTRACTOR's Agreement, the CONTRACTOR must provide to the new contractor the name, address, date of hire, wages, benefit level, and job classification of each employee employed at the CONTRACTOR's locations covered by the CONTRACTOR's Agreement within three working days after the CONTRACTOR has

CONFORMED

10988907.1



BOARD OF DIRECTORS 2015

ADRIENNE TISSIER, CHAIR
PERRY WOODWARD, VICE CHAIR
JOSÉ CISNEROS
MALIA COHEN
JEFF GEE
ROSE GUILBAULT
ASH KALRA
TOM NOLAN
KEN YEAGER

JIM HARTNETT
EXECUTIVE DIRECTOR

Amendment No. 1

To

**RAIL SHUTTLE BUS SERVICE ADMINISTRATION AGREEMENT BETWEEN
PENINSULA CORRIDOR JOINT POWERS BOARD AND CITY OF MENLO PARK
FOR WILLOW ROAD CALTRAIN SHUTTLE**

THIS AMENDMENT modifies the Rail Shuttle Bus Service Administration Agreement (“Agreement”), which was effective November 24, 2014, by and between the Peninsula Corridor Joint Powers Board (“JPB”) and City of Menlo Park (“Lead Organization”).

The JPB and the Lead Organization entered into the Agreement, whereby the Lead Organization participates in the JPB shuttle bus services program; and

The Agreement is set to expire on June 30, 2015; and

The Parties desires to extend the Agreement for a one year period; and

The Parties desire to amend the Agreement in accordance with the terms and conditions of this First Amendment.

NOW THEREFORE, IT IS AGREED to amend the Agreement as follows:

1. Section 2 of the Agreement, Lead Organization, is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, the Lead Organization shall provide the projected minimum Seventy-Six point Three percent (76.3%) financial share.

2. Section 3 of the Agreement, Shuttle Service Vendor, is amended by replacing the following language as the first paragraph:

JPB shall make available to Lead Organization the above described Shuttle Service operated by the JPB's Shuttle Provider (“Vendor”) in full accordance with the terms and conditions of the contract between the JPB and the Vendor. The Lead Organization will have daily management responsibilities for the Shuttle.

3. Section 4 of the Agreement, Term, is amended by adding the following language as the second paragraph:

Effective July 1, 2015, the term of the Agreement shall be extended for 12 months commencing July 1, 2015 and ending June 30, 2016.

4. Section 5 of the Agreement, Maximum Contribution; Payment, is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, the JPB's maximum contribution (which includes contributions from all other funding agencies involved, if any) for Shuttle Service shall not exceed Twenty-Six Thousand Five Hundred Twenty Dollars (\$26,520) or Twenty-Three point Seven percent (23.7%) of the estimated total operating costs for the Shuttle Service as determined by the JPB, **whichever is less**.

5. Section 6 of the Agreement, Lead Organization's Payment is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, Lead Organization shall pay Seventy-Six point Three percent (76.3%) of the total actual costs of operating the Shuttle Service. Lead Organization's share shall equal Eighty-Five Thousand Three Hundred Thirty Dollars (\$85,330), subject to a final adjustment.

6. Section 14 of the Agreement, Notices is amended by revising the Lead Organization's Liaison information:

If to Lead Organization:

Jessica Almanza
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Acting Transportation System
Management
(650) 330-6773
anza@menlopark.org

7. Section 15 of the Agreement, Liaison is amended by revising the Lead Organization's Liaison information and adding the following language after the Lead Organization's Liaison information:

Lead Organization's Liaison: Jessica Almanza
Acting Transportation System
Management
(650) 330-6773
anza@menlopark.org

When the primary Lead Organization's Liaison is unavailable, a secondary contact shall be:

Lead Organization's 2nd Liaison: Nicole H. Nagaya
Transportation Manager
(650) 330-6781
nhnagaya@menlopark.org

8. Effective July 1, 2015, the following Exhibits have been deleted and replaced by revised Exhibits:

EXHIBIT B SCHEDULE OF SHUTTLE SERVICE
EXHIBIT C MARKETING PROGRAM
EXHIBIT D FUNDING BENCHMARKS
EXHIBIT F INDEMNITY INCLUSION

Except for those changes expressly specified in this First Amendment, all other provisions, requirements, conditions, and sections of the underlying Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the date first written above with the intent to be legally bound.

PENINSULA CORRIDOR JOINT
POWERS BOARD

CITY OF MENLO PARK

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

APPROVED AS TO FORM

JPB Attorney

EXHIBIT B

SCHEDULE OF SHUTTLE SERVICE
(7/1/15)

MORNING SCHEDULE

FROM: SAN FRANCISCO	210	220
	312	322
Caltrain Arrives Menlo Park	7:25	8:25
	7:35	8:35

SHUTTLE locations and times

Menlo Park Caltrain	7:47	8:47
Linfield Dr.	7:50	8:50
Homewood Place	7:51	8:51
Middlefield Rd.	7:52	8:52
Clover Lane	7:53	8:53
Veterans Medical Ctr.	7:55	8:55
O'Brien/Willow	7:58	8:58
JobTrain	7:59	8:59
1505 O'Brien Dr.	8:00	9:00
Adams Court	8:01	9:01
Hamilton Court	8:02	9:02

Shuttles wait 5 minutes past scheduled departure time for late trains.

FROM: SAN JOSE	207	217	227
	211	221	231
Caltrain Arrives Menlo Park	6:39	7:39	8:39
	6:45	7:45	8:45

SHUTTLE locations and times

Menlo Park Caltrain	6:47	7:47	8:47
Linfield Dr.	6:50	7:50	8:50
Homewood Place	6:51	7:51	8:51
Middlefield Rd.	6:52	7:52	8:52
Clover Lane	6:53	7:53	8:53
Veterans Medical Ctr.	6:55	7:55	8:55
O'Brien/Willow	6:58	7:58	8:58
JobTrain	6:59	7:59	8:59
1505 O'Brien Dr.	7:00	8:00	9:00
Adams Court	7:01	8:01	9:01
Hamilton Court	7:02	8:02	9:02

AFTERNOON SCHEDULE

TO: SAN FRANCISCO

SHUTTLE locations and times

1340 Willow Rd.	3:18	—	—	—
Hamilton Court	3:21	4:00	4:55	5:55
Adams Court	3:22	4:01	4:56	5:56
1505 O'Brien	3:23	4:02	4:57	5:57
JobTrain	3:24	4:03	4:58	5:58
O'Brien/Willow	3:25	4:04	4:59	5:59
Veterans Medical Center	3:28	4:07	5:02	6:02
Clover Lane	3:31	4:10	5:05	6:05
Middlefield Rd.	3:32	4:11	5:06	6:06
Homewood Place	3:33	4:12	5:07	6:07
Linfield Dr.	3:34	4:13	5:08	6:08
Menlo Park Caltrain	3:38	4:18	5:15	6:15
	159	261	269	279
Caltrain Arrives Menlo Park	3:41	365	375	6:19
		4:19	5:19	
		4:46	5:47	

TO: SAN JOSE

SHUTTLE locations and times

1340 Willow Rd.	3:18	—	—	—
Hamilton Court	3:21	4:00	4:55	5:55
Adams Court	3:22	4:01	4:56	5:56
1505 O'Brien	3:23	4:02	4:57	5:57
JobTrain	3:24	4:03	4:58	5:58
O'Brien/Willow	3:25	4:04	4:59	5:59
Veterans Medical Center	3:28	4:07	5:02	6:02
Clover Lane	3:31	4:10	5:05	6:05
Middlefield Rd.	3:32	4:11	5:06	6:06
Homewood Place	3:33	4:12	5:07	6:07
Linfield Dr.	3:34	4:13	5:08	6:08
Menlo Park Caltrain	3:38	4:18	5:15	6:15
	156	258	264	274
Caltrain Arrives Menlo Park	4:02	4:24	268	278
			5:30	6:30
			5:36	6:36

Schedule subject to change with Caltrain permission.

EXHIBIT C
MARKETING PROGRAM

Menlo Park's Marketing Program

The City is proposing the following marketing plan in order to achieve the following goals:

1. Increase public awareness of the shuttle services.
2. Increase ridership on each of the four shuttles.

Willow Road Shuttle

- Informational materials. In advance of outreach efforts to businesses located along the Caltrain shuttle routes, service brochures for each shuttle would be developed. The proposed brochures would include maps, timetables, and essential service details.
- Employer outreach. Once the Caltrain Shuttle brochure has been developed and produced, it would be incorporated into a promotional packet for distribution to businesses in the service areas. The packets mailed to the businesses would include an introductory letter, the newly designed brochure, a postcard requesting follow-up assistance/communication with City staff and an FAQ one-sheet for the human resources manager/office manager at each facility.
- Employer follow-up. Approximately two or three weeks following the initial packet distribution, follow-up calls would be made to connect with the on-site point of contact, gauge the impact of the mailing, answer questions, and inquire about sending additional materials. The outcome of each contact would be documented.

EXHIBIT D
FUNDING BENCHMARKS

As of July 1, 2015

Following are the funding benchmarks the JPB is encouraged to meet, for the Shuttle Service to be considered for competitive funding in future grant cycles:

1. Less than \$175,000 per ton of emissions reduced (based on BAAQMD evaluation criteria);
2. Cost per Passenger: Less than or equal to \$4.00 per passenger;
3. Riders per Service Hour: Greater than or equal to 10 riders per service hour;

THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

EXHIBIT F
INDEMNITY INCLUSION

10. USE OF SUBCONTRACTORS

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11. CHANGES

The JPB may at any time, by written order, make changes within the scope of work and services described in this Agreement. If such changes cause an increase or decrease in the budgeted cost of or the time required for performance of the agreed upon work, an equitable adjustment as mutually agreed shall be made in the limit on compensation as set forth in Section 5 or in the time of required performance as set forth in Section 3, or both. In the event that CONTRACTOR encounters any unanticipated conditions or contingencies that may affect the scope of work or services and result in an adjustment in the amount of compensation specified herein, or identifies any JPB conduct (including actions, inaction, and written or oral communications other than a formal contract modification) that the CONTRACTOR regards as a change to the contract terms and conditions, CONTRACTOR shall so advise the JPB immediately upon notice of such condition or contingency. The written notice shall explain the circumstances giving rise to the unforeseen condition or contingency and shall set forth the proposed adjustment in compensation. This notice shall be given to the JPB prior to the time that CONTRACTOR performs work or services related to the proposed adjustment in compensation. The pertinent changes shall be expressed in a written supplement to this Agreement issued by the Contracts and Procurement Department prior to implementation of such changes. Failure to provide written notice and receive JPB approval for extra work prior to performing extra work may, at the JPB's sole discretion, result in nonpayment of the invoices reflecting such work.

Notwithstanding the foregoing, the JPB may delete or modify routes should ridership or funding increase or decrease. The JPB may change schedules, street routing, and passenger pickup/drop off points at any time during the term of the Agreement. In the event the total number of vehicles required for operating the service increases or decreases by 40% from the initial base quantities set forth in Exhibit A, the JPB and the CONTRACTOR will renegotiate the Vehicle Revenue Hour rates as appropriate.

12. RESPONSIBILITY: INDEMNIFICATION

The CONTRACTOR shall indemnify, keep and save harmless the JPB, the Bay Area Air Quality Management District, City/County Association of Governments, the San Mateo County Transportation Authority, and their respective directors, officers, agents and employees and entities participating in the JPB's shuttle program ("Lead Organizations") against any and all suits, claims or actions arising out of any of the following:

- A. Any injury to persons or property that may occur, or that may be alleged to have occurred, arising from the performance of this Agreement by the CONTRACTOR caused by a negligent act or omission or willful misconduct of the CONTRACTOR or its employees, subcontractors or agents; or
- B. Any allegation that materials or services provided by the CONTRACTOR under this Agreement infringe or violate any copyright, trademark, patent, trade secret, or any other intellectual-property or proprietary right of any third party.

CONFORMED

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- C. Any claims that may be asserted under Section 13(c) and 15(n)(l) of the Federal Transit Administration Act of 1964, as amended, or any comparable provisions of federal or state law (or under any regulations promulgated thereunder), as said laws or regulations now exist or hereafter may be amended.

The CONTRACTOR further agrees to defend any and all such actions, suits or claims and pay all charges of attorneys and all other costs and expenses of defenses as they are incurred. If any judgment is rendered against the JPB or any of the other entities or individuals enumerated above in any such action, the CONTRACTOR shall, at its expense, satisfy and discharge the same. This indemnification shall survive termination or expiration of the Agreement.

13. INSURANCE

Refer to Attachment A, appended hereto and incorporated herein, for the Insurance Requirements.

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Upon the commencement and throughout the full term of this Agreement, CONTRACTOR and its subcontractor(s), if applicable, shall maintain a list of all employees providing the Services required under the Agreement, which includes the information required by Labor Code Section 1070 et seq. and which indicates which employees were employed by the prior contractor and its subcontractor(s), if any. The CONTRACTOR and its subcontractor(s) must also maintain a list of all employees of the prior contractor and its subcontractor(s) that were not retained by the CONTRACTOR or its subcontractor(s), and such list must indicate the reasons why such employees were not retained.

Upon request from the JPB, the CONTRACTOR and its subcontractor(s) must provide such lists to the JPB within 10 days of such request. The JPB has the ability to request such lists throughout the term of the Agreement.

The CONTRACTOR shall be responsible for defending, and shall hold the JPB (as well as all JPB Indemnitees) harmless from, any claims or controversies alleging any violation or breach of Labor Code Section 1070 et seq., whether made by the CONTRACTOR's own employees, the employees of its subcontractor(s), or employees of the prior contractor or its subcontractor(s), arising from or related to the terms and conditions of employment of employees hired to work for the CONTRACTOR as of the effective date of this Agreement. Notwithstanding any other provision of this Agreement, no cost of liability for which CONTRACTOR is responsible under this paragraph shall be deemed an allowable cost payable to the CONTRACTOR or claim or liability for which the CONTRACTOR is entitled to indemnification or reimbursement from the JPB. The CONTRACTOR shall be exclusively responsible for satisfaction of all obligations that may be owed to its employees of the prior contractor, pursuant to Labor Code Section 1070 et seq., both during and subsequent to the term of the Agreement.

At least twelve months before the end of the Agreement, the CONTRACTOR and its subcontractor(s) will provide the JPB a list of employees working at Shuttle Services location(s). This list of employees shall indicate the length of service of each employee, their job title and description, and their current salary. This information may be distributed to future proposers for a new contract that will commence whenever the current Agreement term ends. The CONTRACTOR and its subcontractor(s) must provide updates on a monthly basis of the employee lists after the original employee list has been submitted. The CONTRACTOR's and its subcontractors' obligation to provide monthly updates of the employee lists will last until the end of the Agreement term.

If a new contract is awarded to a different contractor at the end of the CONTRACTOR's Agreement, the CONTRACTOR must provide to the new contractor the name, address, date of hire, wages, benefit level, and job classification of each employee employed at the CONTRACTOR's locations covered by the CONTRACTOR's Agreement within three working days after the CONTRACTOR has

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BOARD OF DIRECTORS 2015

ADRIENNE TISSIER, CHAIR
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MALIA COHEN
JEFF GEE
ROSE GUILBAULT
ASH KALRA
TOM NOLAN
KEN YEAGER

JIM HARTNETT
EXECUTIVE DIRECTOR

Amendment No. 1

To

**RAIL SHUTTLE BUS SERVICE ADMINISTRATION AGREEMENT BETWEEN
PENINSULA CORRIDOR JOINT POWERS BOARD AND CITY OF MENLO PARK
FOR MENLO PARK MIDDAY SHUTTLE**

THIS AMENDMENT modifies the Rail Shuttle Bus Service Administration Agreement (“Agreement”), which was effective November 24, 2014, by and between the Peninsula Corridor Joint Powers Board (“JPB”) and City of Menlo Park (“Lead Organization”).

The JPB and the Lead Organization entered into the Agreement, whereby the Lead Organization participates in the JPB shuttle bus services program; and

The Agreement is set to expire on June 30, 2015; and

The Parties desires to extend the Agreement for a one year period; and

The Parties desire to amend the Agreement in accordance with the terms and conditions of this First Amendment.

NOW THEREFORE, IT IS AGREED to amend the Agreement as follows:

1. Section 3 of the Agreement, Shuttle Service Vendor, is amended by replacing the following language as the first paragraph:

JPB shall make available to Lead Organization the above described Shuttle Service operated by the JPB's Shuttle Provider (“Vendor”) in full accordance with the terms and conditions of the contract between the JPB and the Vendor. The Lead Organization will have daily management responsibilities for the Shuttle.

2. Section 4 of the Agreement, Term, is amended by adding the following language as the second paragraph:

Effective July 1, 2015, the term of the Agreement shall be extended for 12 months commencing July 1, 2015 and ending June 30, 2016.

3. Section 5 of the Agreement, Maximum Contribution; Payment, is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, the JPB's maximum contribution (which includes contributions from all other funding agencies involved, if any) for Shuttle Service shall not exceed Zero Dollars (\$0.00), which is Zero percent (0.0%) of the estimated total operating costs for the Shuttle Service as determined by the JPB.

4. Section 6 of the Agreement, Lead Organization's Payment is amended by adding the following language as the second paragraph:

During the 12 month extension of the Agreement, commencing July 1, 2015 and ending June 30, 2016, Lead Organization shall pay One Hundred point Zero percent (100.0%) of the total actual costs of operating the Shuttle Service. Lead Organization's share shall equal Two Hundred Nine Thousand Nine Hundred Forty Dollars (\$209,940), subject to a final adjustment.

5. Section 14 of the Agreement, Notices is amended by revising the Lead Organization's Liaison information:

If to Lead Organization:

Jessica Almanza
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Acting Transportation System
Management
(650) 330-6773
anza@menlopark.org

6. Section 15 of the Agreement, Liaison is amended by revising the Lead Organization's Liaison information and adding the following language after the Lead Organization's Liaison information:

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When the primary Lead Organization's Liaison is unavailable, a secondary contact shall be:

Lead Organization's 2nd Liaison: Nicole H. Nagaya
Transportation Manager
(650) 330-6781
nhnagaya@menlopark.org

7. Effective July 1, 2015, the following Exhibits have been deleted and replaced by revised Exhibits:

EXHIBIT F INDEMNITY INCLUSION

Except for those changes expressly specified in this First Amendment, all other provisions, requirements, conditions, and sections of the underlying Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the date first written above with the intent to be legally bound.

PENINSULA CORRIDOR JOINT
POWERS BOARD

CITY OF MENLO PARK

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

APPROVED AS TO FORM

JPB Attorney

EXHIBIT F
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CONFORMED

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EXECUTIVE DIRECTOR

Amendment No. 1

To

**RAIL SHUTTLE BUS SERVICE ADMINISTRATION AGREEMENT BETWEEN
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FOR MENLO PARK SHOPPER SHUTTLE**

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PENINSULA CORRIDOR JOINT
POWERS BOARD

CITY OF MENLO PARK

By: _____

By: _____

Name: _____

Name: _____

Title: _____

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APPROVED AS TO FORM

JPB Attorney

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STAFF REPORT

City Council

Meeting Date: 1/26/2016

Staff Report Number: 16-008-CC

Consent Calendar: **Initiate the Menlo Park Landscape Assessment District proceedings for Fiscal Year 2016-17 and adopt a resolution describing the improvements and direct preparation of the Engineer's Report**

Recommendation

Staff recommends that the City Council initiate the Menlo Park Landscape Assessment District proceedings for Fiscal Year 2016-17 and adopt a resolution describing the improvements and direct preparation of the Engineer's Report.

Policy Issues

The recommendation does not represent any change to existing City policy. 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 and Proposition 218, the Council conducted proceedings for the formation of the City of Menlo Park Landscaping District. The Landscape Assessment District requires an annual review of the levied assessment.

Background

In 1982, the Menlo Park citizens approved Measure N, an advisory measure for the City forming an assessment district to care for the City's street tree infrastructure. The Menlo Park Landscape Assessment District was subsequently formed in 1983.

Prior to 1990, property owners were responsible for all sidewalk and parking strip repair damaged by City street trees. In some cases, the lump-sum cost of removing and replacing the damaged public infrastructure was a financial burden. Thus, 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. Financing through an assessment, to be levied on an annual basis, was determined to be more cost-effective and less burdensome to property owners than a large lump-sum payment.

In 1998-99, the City reauthorized the Landscape Assessment District through a mailed ballot, as required by Proposition 218. Each year, the City goes through a process to approve the levying of annual Landscape Assessment District fees. The attached resolution is the first step in the process to establish assessments for the coming fiscal year.

Analysis

Landscape Assessment District Scope of Work

The scope of work for the Landscape Assessment District has not changed from the Fiscal Year 2015-16 program and includes the following:

- Maintenance and servicing of City 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 City landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury;
- Removal of trimmings, rubbish, debris, and other solid waste, and providing water for the irrigation thereof; and
- The installation or construction, including the maintenance and servicing thereof, of curbs, gutters, sidewalks, and parking strips damaged by City street trees.

Assessment Engineer

The first step in the annual Landscape Assessment District proceedings is the preparation of the Engineer’s Report. Staff has selected SCI Consulting Group to complete the engineering work for the FY 2016-17 report. The firm has extensive background knowledge of the City’s Landscape Assessment District, a successful track record with the City preparing the Engineer’s Report since 1998, and experience with Proposition 218 requirements. The scope of services includes identification and verification of parcels within the district, allocation of the estimated cost of improvements and expenses to said parcels, determination of assessment amounts, preparation of assessment rolls, developing the Engineer’s Report, facilitating assessment proceedings, and general project administration.

Schedule for Assessment	
Date	Tasks
January 2016	Council adopts a resolution initiating the Landscape Assessment District proceedings, describing the improvements, and directs preparation of the Engineer’s Report.
May 2016	Completion and filing of the Engineer’s Report.
May 2016	Council adopts 1) a resolution giving preliminary approval of the Engineer’s Report, and 2) a resolution of intention to order the levy and collection of the annual assessment and scheduling of the public hearing.
June 2016	Council holds a public hearing to consider adoption of a resolution overruling protests, ordering improvements, confirming the assessment diagram, and ordering the levy and collection of assessments.
July 2016	Submittal of assessments to the County Assessor’s Office.
October 2016	City review and confirmation of final levies to be collected by the County.
January 2017	Verification of assessment receipts, levies, and delinquencies.

Impact on City Resources

The cost of the assessment engineering services and preparation of the Engineer's Report is \$9,200. There are sufficient funds in the Landscape Assessment District budget to fund this expense.

Environmental Review

An environmental review is not required for this action.

Public Notice

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

Attachments

A. Resolution

Report prepared by:

Ruben Niño, Assistant Public Works Director

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RESOLUTION NO.**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 2016-17**

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 2016-17.
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 Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-sixth day of January, 2016, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-sixth day of January, 2016.

Pamela Aguilar
City Clerk

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STAFF REPORT

City Council

Meeting Date: 1/26/2016
Staff Report Number: 16-014-CC

Consent Calendar: Adopt a resolution to install No Parking along Constitution Drive, Independence Drive and Chrysler Drive between Independence Drive and Commonwealth Drive

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) to install no parking on both sides of Constitution Drive from Independence Drive to Chilco Street, on both sides of Independence Drive from Constitution Drive to Chrysler Drive, and on the west side of Chrysler Drive from Commonwealth Drive to Independence Drive to accommodate street modifications (Attachment B).

Policy Issues

This project supports the objectives of the City of Menlo Park's *General Plan*, *Complete Streets Policy*, and *Comprehensive Bicycle Development Plan*.

Background

In 2010, voters approved Measure T, a General Plan Amendment for the Menlo Gateway project. The Menlo Gateway project includes a 250-room hotel, a 41,000 square foot fitness center, 4,300 square foot restaurant, and 700,000 square feet of office. The project sites are located at 100-190 Independence Drive and 101-155 Constitution Drive. The Menlo Gateway project is now nearing final project design and going through the building permit process. As described in Attachment C, the applicant is proposing to add a bicycle lane along the project frontage on the east side of Constitution Drive between Independence Drive and Chrysler Drive and a Class III bicycle route and two-way left-turn lane on Independence Drive. Given limited right-of-way width, the applicant is requesting that the on-street parking along the project frontage be removed to allow for these facilities. In addition, the project is requesting the removal of the on-street parking along their frontage on Chrysler Drive.

To provide Class II bicycle lanes in both directions on Constitution Drive, staff is also requesting that parking be removed on both sides of Constitution Drive between Chilco Street and Independence Drive. As part of Connect Menlo, the City's General Plan update, the street classification system is being updated as part of the Circulation Element.

Analysis

Constitution Drive is approximately 40 feet wide and designated as a collector street from Chrysler Drive

to Chilco Street and a local street from Chrysler Drive to Independence Drive in the City's General Plan. Parking is permitted on both sides of Constitution Drive. The City's *Comprehensive Bicycle Development Plan* identifies proposed Class III Bike Route facilities for Constitution Drive. The proposed bike lanes on Constitution Drive would provide an upgraded bicycle facility that will connect the M-2 area to a future pedestrian and bicycle connection on Marsh Road as part of the Menlo Gateway project. This facility upgrade is consistent with the circulation system improvements proposed as part of the ongoing Connect Menlo process.

Independence Drive is a 40 foot wide local street. Parking is currently allowed on both sides of the street. Sidewalks are not currently provided on either side of the street. The City's *Comprehensive Bicycle Development Plan* identifies no facilities for Independence Drive. The Menlo Gateway project will be adding sidewalks along their frontage on Independence Drive and extend the sidewalks past their frontage along the Marsh side of Independence Drive continuing to the Constitution Drive intersection. Removal of parking on both sides of the street will allow for a two-way left turn lane and placement of shared lane markings, ("sharrows") in the through lanes will provide a Class III Bicycle Route facility on Independence Drive. This bicycle facility proposal is consistent with the circulation system improvements proposed as part of the ongoing Connect Menlo process.

Staff anticipates that the removal of on-street parking from Constitution Drive, Independence Drive and Chrysler Drive would have a relatively minimal impact on surrounding businesses, as all properties have on-site parking. Nevertheless, staff will monitor potential impacts after implementation. On-street parking removal will also remove sight distance obstructions for vehicles entering and exiting driveways on the proposed streets.

Review by Bicycle and Transportation Commissions

Consideration of removing parking on Constitution Drive, Independence Drive and Chrysler Drive was discussed at the Bicycle Commission meeting on August 10, 2015 and at the Transportation Commission meeting on August 12, 2015. Notices were sent to the property owners and occupants in advance of these meetings. At each meeting, the Menlo Gateway team presented the project and proposed streetscape with bicycle lanes and route markings, new sidewalks, and a two-way left-turn lane on Independence Drive. No public comments were received by either Commission. The Bicycle Commission unanimously approved staff's recommendation to remove parking on Constitution Drive, Independence Drive and Chrysler Drive with recommendations to consider upgrading the proposed sharrows on Independence Drive to a higher quality bicycle facility. The Transportation Commission unanimously approved Staff's recommendation to remove parking on Constitution Drive, Independence Drive and Chrysler Drive with recommendations to consider narrower travel lanes and Class II bicycle lanes on Independence Drive as part of the General Plan.

Since the Bicycle and Transportation Commission meetings, the Menlo Gateway project has modified the street frontage proposal on Independence Drive to provide a wider landscaped strip between the new sidewalk and a 36-foot wide street. The 36-foot width would allow for one travel lane in each direction and either a center two-way left-turn lane or bike lanes in each direction. If a center turn lane is installed, sharrows would be marked in the travel lane to indicate Independence Drive as a bicycle route. Kimley-Horn, transportation consultant for the Menlo Gateway project, has prepared an exhibit (Attachment C)

that shows the possible layouts. In addition, Kimley-Horn has completed a queuing analysis (Attachment D) for their parking garage driveways on Independence Drive. Based on their analysis, the queue from their parking garage may extend to Independence Drive on occasion. Staff has reviewed the queuing analysis and agrees that the center two-way left-turn lane would be beneficial to drivers turning left into the Menlo Gateway driveways as well as the properties located on the north side. While bicycle lanes might be desirable, both a two-way left-turn lane and bike lanes cannot be provided within the proposed street right-of-way (a minimum of 42 feet would be required). The two-way left-turn lane will allow vehicles and bicyclists to safely maneuver around a vehicle waiting to turn instead of vehicles using the bike lane to pass a car waiting to turn left. Since Independence Drive is expected to serve more local traffic in the M-2 area, the narrower street width would encourage lower speeds that allow for bicycles to share the travel lanes with vehicles. In the future, bicycle lanes could be incorporated on Independence Drive by requiring dedication of a minimum of 6 feet from the properties on the north side as they are redeveloped as part of ConnectMenlo.

As outlined in Section 8.22 of the Conditional Development Permit for the Menlo Gateway project, the applicant is required to provide an on-street parking plan for the roadways adjacent to the site and any changes to existing on-street parking restrictions require review and approval of the Transportation Commission and the City Council prior to building permit issuance. Should the Council approve the no parking condition, the restrictions along Independence Drive will be implemented immediately. Reconstruction of Independence Drive is being coordinated with the construction of the Independence site. The two-way left-turn lane and sharrows would be installed after the street reconstruction expected by fall 2017. The no parking signage and bicycle lane striping for Constitution Drive between Chrysler Drive and Chilco Street would be implemented immediately while the section between Chrysler Drive and Independence Drive would be completed when the future bicycle and pedestrian connection to Bedwell Bayfront Park on Marsh Road is constructed. Staff is also considering removing parking on the remainder of Chrysler Drive and Jefferson Drive as part of Connect Menlo and the proposed streetscape for the M-2 area. That parking proposal would be brought to Council at a future date.

Impact on City Resources

This project would be funded from developer contributions and the street resurfacing project programmed in the City's Capital Improvement Program for Fiscal Year 2015-2016. No additional funds are required.

Environmental Review

As this project involves the reconfiguration of an existing public right-of-way, this project is Categorically Exempt from environmental review, per Section 15301(c) of the California Environmental Quality Act.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Postcards were also mailed on January 8, 2016 to property owners and occupants located in the area bounded by Marsh Road, Bayfront Expressway, Chilco Street, and US 101.

Attachments

- A. Resolution
- B. Project Area Map
- C. Request for Removal of On-Street Parking Related to Menlo Gateway Project memorandum, prepared by Kimley-Horn, dated July 30, 2015
- D. Proposed Striping on Independence Drive and Chrysler Drive exhibit prepared by Kimley-Horn, dated November 4, 2015
- E. Independence Site Parking Garage Queuing Analysis memorandum, prepared by Kimley-Horn, dated November 4, 2015

Report prepared by:
Kristiann Choy, Senior Transportation Engineer

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZING THE INSTALLATION OF A “NO PARKING” ZONE ON THE NORTH AND SOUTH SIDES OF CONSTITUTION DRIVE, NORTH AND SOUTH SIDES OF INDEPENDENCE DRIVE; AND THE WEST SIDE OF CHRYSLER DRIVE BETWEEN INDEPENDENCE DRIVE AND COMMONWEALTH DRIVE

WHEREAS, in conjunction with the addition of new bicycle and pedestrian facilities on Constitution Drive, on-street parking on the north and south side of Constitution Drive must be eliminated; and

WHEREAS, in conjunction with the addition of new pedestrian facilities on Independence Drive and Chrysler Drive, on-street parking on the north and south side of Independence Drive and the west side of Chrysler Drive between Independence Drive and Commonwealth Drive must be eliminated; and

WHEREAS, at the August 10, 2015 Bicycle Commission meeting, the commission unanimously passed a motion to support staff’s recommendation for the installation of a “No Parking” zone on the north and south sides of Constitution Drive, north and south sides of Independence Drive; and the west side of Chrysler Drive between Independence Drive and Commonwealth Drive; and

WHEREAS, at the August 12, 2015 Transportation Commission meeting, the commission unanimously passed a motion to support staff’s recommendation for the installation of a “No Parking” zone on the north and south sides of Constitution Drive, north and south sides of Independence Drive; and the west side of Chrysler Drive between Independence Drive and Commonwealth Drive; and

WHEREAS, the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore.

NOW, THEREFORE, BE IT RESOLVED, the City Council of Menlo Park does hereby authorize the installation of a “No Parking” zone on the north and south sides of Constitution Drive, north and south sides of Independence Drive; and the west side of Chrysler Drive between Independence Drive and Commonwealth Drive.

I, Pam Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty sixth day of January, 2016, by the following votes:

AYES:

NOES:

ABSENT:

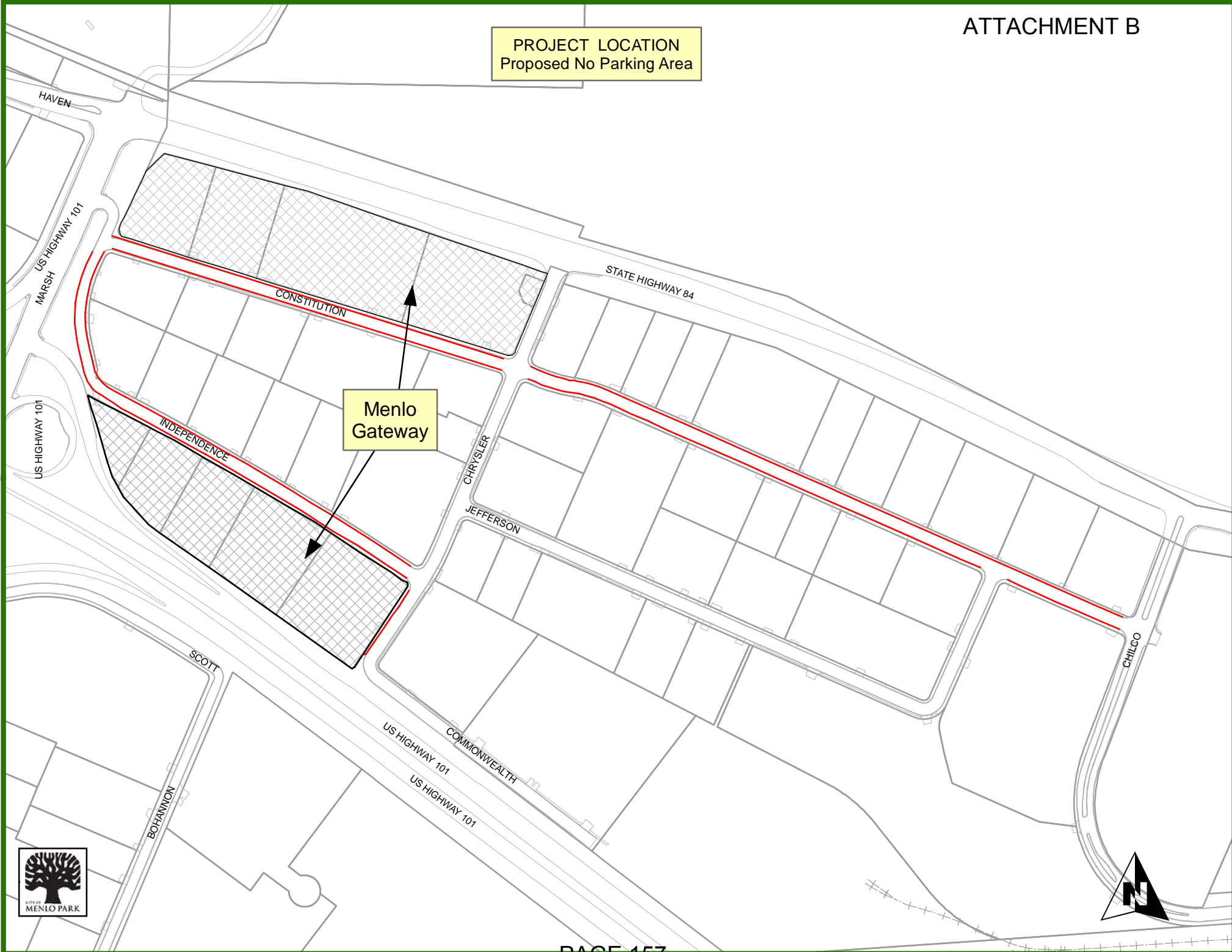
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty sixth day of January, 2016.

Pamela Aguilar
City Clerk

PROJECT LOCATION
Proposed No Parking Area

Menlo
Gateway



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MEMORANDUM

To: Justin Murphy
Assistant Community Development Director
City of Menlo Park

From: Michael Mowery, P.E.

Date: July 30, 2015

Subject: **Request for Removal of On-Street Parking Related to Menlo Gateway Project**

The Menlo Gateway Project (MGP) is proceeding with the design phase of the project development and many design elements are being refined and finalized to move towards the construction phase in late 2015. One issue that requires attention from the City of Menlo Park is approval for the removal of on-street parking along the project frontage and adjacent to the connecting sidewalks.

EXISTING ON-STREET PARKING

Figure 1, illustrates the existing on-street parking for the M-2 study area, bounded by Marsh Road to the west, Chilco Street to the east, SR-84 (Bayfront Expressway) to the north, and US 101 to the south. Locations of existing permitted on-street parking and restricted on-street parking are shown in green and red, respectively. Information on **Figure 1** is based on parcel information, fire hydrant locations, and driveway locations provided by the City of Menlo Park GIS database. The parcels in the area owned by Bohannon Properties are shaded in gray.

Figure 1 lists the lengths of available on-street parking and red curb in the study area. These lengths were determined by the methodology summarized below.

- The length of the total curb, driveway(s), and red curb(s) adjacent to each parcel was measured for each street in the study area.
 - The red curb adjacent to driveways was evaluated to assess concurrence with minimum length of six feet per section 11.24.025 of the City's Municipal Code. If there was no red curb adjacent to the driveway or the adjacent red curb was less than the minimum length, a six foot buffer from the driveway was used.
- Available parking curb length was determined by subtracting driveway and red curb lengths from the total curb length.
 - Other factors such as insufficient spacing between red curb or sight distance was also factored into calculating available parking length.
- A vehicle length of 22 feet was assumed based on City's standards for parallel on-street parking.

CURRENT REQUEST FOR REMOVAL OF ON-STREET PARKING

As part of the Menlo Gateway Project, Bohannon Properties is requesting that a total of 1,880 feet (approximately 84 vehicles) of on-street parking be removed along the frontage of its properties on Constitution Drive, Independence Drive, and Chrysler Drive, as shown in **Figure 2**. The specific locations for parking removal are listed below:

- Constitution Drive
 - 355 feet (16 vehicles) of on-street parking on the north side of Constitution Drive between Marsh Road and Chrysler Drive, adjacent to property addresses 101, 115, 125, and 155 Constitution Drive.
- Independence Drive
 - 912 feet (41 vehicles) of on-street parking on the south side of Independence Drive fronting the proposed Menlo Gateway Project, adjacent to property addresses 100, 110, 120, 130, 150, 180, 190 Independence Drive.
 - 434 feet (19 vehicles) of on-street parking on the south side of Independence Drive adjacent Marsh Road
- Chrysler Drive
 - 179 feet (8 vehicles) of on-street parking on the west side of Chrysler Drive adjacent to the proposed Menlo Gateway Project at 190 Independence Drive

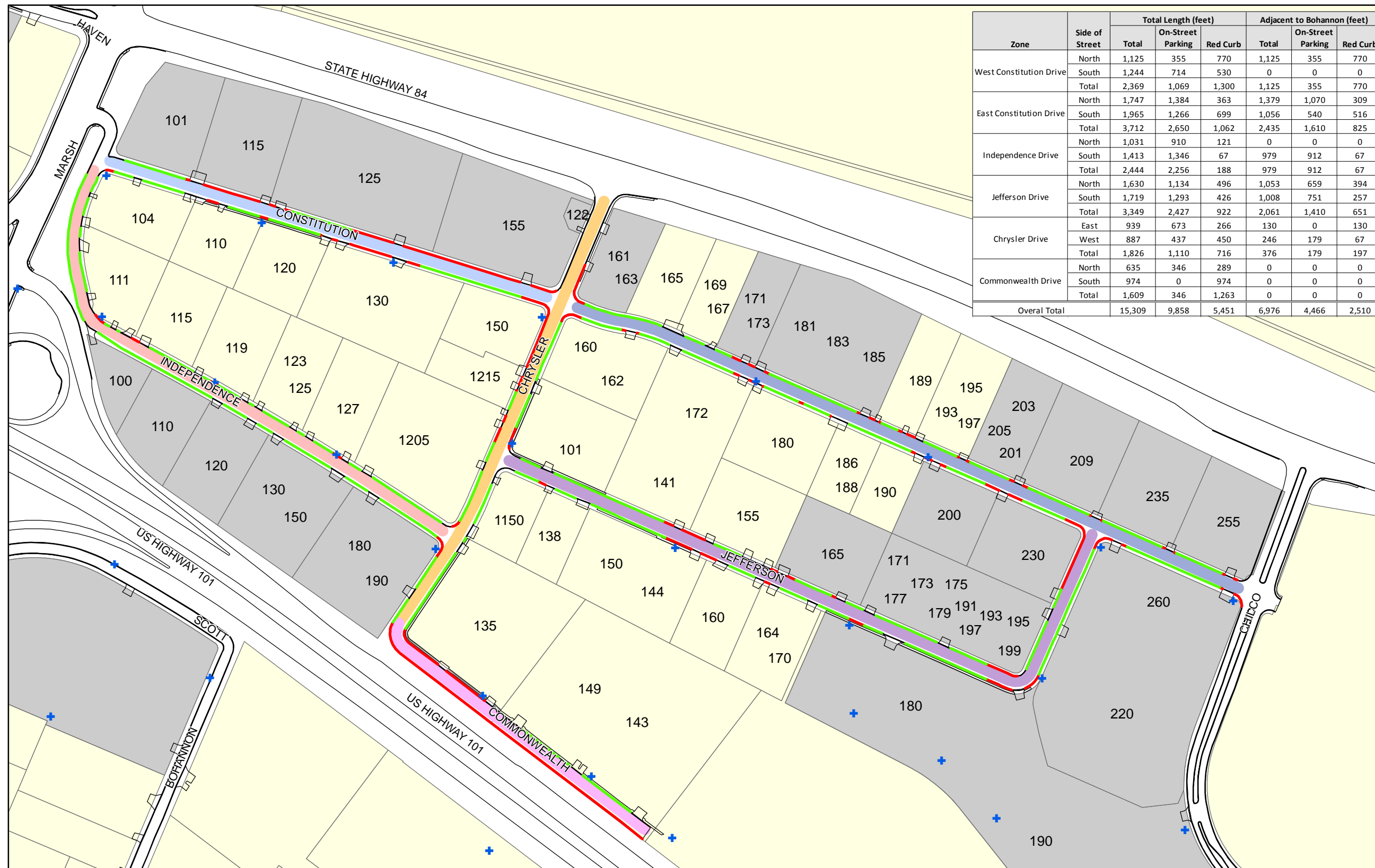
Both the Constitution and Independence sites will provide on-site parking and therefore do not need any on-street parking adjacent to the sites. Both site plans propose to utilize the street width dedicated for on-street parking to provide bicycle facilities along Constitution Drive and Independence Drive.

While the site plan for the Constitution site has not been finalized, **Figure 3** shows the current conceptual cross-sections along Constitution Drive. With the removal of on-street parking on Constitution Drive, a five foot bicycle lane is proposed to be added to the north side of Constitution Drive. Both proposed cross-sections along Constitution Drive will consist of two 12-foot through lanes (one in each direction), a five-foot bicycle lane, a 16-foot sidewalk on the north side of the street, and seven feet of on-street parking on the south side. Closer to the center of the Constitution Site, a 10-foot sidewalk will also be included on the south side of the street. In the future, it is anticipated that the 7-foot parking area on the south side will be removed and a bicycle lane installed for eastbound cyclists.

With the removal of on-street parking on Independence Drive, the full cross-section can be better utilized to serve the development sites planned for the area. **Figure 4** illustrates the final proposed striping and cross-section which includes a Class III Bike Route with Shared Lanes (Sharrows) legend and a two-way left-turn lane (TWLTL) be installed. The 12-foot TWLTL would begin at Chrysler Drive and extended west until the Menlo Gateway project driveway located between the proposed office building and parking structure. In addition, a new sidewalk is proposed on the south/west side of Independence beginning at the loading driveway for Office Building 1 and

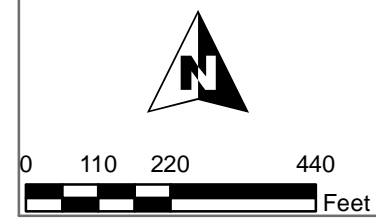
extending west towards Constitution Drive. Since the parcels on the north side of Independence Drive are currently not being proposed for redevelopment, Independence Drive will have an interim striping consisting of two through lanes with sharrows, a TWLTL, and on-street parking on the north side of Independence Drive.

The TWLTL will improve safety along Independence Drive by reducing possible rear-end collisions due to vehicles slowing down to make a left-turn, as well as improve traffic operations by providing separate storage for left turns entering or exiting the Menlo Gateway site. In addition, travel lanes will be designed to be wider to include more space for cyclists using the shared lane. **Figure 5** illustrates the boundary of the 3-lane, 3-lane to 2-lane transition, and 2-lane section along Independence Drive.



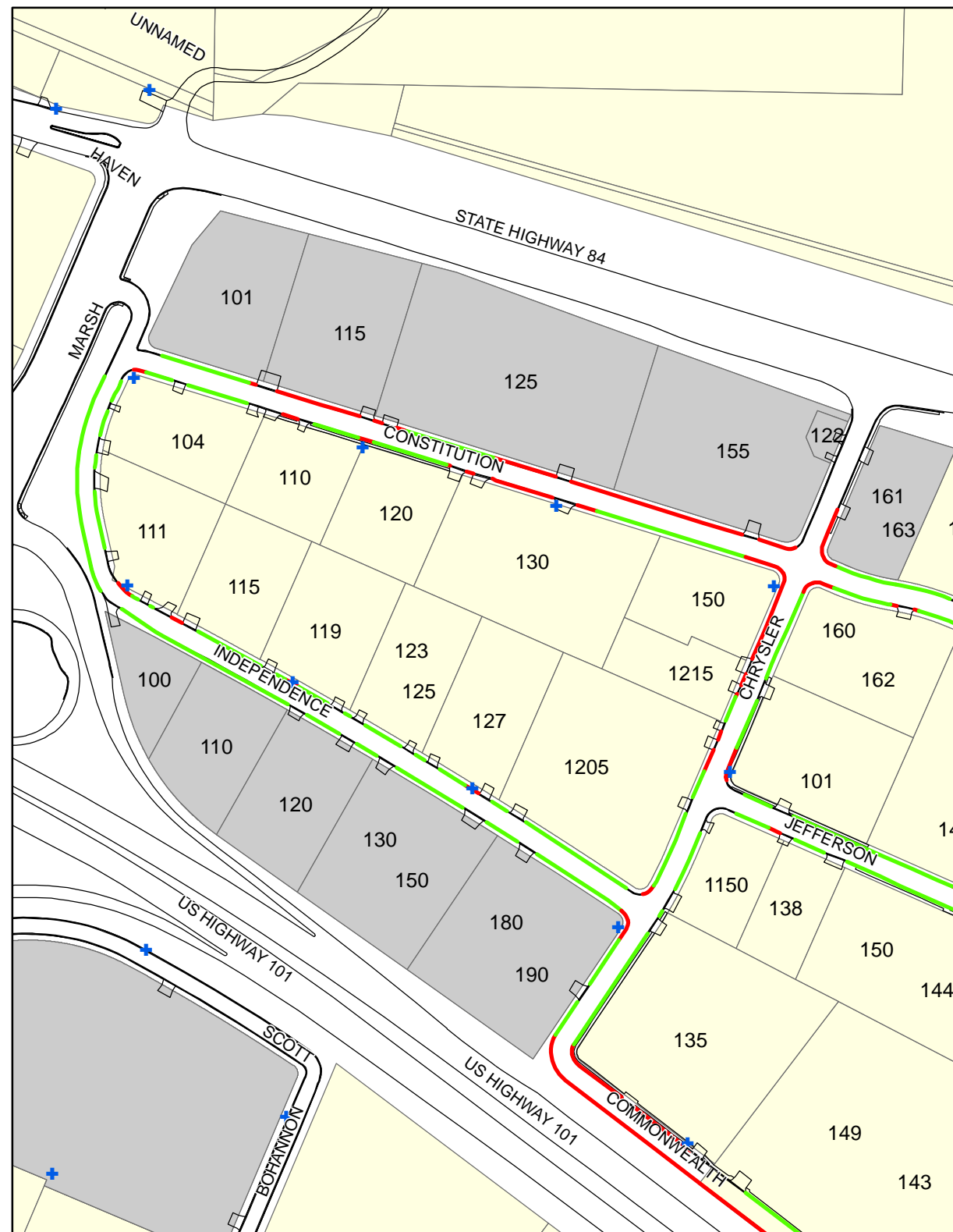
Zone	Side of Street	Total Length (feet)			Adjacent to Bohannon (feet)		
		Total	On-Street Parking	Red Curb	Total	On-Street Parking	Red Curb
West Constitution Drive	North	1,125	355	770	1,125	355	770
	South	1,244	714	530	0	0	0
	Total	2,369	1,069	1,300	1,125	355	770
East Constitution Drive	North	1,747	1,384	363	1,379	1,070	309
	South	1,965	1,266	699	1,056	540	516
	Total	3,712	2,650	1,062	2,435	1,610	825
Independence Drive	North	1,031	910	121	0	0	0
	South	1,413	1,346	67	979	912	67
	Total	2,444	2,256	188	979	912	67
Jefferson Drive	North	1,630	1,134	496	1,053	659	394
	South	1,719	1,293	426	1,008	751	257
	Total	3,349	2,427	922	2,061	1,410	651
Chrysler Drive	East	939	673	266	130	0	130
	West	887	437	450	246	179	67
	Total	1,826	1,110	716	376	179	197
Commonwealth Drive	North	635	346	289	0	0	0
	South	974	0	974	0	0	0
	Total	1,609	346	1,263	0	0	0
Overall Total		15,309	9,858	5,451	6,976	4,466	2,510

- Legend**
- + Fire Hydrant
 - Curb
 - Parking**
 - On-Street Parking
 - Red Curb
 - Zone**
 - West Constitution
 - East Constitution
 - Independence
 - Jefferson
 - Chrysler
 - Commonwealth
 - Parcels**
 - Other
 - Bohannon



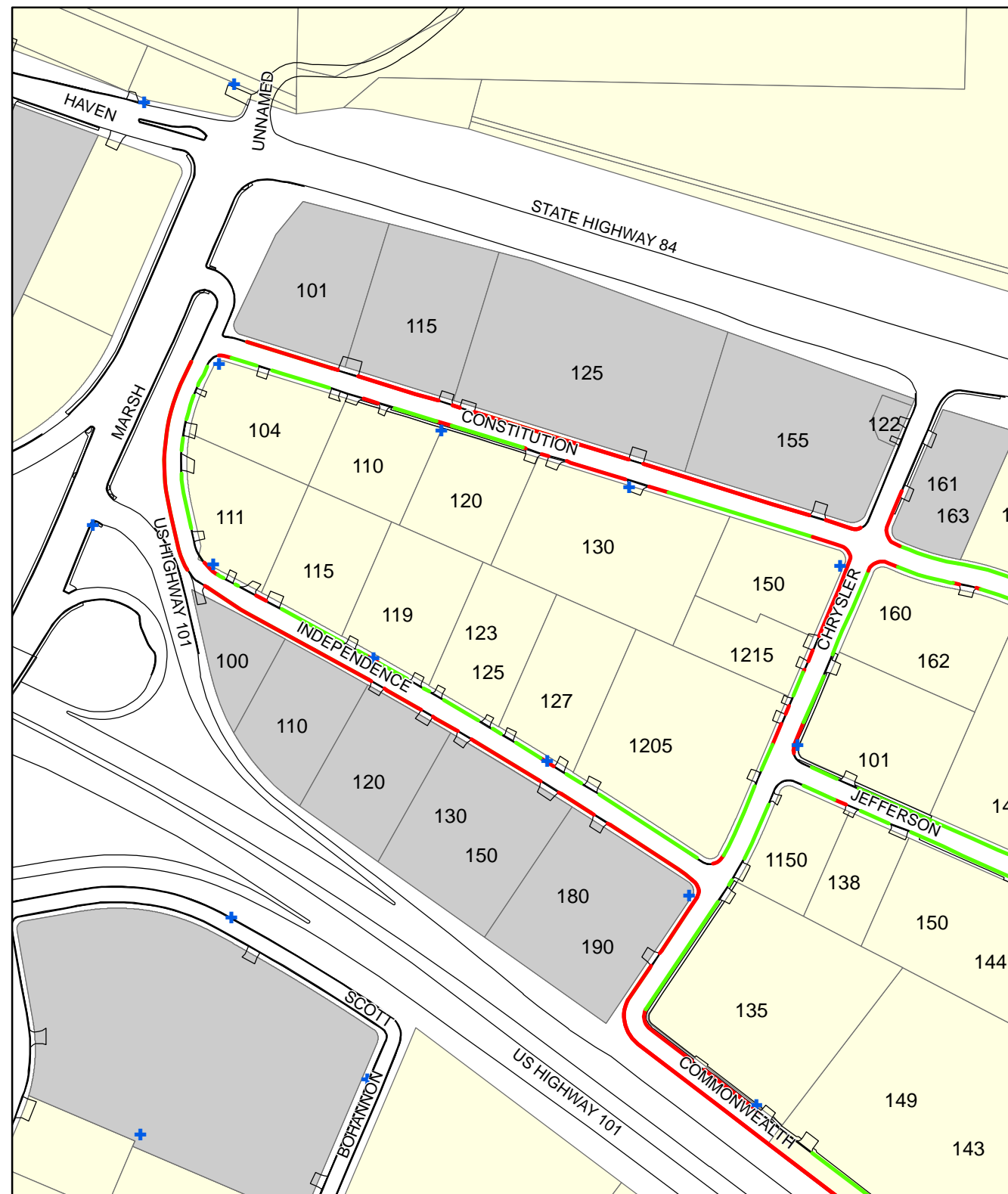
Source: City of Menlo Park

EXISTING



Source: City of Menlo Park

PROPOSED



Legend

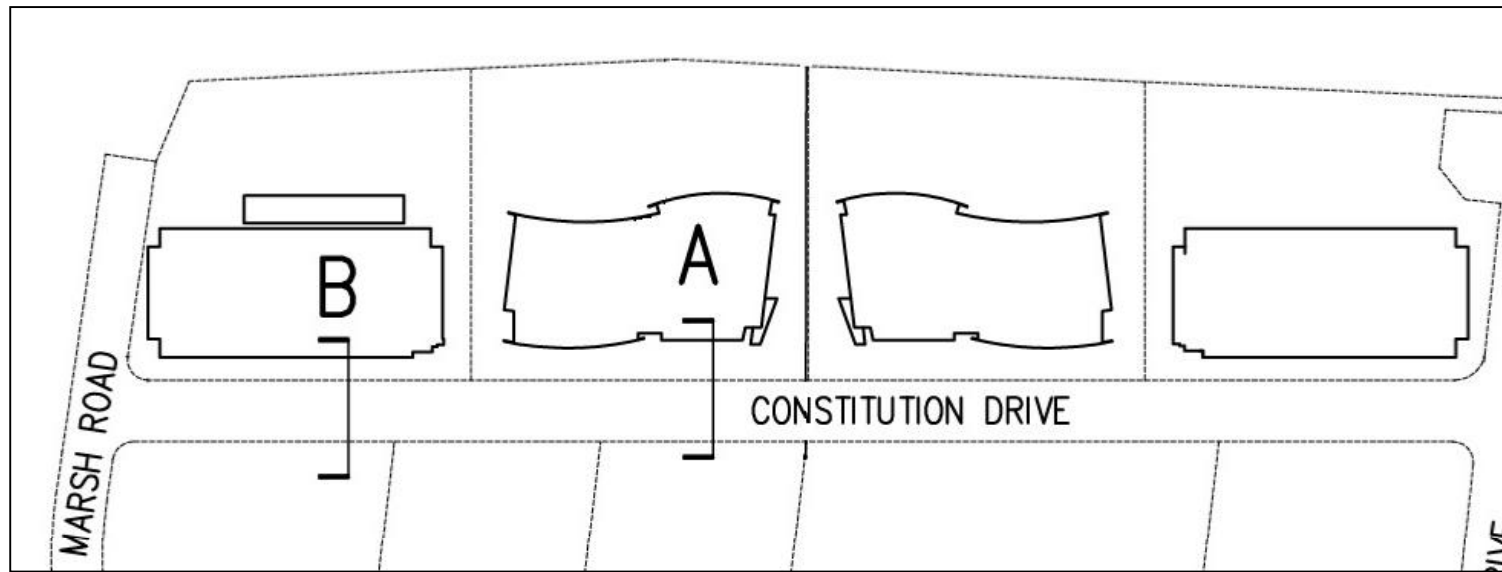
- + Fire Hydrant
- Curb

Parking

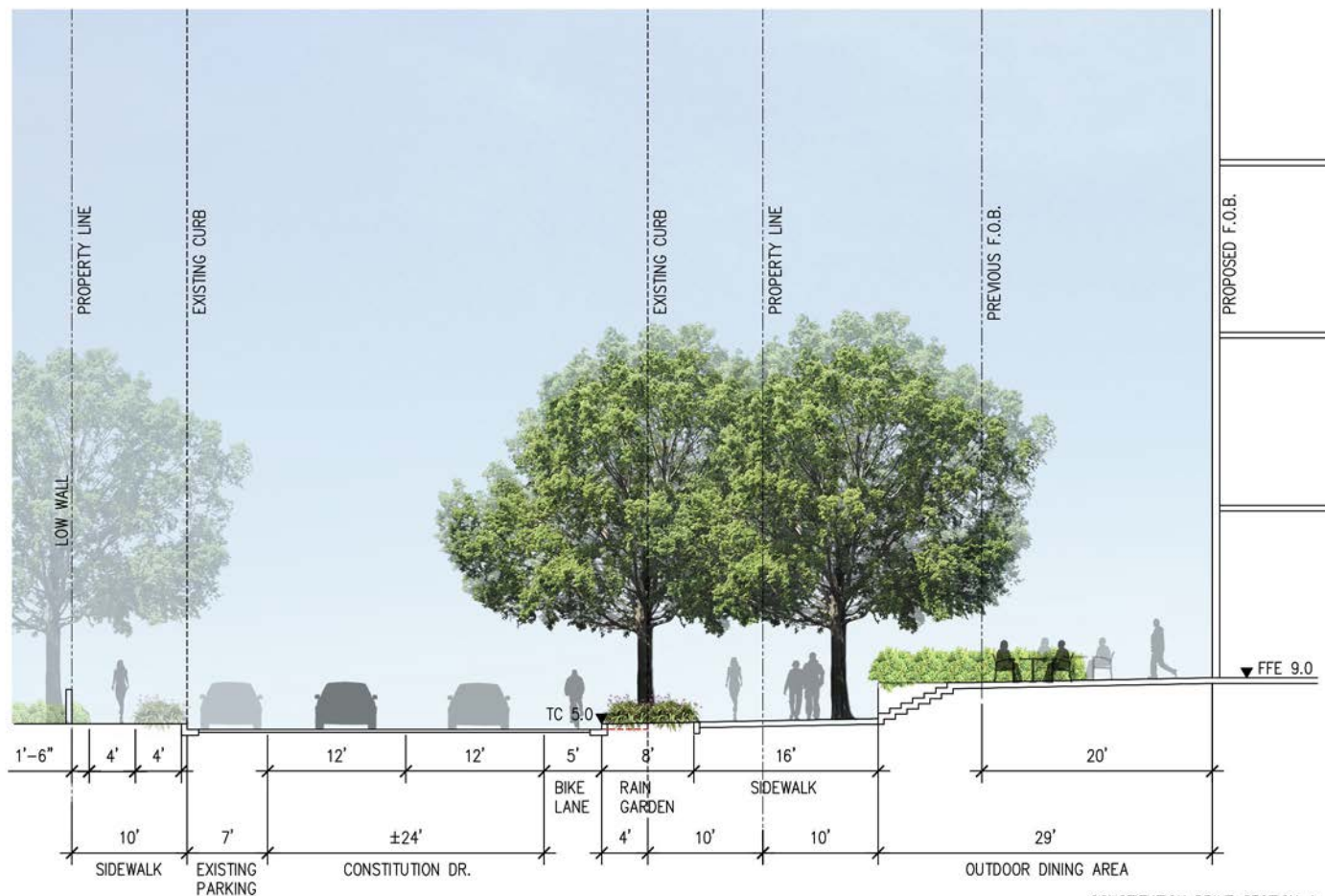
- On-Street Parking
- Red Curb

Parcels

- Other
- Bohannon

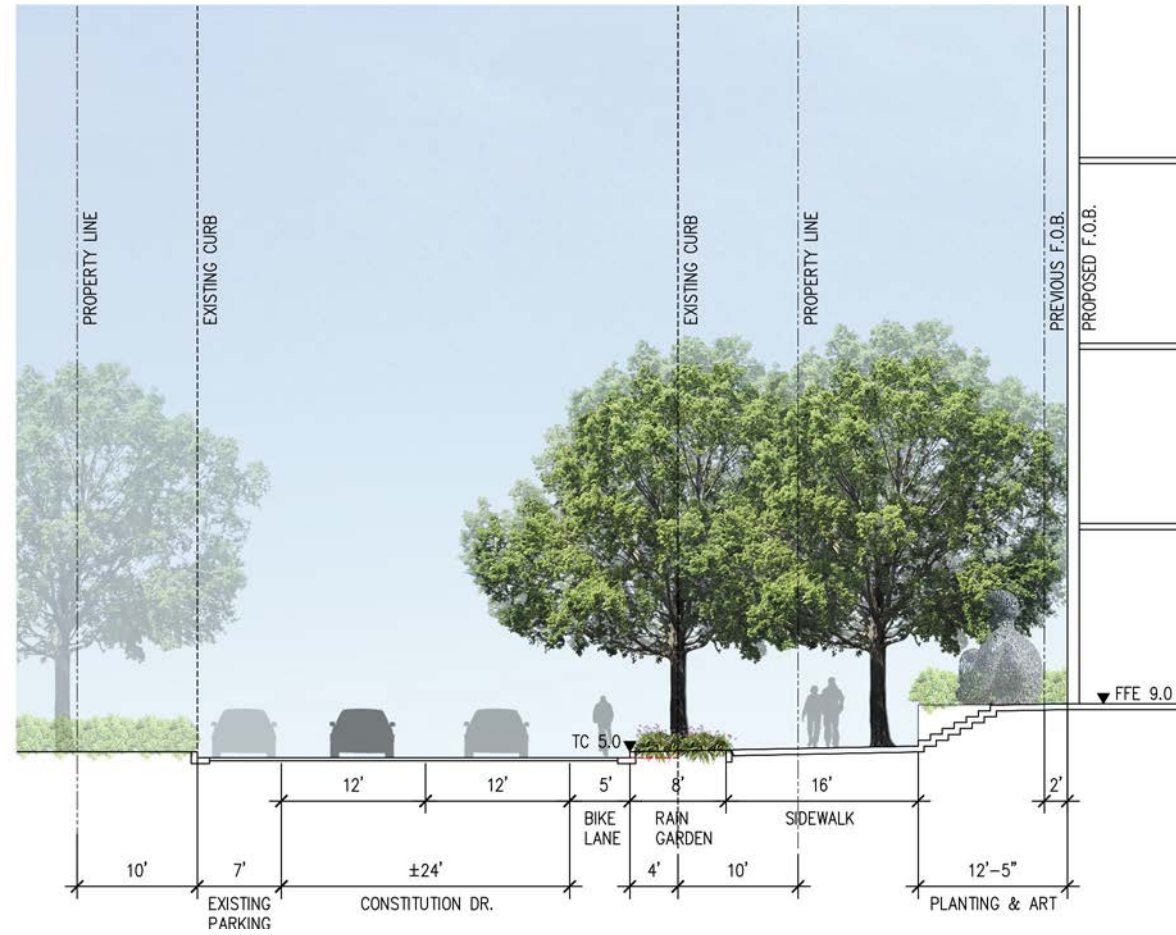


Source: SWA



Source: SWA

SECTION A
(Typical)



Source: SWA

SECTION B
(Typical)

FIGURE 3: PROPOSED CROSS-SECTION ON CONSTITUTION DRIVE

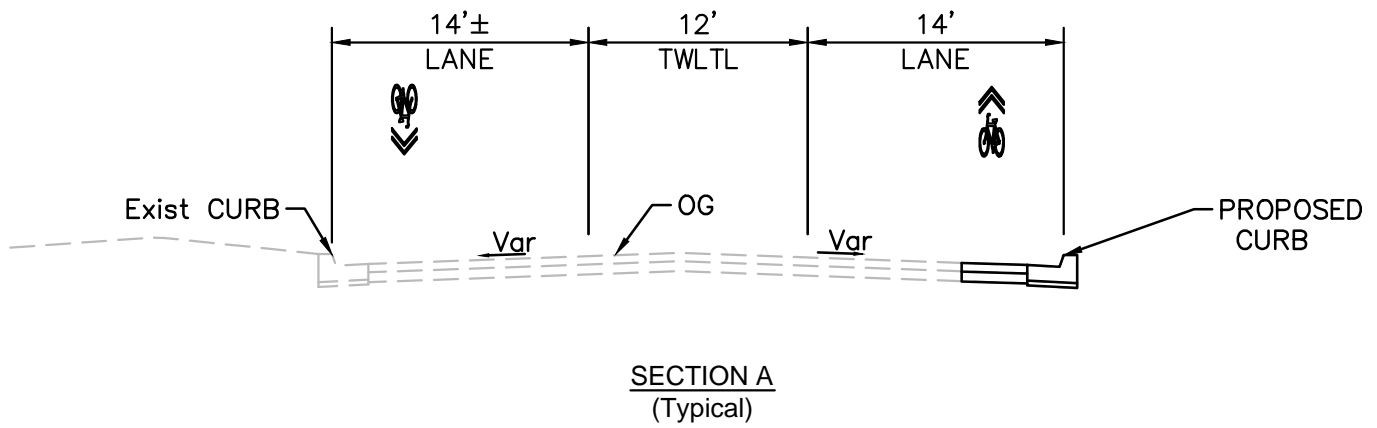
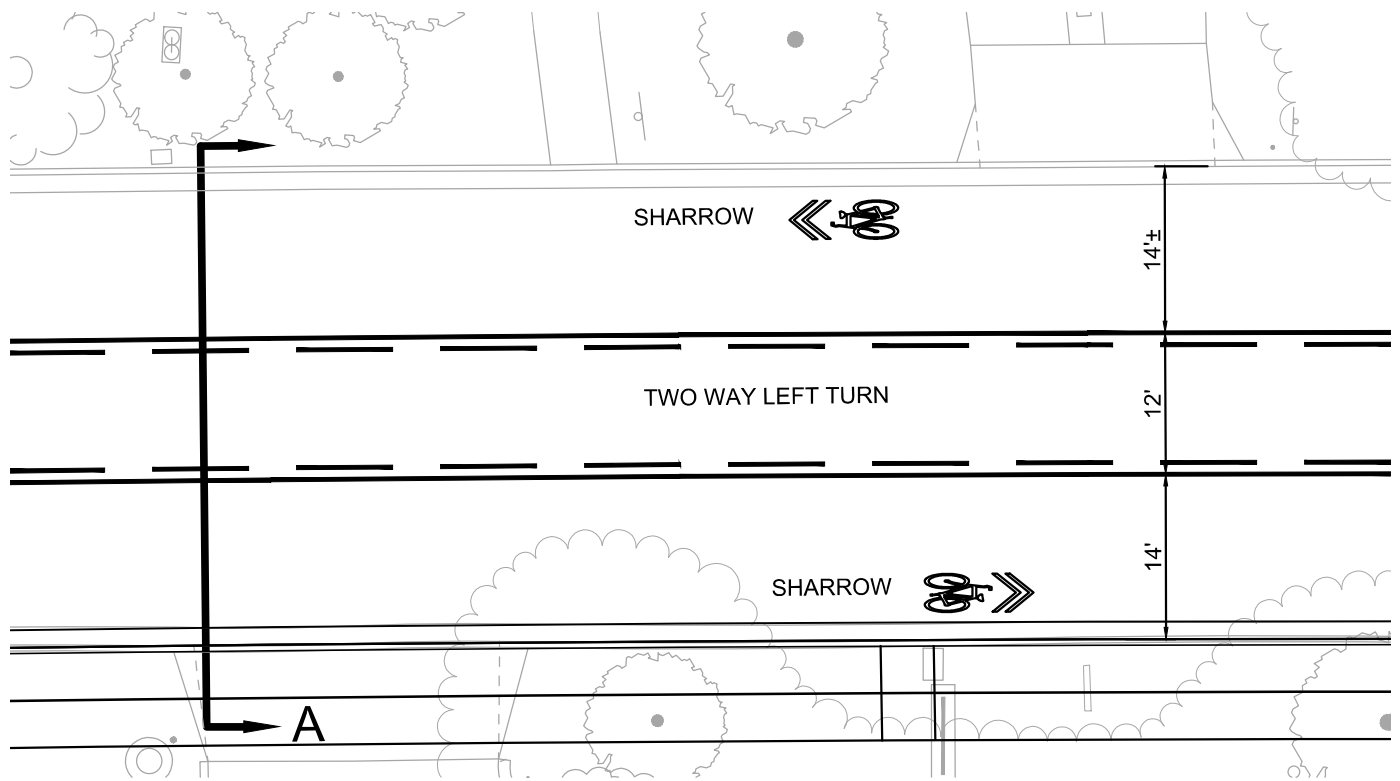


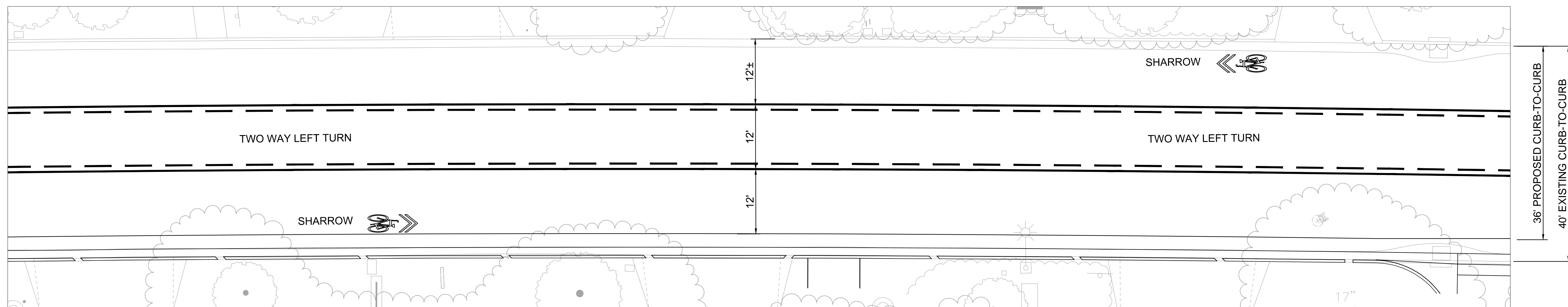
FIGURE 4: PROPOSED STRIPING ON INDEPENDENCE DRIVE



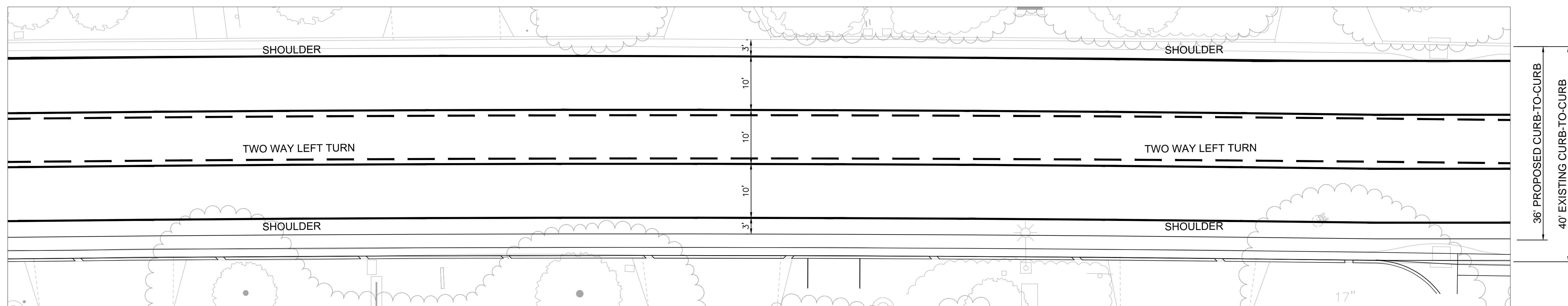
Source: Heller Manus Architects

FIGURE 5: BOUNDARY FOR 2-LANES AND 3-LANES SECTION ON INDEPENDENCE DRIVE

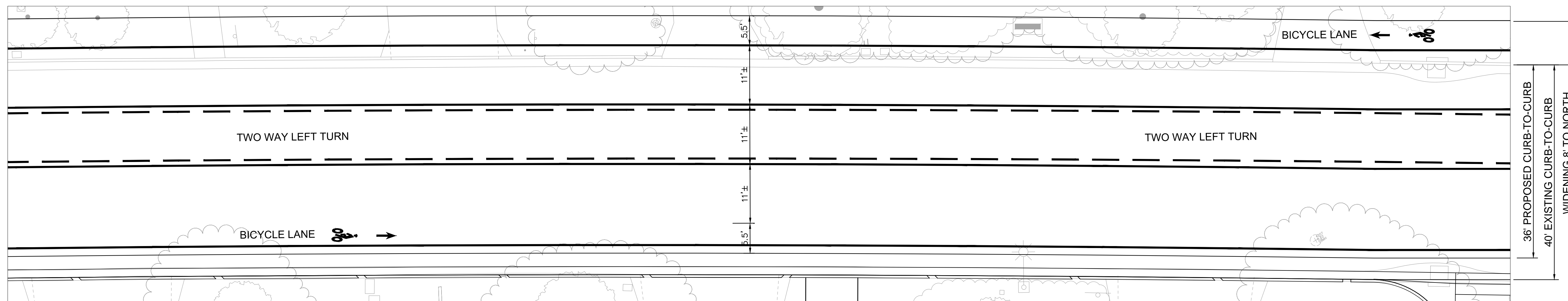
INTERIM (Typical Sharrow Alternative)



INTERIM (Typical Wide Shoulder Alternative)



FUTURE (Typical)



MENLO GATEWAY PROJECT - PROPOSED STRIPING ON INDEPENDENCE DRIVE

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MEMORANDUM

To: Justin Murphy
Assistant Community Development Director
City of Menlo Park

From: Michael Mowery, P.E.

Date: November 4, 2015

Subject: **Independence Site Parking Garage Queuing Analysis**

The Menlo Gateway Project (MGP) is proceeding with the design phase of the project development and many design elements are being refined and finalized to move towards the construction phase in 2015. One issue that requires attention is potential queuing from the two parking garage entrances on the Independence Site.

BACKGROUND

The Independence Site will have a proposed multi-level parking garage consisting of approximately 1,000 parking spaces. Based on plans dated October 15, 2015, the proposed parking garage is situated between the proposed office building to the west and the hotel to the east. The parking garage will have two entrances. One entrance will be located on the east side of the garage, approximately, 215 feet south of Independence Drive and will have two entries. One entry will consist of an ingress lane and an egress lane and will provide access to the first floor. The second east entry will consist of an ingress lane and an egress lane and will provide direct access to the 4th floor of the garage. The second main entrance to the garage will be located on the west side of the garage, approximately 165 feet south of Independence Drive and will consist of one ingress lane and one egress lane. Vehicles entering from the west will have direct access to the internal parking garage ramp to access the upper levels.

QUEUING ANALYSIS

The current site plan shows approximately 165 feet between the garage entrance and the nearby Independence Drive for the west entrance and 215 feet between the garage entrance and the nearby Independence Drive for the east entrance. One concern is potential queues from these gated entrances backing onto Independence Drive and disrupting traffic operations on Independence Drive. Due to potential queuing impacts, a queuing analysis was conducted for the east and west entrances.

It should be noted that the queuing analysis for the first floor entry at the east entrance was not conducted since it was assumed that entry would not be utilized during the peak period due to drivers avoiding possible internal queueing and would most likely utilize the east entrance for the express ramp to access the upper floors of the garage.

METHODOLOGY AND ASSUMPTIONS

For the queuing analysis, there were a number of assumptions made about the number of vehicle trips, as well as factors used in the queuing simulation tool, which are discussed in detail in this section.

Parking Garage Trips

Based on a memorandum to the City of Menlo Park dated April 27, 2015, the site will generate a total of 434 entering trips during the AM peak hour and a total of 316 entering trips during the PM peak hour. As a conservative approach, it was assumed that all entering trips for the site will utilize the parking garage whereas in reality there will be a percentage of trips that will not use the garage, such as drop-offs or those using other modes of transportation (transit, cycling, or walking).

Table 1 shows the distribution percentages of entering trips between the two garage entrances. For trips going to the office building and athletic club, it was assumed that 45 percent and 55 percent of trips would utilize the east and west entrances, respectively. These percentages were based on trip distribution provided in the Menlo Gateway Draft EIR. The number of Athletic Club was also broken down into patron and employees of the fitness center, which it was assumed that approximately 8 percent of trips would be for employees. For trips going to the hotel, it was assumed that all trips would utilize the east entrance. The number of trips for the hotel was further broken down into hotel guest trips and valet parking trips, where it was assumed that approximately 10 percent of trips would be for valet parking.

Table 1: Trip Distribution among Garage Entrances

Land Use	Total Trips		Trip Distribution		AM Peak		PM Peak	
	AM Peak	PM Peak	East	West	East	West	East	West
Office	273	51	45%	55%	123	150	23	28
Hotel (total)	88	116						
<i>Self-Park</i>	79	105	100%	0%	79	0	105	0
<i>Valet Park</i>	9	11	100%	0%	9	0	11	0
Athletic Club	73	149						
<i>Patron</i>	68	138	45%	55%	31	37	62	76
<i>Employee</i>	5	11	45%	55%	2	3	5	6
Total	434	316	-	-	244	190	206	110

For the queuing analysis, the trips entering at each entrance were assigned to one of the following user groups:

- **Frequent User** – Includes people who will frequently visit the Independence Site, such as employees of the hotel, office building, and fitness center; hotel valet parking; and members of the fitness center.
- **Infrequent User** – Includes people who will not frequently visit the Independence Site such as hotel guests, fitness center patrons, or office building visitors.

Table 2 shows the distribution of frequent and infrequent users for each entrance. The percentage of users is based off of the distribution for each garage. For the east entrance, the infrequent percentage is based on the number of hotel self-park and fitness center patron trips compared to the total number of trips for the east garage. For the west entrance, the infrequent percentage is based on the number of fitness center patron trips compared to the total number of trips for the west garage.

Table 2: Percentage of Frequent and Infrequent Users at each Entrance

Entrance	Frequent	Infrequent
East	55%	45%
West	80%	20%

Queuing Simulation

For the queuing analysis, a detailed simulation was conducted to determine the maximum expected queue and the variation in maximum expected queue. The queuing analysis was conducted for the total traffic entering the garage using a micro-simulation model within an Excel Spreadsheet.

During the peak hour, it was assumed that vehicle arrivals follow a Poisson distribution. Vehicles were assigned as a frequent or infrequent user, which corresponded with a range of service rates that could be randomly assigned to each vehicle. Service times represent the variation in time for a vehicle to travel through the entrance area. The range of service time can vary depending on the configuration of the garage entry way and whether an identification device will be used. For garages with security gates, automatic vehicle ID (AVI) or proximity card readers have a shorter service time compared to a user who needs to push a button to receive a ticket. **Table 3** shows the service times used for the analysis based on service rates listed in *Parking Structures, 3rd Edition*.

Table 3: Entry Service Rates

User Type	Device to Enter/Exit Garage	Service Rate (sec/veh)
Frequent	Automatic Vehicle ID (AVI) or Proximity Card	5 to 7
Infrequent	Ticket	9 to 12
Source: <i>Parking Structures, 3rd Edition, 2004.</i>		

For the queuing analysis, at least 100 iterations were run for the AM and PM peaks. A vehicle length of 25 feet was used.

RESULTS

The results of the queuing analysis for each entrance reported the distribution of expected queue lengths of one vehicle (25 feet), two vehicles (50 feet), three vehicles (75 feet), four vehicles (100 feet), etc. as shown in **Table 4**.

East Entrance

The east entrance has a maximum queue length storage of 215 feet. Any queue in excess of 215 feet will spill onto Independence Drive. **Table 4** shows the maximum queue length from the simulation runs and the distribution of expected maximum queue for each peak period.

Table 4: Maximum Queue of East Entrance

Peak Period	Max. Queue (feet)	Distribution of Maximum Queue Length (%)								
		25 ft	50 ft	75 ft	100 ft	125 ft	150 ft	175 ft	200 ft	>200 ft
AM Peak	350	0.0	0.0	0.2	10.4	35.4	31.7	13.9	5.8	2.6
PM Peak	275	0.0	0.0	1.6	34.5	38.0	18.0	5.1	1.8	1.0

During the AM peak, the maximum queue is 350 feet, which exceeds the queue storage of 215 feet for the east entrance by 135 feet (approximately six vehicles). The most frequent maximum queue length is 125 feet, which occurs 35.4 percent of the time. Overall, the queues for the east entrance exceed the queue storage 2.6 percent of the time, and therefore it should be expected that the queues will occasionally back up onto Independence Drive during the AM peak.

During the PM peak, the maximum queue is 275 feet, which exceeds the queue storage of 215 feet for the east entrance by 60 feet (approximately three vehicles). The most frequent maximum queue length is 125 feet, which occurs 38.0 percent of the time. Overall, the queue for the east entrance exceed the queue storage 1.0 percent of the time, and therefore it should be expected that the queues will occasionally back up onto Independence Drive during the PM peak.

West Entrance

The west entrance has a maximum queue length storage of 165 feet. Any queue in excess of 165 feet will spill onto Independence Drive. **Table 5** shows the maximum queue from the simulation runs and the distribution of expected maximum queue for each peak period for the west entrance.

Table 5: Maximum Queue of West Entrance (1 Gate)

Peak Period	Max. Queue (feet)	Distribution of Maximum Queue Length (%)						
		25 ft	50 ft	75 ft	100 ft	125 ft	150 ft	>150 ft
AM Peak	250	0.0	0.0	15.7	53.6	24.3	5.2	1.2
PM Peak	150	0.0	10.8	68.3	19.1	1.7	0.1	0.0

During the AM peak, the maximum queue is 250 feet, which exceeds the queue storage of 165 feet for the west entrance by 85 feet (approximately four vehicles). The most frequent maximum queue length is 100 feet, which occurs 53.6 percent of the time. Overall, the queues for the west entrance exceed the queue storage 1.2 percent of the time, and therefore it should be expected that the queues will occasionally back up onto Independence Drive during the AM peak.

During the PM peak, the maximum queue is 150 feet, which is less than the available queue storage of 165 feet for the west entrance. The most frequent maximum queue length is 75 feet, which occurs 68.3 percent of the time. Overall, the queue for the west entrance did not exceed the available queue storage, and therefore queuing from the west entrance is not expected to back up onto Independence Drive during the PM peak.

CONCLUSION

As part of the Menlo Gateway Project, the proposed parking garage will serve the office building, hotel, and fitness center on the Independence Site. The queuing analysis evaluated potential queuing impacts due to excess queuing from the east and west parking garage entrances. The queuing analysis utilized a queuing micro-simulation tool which determined queue length based on vehicle arrival and service times. The queuing analysis resulted in potential queuing impacts for the east parking garage entrance for both AM and PM peak periods. The queuing analysis resulted in potential queuing impacts for the west parking garage entrance during the AM peak.

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STAFF REPORT

City Council

Meeting Date: 1/26/2016
Staff Report Number: 16-013-CC

Consent Calendar: Adopt a resolution authorizing application to the San Mateo County Community Development Block Grant (CDBG) Program for projects in the Belle Haven neighborhood for the 2016-17 grant cycle

Recommendation

Staff recommends the City Council approve the resolution authorizing application to San Mateo County for CDBG funds for eligible programs in the Belle Haven neighborhood.

Policy Issues

Accepting grant funding is consistent with existing City Council policy.

Background

The Community Development Block Grant Program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low-income persons. The Federal Department of Housing and Urban Development (HUD) awards grants to grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services. Although Menlo Park does not qualify as an entitlement community (recipient of annual funds for distribution) due to the community's high income levels, the Belle Haven neighborhood is considered a "presumed benefit" area and eligible for funding for public services, minor home repair / micro enterprise development, housing projects and public facilities.

Analysis

CDBG grant dollars in San Mateo County are limited and competitive given the number of agencies needing funds for services to low income residents. City staff believe there may be Capital Improvement projects in the CIP in the City's Belle Haven neighborhood that may successfully compete for funding in the Public Facilities category. Two projects that staff has identified include the Belle Haven Pool deck lighting project and the Belle Haven Child Development Center floors, kitchen and bathroom remodel.

Impact on City Resources

Minimum grant amounts are \$25,000 under the CDBG guidelines. Acceptance of grant funds for repairs and maintenance to public facilities would allow City General Fund dollars to be used for other priorities.

Environmental Review

Environmental review is not required for this project.

Public Notice

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

Attachments

A. Resolution

Report prepared by:
Derek Schweigart
Community Services Manager

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO AUTHORIZE APPLICATION TO THE SAN MATEO COUNTY FY 2016-17 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR ELIGIBLE PROJECTS IN THE BELLE HAVEN NEIGHBORHOOD OF MENLO PARK

WHEREAS, each year the federal Department of Housing and Urban Development (HUD) makes funding available to low income communities for public services, housing, public facilities and minor home repair through the Community Development Block Grant Program (CDBG); and

WHEREAS, the County of San Mateo administers these funds for cities that are not classified as Entitlement communities (such as Menlo Park); and

WHEREAS, Menlo Park's Belle Haven neighborhood is one of three "presumed benefit" communities in San Mateo County according to CDBG guidelines; and

WHEREAS, the City of Menlo Park desires to utilize all available resources to support improvements to quality of life in Belle Haven, including improving public facilities and supporting minor home repair which are eligible for CDBG funding; and

WHEREAS, the deadline for application is January 22, 2016 and the application requires City Council authorization.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the City Manager to apply for CDBG funding for eligible projects and implement those projects in accordance with grant requirements if funding is awarded.

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 twenty sixth day of January, 2016, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty sixth day of January, 2016.

Pamela Aguilar
City Clerk

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REGULAR MEETING MINUTES - DRAFT

Date: 1/12/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

7:00 P.M. Regular Session

A. Call To Order

Mayor Cline called the Regular Session to order at 7:04 p.m.

B. Roll Call

Present: Carlton, Cline, Keith, Mueller, Ohtaki
Absent: None
Staff: City Manager Alex McIntyre, City Attorney Bill McClure, City Clerk Pam Aguilar

C. Pledge of Allegiance

Mayor Cline led the pledge of allegiance.

D. Study Session

- D1. Presentation of 2015 Community Survey Results by Bryan Godbe of Godbe Research and discussion in preparation for upcoming Council Goal Setting session ([presentation](#)) ([handout](#))

City Manager McIntyre introduced the item and Bryan Godbe made the presentation. Council thanked staff and Mr. Godbe for their work on the survey and report.

E. Public Comment

- John Langbein spoke regarding bike lanes on Santa Cruz Avenue north of Sand Hill Road, Alameda de las Pulgas, and removal of signage on Middle Avenue ([handout](#))
- David Dailey spoke regarding a memorial bench at Peets, traffic, the community survey and also surveying businesses ([handout](#))
- Andrew Barnes spoke regarding M-2 area zoning and thanked Council and staff for their work

F. Consent Calendar

- F1. Adopt **Resolution 6299** authorizing the City Manager to accept the MTC OneBayArea Grant in the amount of \$498,783 and execute the Program Supplement Agreement No. 016-N with Caltrans and subsequent amendments necessary for the construction of the Menlo Park/Atherton Pedestrian and Bicycle Improvement Project ([Staff Report # 16-006-CC](#))

- F2. Approve **Resolution 6300** confirming that the cultivation of medical marijuana is prohibited pursuant to the City's Permissive Zoning Ordinance ([Staff Report # 16-004-CC](#))
- F3. Approve minutes for the City Council meeting of December 15, 2015 ([Attachment](#))

ACTION: Motion and second (Keith/Ohtaki) to approve all items on the Consent Calendar passes unanimously.

G. Public Hearing

- G1. Consider a request for Architectural Control, Major Subdivision, Below Market Rate (BMR) Housing Agreement, and Heritage Tree Removal Permit to allow the demolition of existing garden nursery buildings, and construction of 24 attached townhouse-style residential units and associated site improvements, located at 133 Encinal Avenue in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district ([Staff Report # 16-005-CC](#))([Staff Presentation](#))([Applicant Presentation](#))

Senior Planner Jean Lin made a presentation and responded to Council questions.

Mayor Cline opened the Public Hearing.

Jessica Musick of KTGy, architect for the applicant, made a presentation. Deke Hunter of Hunter Properties, applicant, spoke on his own behalf.

Public Comment:

- Scott Philips spoke in support of the project
- John Onken spoke, as a resident, in support of the project

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

Council discussion ensued regarding the carriage house, heritage trees, playground mulch, BMR housing, simulated divided light windows, EV (electric vehicle) charging and solar provisions.

ACTION: Motion and second Keith/Ohtaki to:

1. Approve the Below Market Rate (BMR) Housing Agreement to provide 3 on-site BMR units
2. Adopt **Resolution 6301** approving the Heritage Tree Removal Permits to allow the removal of 5 heritage trees at the property located at 133 Encinal Avenue
3. Adopt the following findings, per Section 16.68.020 of the Zoning Ordinance (and as listed in the staff report), pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood

- d. The development is consistent with the El Camino Real/Downtown Specific Plan as verified in detail in the Standards and Guidelines Compliance Worksheet
4. Adopt findings (as stated in the staff report) that the proposed Major Subdivision to create 24 condominiums is technically correct and in compliance with all applicable State regulations, City General Plan, Zoning and Subdivision Ordinances, and the State Subdivision Map Act.

The motion passes unanimously.

H. Regular Business

- H1. First reading of ordinance and resolutions to allow Menlo Park to: 1) join Peninsula Clean Energy (PCE), 2) appoint City representatives to the PCE Board, and 3) provide direction to City PCE representatives regarding the characteristics of power and rates that the City prefers ([Staff Report # 16-001-CC](#)) ([Presentation](#))

Environmental Programs Manager Heather Abrams made a presentation.

Public Comment:

- Diane Bailey, Menlo Spark, spoke in support of the ordinance and regarding climate change
- Michael Closson, Menlo Spark, spoke in support of joining PCE
- Scott Marshall spoke in support of joining PCE
- Jan Butts spoke in support of joining PCE

ACTION: Motion and second (Carlton/Mueller) to: (1) approve the first reading of the ordinance allowing the City of Menlo Park to join Peninsula Clean Energy (PCE), (2) approve **Resolution 6302** authorizing the City Manager to execute the Joint Exercise of Powers Agreement establishing the PCE with the City as a charter member and appointing a director and alternate director, and (3) approve **Resolution 6303** directing PCE's representatives to select the highest level of renewable energy that costs less than PG&E rates, with the amendments regarding price parity and carbon reduction, passes unanimously.

ACTION: Motion and second (Keith/Mueller) to appoint Councilmember Carlton as the City representative and Mayor Rich Cline as the alternate to the Peninsula Clean Energy Board passes unanimously.

Councilmember Carlton stated that she will bring items being considered by the PCE before the Council as a Consent Calendar item prior to voting on them.

- H2. First reading of the required update to the Water Efficient Landscape Ordinance (WELO) ([Staff Report # 16-002-CC](#)) ([Presentation](#))

Environmental Programs Manager Heather Abrams made a presentation.

Public Comment:

- Scott Marshall requested that residential remodeling projects be included in the ordinance

Councilmember Ohtaki requested staff to provide information regarding residential use cases and when WELO is triggered.

ACTION: Motion and second (Ohtaki/Mueller) to approve the first reading of an ordinance amending Chapter 12.44 regarding water conservation in landscaping passes 4-0-1 (Councilmember Carlton abstained).

I. Informational Items

- I1. Update on 2015 City Council goals ([Staff Report # 16-003-CC](#))

City Manager McIntyre stated that a facilitator will not be used for the goal setting session and requested the City Council to provide dates and times of their availability to schedule the meeting.

J. Councilmember Reports

- J1. Councilmember Mueller informed the Council of a grant funding opportunity for renewable energy and that the application deadline is upcoming; he gave an update on the snack bar expansion project and also that the Education Equity JPA will release a legal memo shortly which he will provide to City Council when available.

K. City Manager's Report

- K1. City Manager McIntyre reported that City staff is prepared for potential flooding of the San Francisquito creek and that they are working in conjunction with the cities of East Palo Alto and Palo Alto as well as the SFCJPA.

L. Adjournment

Mayor Cline adjourned the meeting at 9:47 p.m. in memory of former Councilmember Andy Cohen and Menlo Park employee Clarence Webster Jr.

Pamela Aguilar
City Clerk



STAFF REPORT

City Council
Meeting Date: 1/26/2016
Staff Report Number: 16-007-CC

Regular Business: Consideration of approval of the terms of an agreement between the City of Menlo Park and the Menlo Park Police Officers' Association

Recommendation

Approve the terms of a collective bargaining agreement between the City of Menlo Park and the Menlo Park Police Officers' Association (POA), and authorize the City Manager to execute a Memorandum of Understanding (MOU) with a term of January 27, 2016 through June 30, 2017.

Policy Issues

This recommendation aligns with the City's goals of balancing continued fiscal prudence in planning for potential impacts of employee retirement benefits, while also continuing to align the City as a competitive employer in the increasingly robust job market of the Silicon Valley.

Background

On May 19, 2014, in accordance with Council's Public Input and Outreach Regarding Labor Negotiations policy, a staff report was placed on the City Council agenda providing an opportunity for public comment prior to the commencement of labor negotiations. The staff report provided a summary of background information related to labor negotiations, a summary of bargaining unit information, personnel cost information, and the methodology used to determine a competitive and appropriate compensation package. At that meeting, there was no public comment.

The Menlo Park Police Department staff includes 33 police officers and 4 corporals represented by the Police Officers' Association (POA). The City's and the POA's negotiation teams commenced negotiations on June 02, 2015. The parties met on approximately 12 occasions and reached a Tentative Agreement (TA) on December 22, 2015. The POA notified the City that the TA was ratified by the membership on January 6, 2016.

Analysis

A complete copy of the Comprehensive Tentative Agreement is attached. The Tentative Agreement is on a full MOU, between the City and POA. The following is a summary of the key provisions and/or changes from the previous MOU (all changes from the prior MOU are reflected in the attached TA).

Key provisions and/or changes:	
Term	January 27, 2016 (pending City Council approval) - June 30, 2017
Pay Rates	<p>Year 1- No change</p> <p>Year 2- Effective the beginning of the first full pay period following July 1, 2016, the pay rates for officers in this representation unit shall be increased in an amount equal to the increase in the CPI-U for the San Francisco-Oakland-San Jose MSA, measured for the period from February 2015 to February 2016. The increase shall be capped at 3%.</p>
Detective Standby Pay	Effective the beginning of the first full pay period after ratification of this agreement by the membership and approval by the City Council, standby pay for detectives will increase to 6 hours of pay at the members regular rate of pay, for each week he or she is assigned to on call duty. Language also now defines detectives on call for one week periods.
Medical Benefits	<p>Effective the first of the month following City Council ratification of this agreement, the City shall make a non-elective employer contribution to the flexible benefits plan on behalf of each active employee in the following amounts:</p> <p>\$2,086.00 per month - family coverage \$1,605.00 per month - two-person coverage \$803.00 per month - single coverage \$349.00 per month - insurance waiver</p> <p>Effective January 1, 2017, the City shall make a non-elective employer contribution to the flexible benefits plan on behalf of each active employee in the following amounts:</p> <p>\$2,128.00 per month - family coverage \$1,647.00 per month - two-person coverage \$845.00 per month - single coverage \$391.00 per month - insurance waiver</p> <p>The 2017 increase represents \$42 per month increase for all bargaining unit members in recognition of the elimination of the Education Leave/Tuition Reimbursement/Child Care/Recreation program, which will be discontinued on December 31, 2016.</p>
Vision	Effective January 01, 2017, the City shall pay the full cost for fully insured Vision Insurance provided by VSP, or an equivalent insurance provider, providing vision benefits as described in the summary plan description.
Patrol Work Schedule	Reverts patrol officer schedule back to a 2184 hour a year from 2080 hours a year schedule. Pursuant to FLSA 7(k) exemption, overtime would not be applicable until an officer worked over 168 hours in a 28-day work period.

Retirement	<p>As soon as practicable, the City will modify its contract with CalPERS to provide for a 3.0% additional Member Contribution over and above the Normal Contributions for classic members. The total member contribution for classic members will be 12%.</p> <p>Each member designated by CalPERS as a “new member” (PEPRA member) in accordance with applicable laws shall contribute the greater of half of the normal cost share or 12%. In the event that half the normal cost is less than 12%, PEPRA members will contribute an amount equal to the difference between half the normal rate and 12% of the employer’s contribution to PERS. Additional contributions as described above shall be taken as a pre-tax deduction.</p>
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Impact on City Resources

This Tentative Agreement results in a fiscal impact for the life of the agreement of approximately \$250,800 to \$434,000. This range is based on the salary increase from 0%-3%(cap) based on the CPI-U measurement described above. The total cost is within the adopted budget for 2015-16 and the City Council’s fiscal forecast for 2016-17.

Environmental Review

No environmental review is required for this item.

Public Notice

Public Notification was achieved by posting the report 15 days prior to the Council meeting of January 26, 2016.

Attachments

- A. Comprehensive Tentative Agreement between the City of Menlo Park and POA
- B. Tentative Agreement Article 5- Holidays
- C. Tentative Agreement Article 6.3 Personal Business Leave
- D. Tentative Agreement Article 13- On Call Status for Detectives

Report prepared by:

Dave Bertini, Interim Human Resources Director

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City of Menlo Park/POA Negotiations | 2015

COMPREHENSIVE TENTATIVE AGREEMENT

1. TERMARTICLE 21: TERM OF AGREEMENT

21.1 This Agreement shall remain in full force and effect up to and including June 30, ~~2015~~ 2017. The terms of this Agreement shall be effective upon the adoption of this Agreement by the City Council except as otherwise provided by specific articles of this Agreement

2. WAGESARTICLE 13: PAY RATES AND PRACTICES13.1 **Salary Schedule**

The salary schedule for officers in the representation unit shall be as set forth in Appendix "A" to this Agreement. ~~There shall be no adjustment to the salary schedule during the term of this Agreement.~~

Effective the beginning of the first full pay period following July 1, 2016, the pay rates for officers in this representation unit shall be increased in an amount equal to the increase in CPI-U for the San Francisco-Oakland-San Jose MSA, measured for the period from February 2015 to February 2016. The increase shall be capped at 3%.

~~13.2 **One Time Bonus**~~

~~All current active officers shall receive a one-time bonus of Nine Hundred Dollars (\$900.) Said bonus payment shall be distributed to current active officers the first pay date subsequent to the first full pay period after ratification of this Agreement by the membership and approval by City Council.~~

DL
12/22/15

COMPREHENSIVE TENTATIVE AGREEMENT

3. CAFETERIA PLAN

ARTICLE 6: LEAVE PROVISIONS

6.9 Educational Leave/Tuition Reimbursement/Child Care/Recreation (prior Sec 6.12)

6.9.1 Effective July 1, 2015, the City shall contribute Five Hundred Dollars (\$500) per authorized full time unit position ~~annually on July 1st of each fiscal year~~ to an educational leave/tuition reimbursement/child care/recreation fund for unit members. Effective July 1, 2016, the City shall contribute Two Hundred and Fifty Dollars (\$250) (half the annual allotment) per authorized full time unit position to the fund. Each officer shall be eligible to use up to Two Thousand Dollars (\$2,000) per year for items covered under this section while a balance remains in the fund. Any fund balance remaining at the end of the fiscal year shall be applied on a proportionate basis to claims in excess of the Two Thousand Dollars (\$2,000) per officer limit, up to a maximum of Five Thousand Dollars (\$5,000) per officer. Claims for funds in excess of the Two Thousand Dollar (\$2,000) limit shall be submitted no later than July 15 following the close of the fiscal year so that the proportionate amounts can be calculated and disbursed. All claims must be approved in advance by the Chief of Police, and must qualify under applicable IRS code sections.

Effective December 31, 2016, this fund shall be discontinued. And Section 6.9 will be deleted from the MOU.

[Note: this fund will be replaced by the increased cafeteria plan contribution effective January 1, 2017]

W
12/22/15

COMPREHENSIVE TENTATIVE AGREEMENT

ARTICLE 17: BENEFIT PROGRAMS

17.1 Cafeteria Plans

17.1.1 Each active employee and retiree shall receive a City contribution equal to the minimum employer contribution for agencies participating in the Public Employees Medical and Hospital Care Act (PEMHCA).

17.1.2 Each active employee shall be allocated an amount, inclusive of the City contribution specified in Section 17.1.1 to be used to purchase qualified benefits as described in this Section. The amount shall be allocated to each worker according to the health benefits selected, as follows:

\$1,681.50 per month	family coverage
\$1,296.55 per month	two-person coverage
\$ 648.26 per month	single person coverage
\$ 154.68 per month	no coverage

17.1.3 Effective the first of the month following City Council approval of this agreement, the City shall make a non-elective employer contribution to the flexible benefits plan on behalf of each active employee in an amount which together with the minimum PEMHCA contribution in 17.1.1 equals the following:

<u>\$2,086 per month</u>	<u>Employee plus 2/more dependents</u>
<u>\$1,605 per month</u>	<u>Employee plus 1 dependent</u>
<u>\$ 803 per month</u>	<u>Employee only</u>

[EXAMPLE: If the PEMHCA minimum contribution is \$122, then the City shall make a flexible benefits plan contribution of \$1,964 per month for family coverage.]

Employees who waive coverage will be entitled to \$349 per month.

17.1.4 Effective January 1, 2017, the City shall make a non-elective employer contribution to the flexible benefits plan on behalf of each active employee in an amount which, together with the minimum PEMHCA

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COMPREHENSIVE TENTATIVE AGREEMENT

contribution in 17.1.1 equals the following:

<u>\$2,128 per month</u>	<u>Employee plus 2/more dependents</u>
<u>\$1,647 per month</u>	<u>Employee plus 1 dependent</u>
<u>\$ 845 per month</u>	<u>Employee only</u>

[EXAMPLE: If the PEMHCA minimum contribution is \$122, then the City shall make a flexible benefits plan contribution of \$2,006 per month for family coverage.]

Employees who waive coverage will be entitled to \$391 per month.

[Note: 2017 cafeteria plan increases represent a \$42 per month increase for all bargaining unit members in recognition of the elimination of the Educational Leave/Tuition Reimbursement/Child Care/Recreation program]

17.3 Vision Plan (New)

Effective January 1, 2017, the City shall pay the full cost for fully insured Vision Insurance provided by VSP, or an equivalent insurance provider, providing vision benefits as described in the summary plan description.

[Incorporate all changes from sideletter]

4. PATROL WORK SCHEDULE

ARTICLE 7: WORK SCHEDULE

7.2 4/12 Work Schedule

A 4/12 work schedule is defined as a series of twelve (12) hours per day worked in four consecutive days followed by four consecutive days off. The maximum assignment may total 168 hours in a twenty-eight (28) day cycle, ~~however a regular schedule may be developed that incorporates shorter shift(s) within the four on/four off pattern to reduce the regular paid time to 160 hours.~~ If utilized, the schedule is subject to the following:

[No change to sections 7.2.1-7.2.4]

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12/22/15

COMPREHENSIVE TENTATIVE AGREEMENT

ARTICLE 13: PAY RATES AND PRACTICES

13.9 Overtime and Compensatory Time

13.9.1 Officers on a forty (40) hour assignment shall be paid overtime at the rate of time and one-half (1-1/2) their regular rate of pay for all hours worked in excess of forty (40) hours in a single workweek. Officers who work a patrol schedule under a 7(k) work period as allowed under the Fair Labor Standards Act shall receive overtime for all hours worked in excess of one hundred sixty-~~eight (168) (160)~~ hours in a 28-day work period. Hours worked shall include all hours for which the officer is in a paid status including paid leave time.

5. PERS

Military Service Buy back - No MOU Provision - As soon as practicable, City will pass resolution to allow employees to purchase military service on a pre-tax basis, so long as the resolution does not create any additional cost to the City.

ARTICLE 14: RETIREMENT BENEFITS

14.3 City's Contribution to Retirement

14.3.1 The City shall pay the rate prescribed by the Public Employees' Retirement System for employer contributions to the Public Employees' Retirement System in accordance with the rules and regulations governing such employer contributions.

14.3.2 ~~Effective with the pay period beginning July 3, 2011, Each classic~~ employee shall contribute three percent (3.00%) toward the employer's contribution to the Public Employees' Retirement System. The amount ~~shall be taken as an after tax deduction from the employee's paycheck each payroll period.~~

~~14.3.3 Effective as soon as practicable and after July 1, 2013, the employee three percent (3.00%) contribution toward the employer's contribution to the Public Employees' Retirement System (PERS) shall be taken as a pre-tax deduction from the employees' paycheck each payroll period. The City and POA agree, that the three percent (3%) will continue past the expiration of the MOU. If~~

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12/22/15

COMPREHENSIVE TENTATIVE AGREEMENT

for any reason the City is precluded from making the three percent (3%) deduction or the deduction cannot be made on a pre-tax basis the parties agree to meet and confer regarding ways to cure the defect.

14.3.2.1 As soon as practicable, the City will modify its contract with CalPERS to provide for a 3.0% additional Member Contribution over and above Normal Contributions for classic members. This means that classic members will make an additional 3.0% contribution into their member account and will cease making the contribution in 14.3.2. The total member contributions for classic employees will be 12%.

14.3.2.2 Upon completion of the contract amendment process in 14.3.2.1, the additional payment in 14.3.2 shall cease.

14.3.3 Each employee designated by CalPERS as a "new member" (PEPRA member) in accordance with applicable laws shall contribute the greater of half of the normal cost or twelve percent (12.00%).

14.3.3.1 In the event that half of the normal cost is less than twelve percent (12%), PEPRA members will contribute an amount equal to the difference between half of the normal cost and twelve percent toward the employer's contribution to the Public Employees' Retirement System. For example, if half of the normal cost is 11.5%, PEPRA members will contribute an additional 0.5%, for a total of 12%.

14.3.3.2 Any additional employer contribution paid by PEPRA members shall be taken as a pre-tax deduction from the employees' paycheck each payroll period.

Handwritten signature and date:
12/22/15

COMPREHENSIVE TENTATIVE AGREEMENT

6. FULL UNDERSTANDING

ARTICLE 18: FULL UNDERSTANDING MODIFICATION AND WAIVER

- 18.1 This Memorandum of Understanding sets forth a full and entire understanding of the parties regarding the matters set forth herein, and any and all prior or existing Memoranda of Understanding, understandings and agreements regarding the matters set forth herein, whether formal or informal, are hereby superseded and terminated in their entirety.
- 18.2 No practice or benefit provided by this Memorandum of Understanding shall be modified without the mutual agreement of the City and P.O.A.
- 18.3 **If the City proposes to change any matter within the scope of representation which is not covered by this Memorandum of Understanding, the City shall provide the P.O.A. with notice and an opportunity to meet and confer over said change consistent with state law.**


[Delete provisions 18.3, 18.4, 18.5, and 18.6]

Both parties to drop all other proposals. All provisions not modified remain status quo.

Existing TA's

1. Art. 5 – Holidays
2. Art 6.3 – Personal Business Leave
3. Art. 13.10 – On Call Status for Detectives

FOR CITY:



David Bertini Date
Interim Human Resources Director

FOR POA:



Dennis Wallach Date
Menlo Park POA Business Agent

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City of Menlo Park/POA Negotiations | 2015

Tentative Agreement**Article 5: Holidays****ARTICLE 5: HOLIDAYS**

5.1 Except as otherwise provided, officers within the representation unit shall have the following fixed holidays with pay:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Admission Day	September 9
Veterans Day	November 11
Thanksgiving	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25

One full day either December 24 or December 31

5.1.1 Designation of which one full day on either December 24 or December 31 is taken off shall be made by the Chief of Police, considering the needs of the service and the officer's desires.

5.1.2 In the event that any of the aforementioned days, except December 24 or 31, falls on a Sunday, the following Monday shall be considered a holiday. In the event that any of the aforementioned days fall on a Saturday, the preceding Friday shall be considered a holiday. In the event that December 24 and 31 fall on a Sunday, then the preceding Friday will be designated for purposes of the full day holiday.

5.1.3 Work on a Fixed Holiday. Any employee required to work on a fixed holiday and in addition to regular hours (e.g., on his or her regular day off) shall be paid time and one-half for such work in addition to his/her holiday pay. Work on a fixed holiday beyond the number of hours in a the regular shift being worked on the holiday shall be compensated at double time. [For example, an employee in a special assignment working on a holiday will be entitled to double time after

ten (10) hours; an employee working overtime on patrol on a holiday will be entitled to double time after twelve (12) hours.]

5.1.4 An employee who is scheduled to work on a holiday, and who does not work due to illness or injury for which they would otherwise be eligible for sick leave, shall be entitled to eight (8) hours of holiday pay and shall use general leave, or other appropriate paid/unpaid leave to make up any difference between the holiday and his or her regularly scheduled shift. An employee will not be paid for more than his or her regular day's pay for any holiday when he or she does not work due to illness or injury.

5.1.5 When a holiday falls on the regular day off for an employee who is filling a non-Patrol assignment, that employee will normally flex his or her regular day off to account for the holiday (i.e., will use the 8 hours of holiday time to take time off on another day during the same workweek). However, with the approval of their supervisor, and subject to the operational needs of the Department, employees on a non-Patrol assignment may work their full workweek and receive an additional 8-hours of pay for the holiday (i.e., 40 hours for time worked plus 8 hours for the holiday).

FOR CITY:



Date 12/7/15
David Bertini
Interim Human Resources Director

FOR POA:



Date 12/7/15
Dennis Wallach
Menlo Park POA Business Agent

City of Menlo Park/POA Negotiations | 2015

Tentative Agreement
Article 6.3: Personal Business Leave

6.3 — Personal Business Leave

6.3.1 — ~~An officer shall be entitled to a maximum of three (3) days per year for Personal Business Leave without loss of pay. Such leave shall be deducted from accrued sick leave.~~


6.3.2 — ~~Personal Business is defined as business of urgent and compelling importance which cannot be taken care of outside of normal working hours and which is not covered under other leave provisions of this Memorandum of Understanding.~~

6.3.3 — ~~An officer must secure advance permission from the Police Chief for all Personal Business Leave as defined above, and shall normally notify the Police Chief two (2) days before taking this leave, unless an emergency exists which prohibits the officer from providing such advance notice.~~

FOR CITY:

FOR POA:


Date: 12/7/15
David Bertini
Interim Human Resources Director


Date: 12/7/15
Dennis Wallach
Menlo Park POA Business Agent

City of Menlo Park/POA Negotiations | 2015

Tentative Agreement
Article 13: Pay Rates and Practices

ARTICLE 13: PAY RATES AND PRACTICES

13.10 On-Call Status for Detectives


Detectives ~~placed in~~ assigned to an on-call status shall be compensated six hours of pay at the member's regular rate of pay for each week he or she is assigned to on call duty, day, or portion thereof, that he or she is on-call at the rate of forty dollars (\$40.00) per twenty-four (24) hour period.


On-call status shall be assigned by the Division Commander or designee and will normally be rotated among the detectives. On call assignments will normally be for a one-week period, running from each Tuesday at 0800 hours to the next Tuesday at 0759 hours. The Division Commander or their designee may allow for substitutions or a change to the on-call scheduling as the need arises.

Detectives who are on-call and fail to respond when called may be subject to disciplinary action.

FOR CITY:

FOR POA:


Date 12/7/15
David Bertini
Interim Human Resources Director


Date 12/7/15
Dennis Wallach
Menlo Park POA Business Agent



STAFF REPORT

City Council

Meeting Date: 1/26/2016
Staff Report Number: 16-019-CC

Regular Business: **Appropriate \$565,000 from the General Fund 2014-15 Surplus and \$25,000 from the Water Fund for the City Hall Renovation Project; authorize the City Manager to enter into contracts for construction and materials purchases in an amount not to exceed the City Council Approved Budget for the City Hall Renovation Project**

Recommendation

Staff recommends that the City Council appropriate \$565,000 from the General Fund 2014-15 Surplus and \$25,000 from the Water Fund for the City Hall Renovation Project; and authorize the City Manager to enter into contracts for construction and materials purchases in an amount not to exceed the City Council Approved Budget for the City Hall Renovation Project.

Policy Issues

At the April 7, 2015 City Council meeting, the City Council requested staff to report on the project final design and budget for approval.

Background

Based on previous City Council direction at a series of meetings in 2014 and 2015, staff has been pursuing the City Hall Renovation Project. The project will improve and modernize work space for employees, provide space for new employees, relocate functions for better communication, and implement efficiencies for serving the public, all while maintaining future flexibility.

During the summer of 2015, staff implemented a pilot project involving 16 work spaces in the Engineering Division to test out the new open office floor plan to ensure that it would meet the needs of performing the work that is reflected in the Council work program and the City budget. During the pilot program, staff identified the need to make refinements to the layout while working within the Council directed "Option B". The primary observations of the pilot program were the need for more space to layout plans associated with development review and capital improvement projects and the need to divide some existing offices or conference rooms in half. The architect has incorporated this feedback and has prepared construction drawings in anticipation of building permit submittal.

Analysis

The final floor plan layouts are included as Attachment A. Based on the construction drawings, a more detailed construction cost estimate has been prepared by a professional construction cost estimator. The preliminary cost estimate resulted in a project budget of \$1,300,000. The revised cost estimate would result in a total budget of \$1,990,000. Of this difference, \$100,000 is attributable to upgrades related to the Technology Master Plan and Implementation Update. The remaining difference in the project cost estimate is the cost of construction, which reflects the overall construction environment of the market area. In particular, the cost estimate reflects higher costs for mechanical (e.g., HVAC), electrical, and fire suppression work than originally estimated. In addition, the cost estimate reflects the proposed phasing of construction and the need to set up temporary work spaces in other city facilities in order to continue operations during construction. The more detailed cost estimate has resulted in the need for additional funds to accomplish the project and meet City Council objectives.

The City's architect explored phasing alternatives as requested by the City Council. The primary factor is whether or not the work would be done during normal business hours or limited to nights and weekends to minimized disruptions. The feedback received indicated that nights and weekend work for any of the building trades (i.e., mechanical, electrical, sheetrock, etc.) would result in significantly higher costs. Therefore, staff and the architect have focused on a phased approach with temporary work spaces that would result in an overall construction timeframe of approximately 6 months. In addition, to reduce the cost of the project, staff will be purchasing the carpet and furniture directly from the manufactures and manage the coordination of the project to eliminate the general contractors overhead of purchasing and installing the carpet and furniture and managing these subcontractors.

The next steps in the process involve finalizing the construction drawings for building permit submittal and the specifications for the bid process, going out to bid, and awarding the contract(s). By the end of February the plans should be 95% complete. In order to expedite the process and accommodate the new employees approved in the City budget to accomplish the City Council work program, staff is requesting that the City Council authorize the City Manager to award the contracts without returning to the City Council. The construction is expected to start in June 2016.

Impact on City Resources

Staff is requesting the appropriation of an additional \$565,000 from the General Fund 2014-2015 Surplus and \$25,000 from the Water Fund.

Environmental Review

The project is categorically exempt under Class 1 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 the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. Final Layout Plans

Report prepared by:
Ruben Nino, Assistant Public Works Director

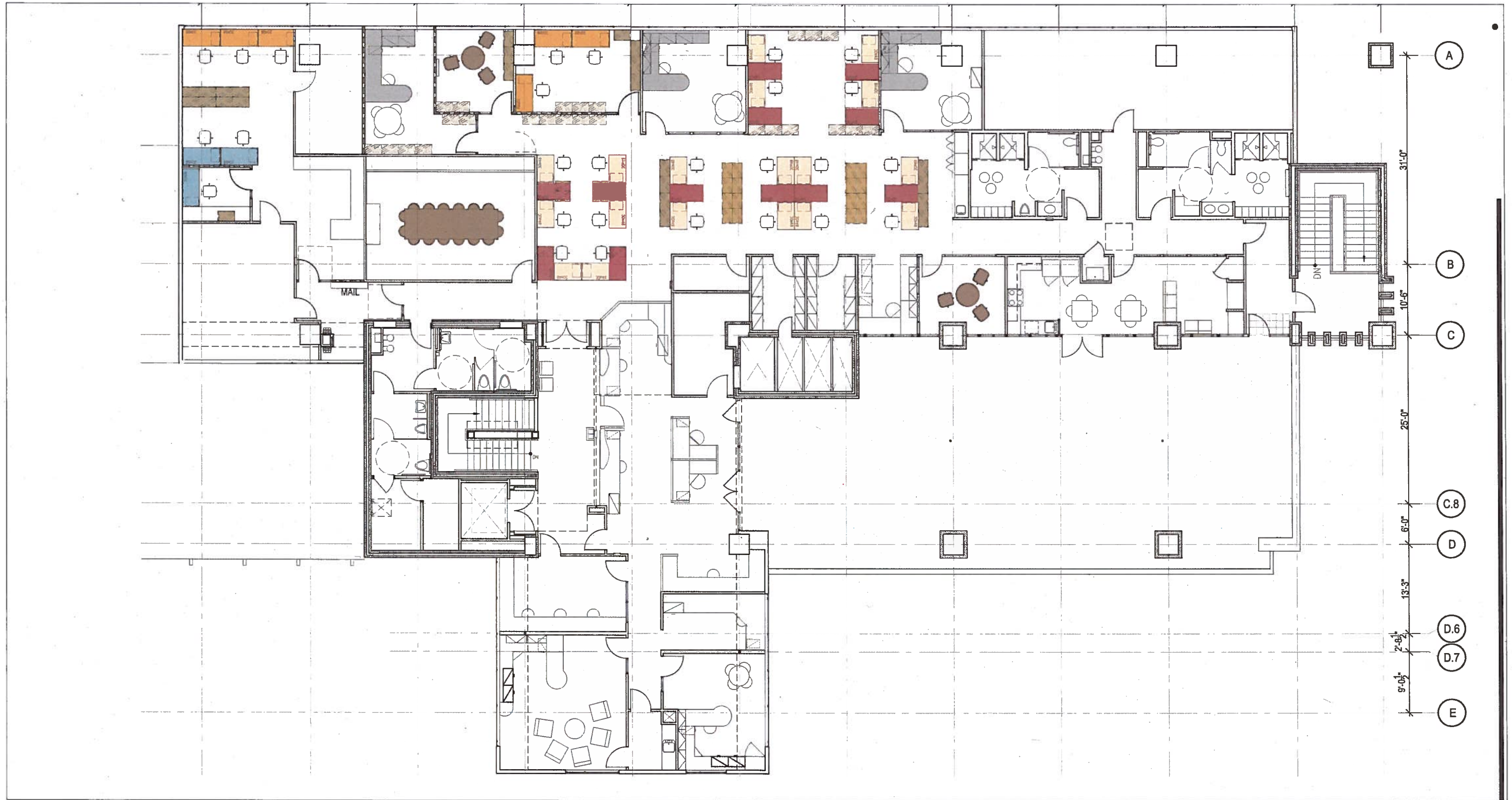
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Y:\Current CIP Projects\Civic Center Remodel 2015\Design\Correspondence from City\Seating Chart\Seating Chart CAD Files



MENLO PARK- CITY HALL RENOVATION

1st FLOOR LAYOUT



MENLO PARK- CITY HALL RENOVATION

2nd FLOOR LAYOUT



STAFF REPORT

City Council
Meeting Date: 1/26/2016
Staff Report Number: 16-018-CC

Informational Item: City Council procedures manual update

Recommendation

This is an informational item only. No City Council action is required at this time. Staff recommends that the City Council review the updates made by staff and adopt the updated procedures manual at its meeting on February 9th.

Background

The City Council procedures manual was established and approved in 2006 to assist the City Council by documenting currently accepted practices.

Analysis

It is the goal that the practices documented in the City Council procedures manual will contribute to the effective administration of City Council business. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly outlined to guide Councilmembers in their actions.

Staff has reviewed the 2006 City Council Procedures Manual and has provided feedback in order to bring the guidelines up to date with current practices and terminology. These changes are incorporated in a redline version as Attachment A to the staff report. It is anticipated the procedures manual will be reviewed and updated every two years.

Public Notice

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

Attachments

- A. 2006 City Council Procedures Manual – redline version

Report prepared by:
Pamela Aguilar, City Clerk

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Procedures Manual Menlo Park City Council

| *City Council Meeting of January 24, 2006*

CITY OF MENLO PARK
Mission Statement

It is the mission of the City government to ensure that Menlo Park is a desirable and vibrant community in which to live and do business, and to respond to the values and priorities of the residents so as to provide for the community's current and future needs.

Explicitly, the City fulfills its function by:

- Addressing the needs of the residents through the City Council, the appointed commissions, and the City staff.
- Providing easy and open access to information and encouraging dialogue, enabling residents to actively engage in civic life.
- Providing for the safety of its residents, businesses, and visitors.
- Providing timely and responsive service.
- Providing special assistance to those in need.
- Functioning effectively, efficiently and with accountability.
- Creating a positive and desirable workplace environment for City employees.
- Managing change for the betterment of the City.
- Creating and maintaining a viable revenue stream and providing for the unpredictable nature of our economy.
- Implementing and maintaining City infrastructure, facilities, and programs.
- Formulating sound environmental policies.
- Recognizing and supporting the City's diverse neighborhoods and population.
- Acting as a responsible member of the greater region.

~~Mission Statement adopted by the City Council on July 20, 2004.~~

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The City of Menlo Park acknowledges and greatly appreciates the excellent work of the City of Davis, California, and its willingness to share its “procedures manual” as a helpful example.

C H A P T E R 1

Introduction

The Menlo Park City Council establishes policies and priorities for the community and is responsible for the fiscal health of a public corporation. ~~In Fiscal Year 2005-06, the City has a General Fund budget of nearly \$30 million and a total budget of \$85 million. The City organization is comprised of 150 different services and has assets valued in excess of \$370 million (roads, buildings, parks, etc).~~

Comment [API1]: Update with current budget information

Purpose of the Procedures Manual

City of Menlo Park staff prepared a procedures manual to assist the City Council by documenting currently accepted practices. Through agreement of the City Council and staff to be bound by these practices, the effective administration of City Council affairs is greatly enhanced. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Council Members in their actions. It is anticipated that this Procedures Manual will be reviewed by each two-year City Council and may be revised from time to time.

Overview of City Documents

This procedures manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of a city council. Many other laws, policies, plans and documents exist which bind the City Council to certain courses of action and practices. A summary of some of the most notable documents that establish City Council direction is provided below.

Municipal Code: The Municipal Code contains local laws and regulations adopted by ordinances. The administrative chapter of the code addresses the role of the City Council, Mayor and Mayor Pro Tempore. It also describes the organization of City Council meetings and responsibilities as well as the appointment of certain city staff positions and advisory commissions. In addition to these administrative matters, the Municipal Code contains a variety of laws. The municipal code is available ~~either~~ on the City's website ~~or from the City Clerk.~~

California Government Code: The State Government Code contains many requirements for the operation of city government. Many of these requirements are also replicated within the municipal code to ensure there is broad awareness of such requirements. Menlo Park is a "General Law" city, which means it is organized in accordance with provisions of the State Government Code. Also described within the government code is the Council-City Manager form of government. Basically, this form of government prescribes that a city council's role is to establish policies and priorities, while the role of the City Manager is to oversee the operations of the city government.

Annual Budget: The City's annual budget provides a description of city services and the resources used to provide services. The document contains both a broad overview of the budget as well as descriptions of programs and services organized for convenience by lead department. The City operates on a July 1 through June 30 fiscal year.

General Plan: ~~The General Plan is comprised of a number of elements, such as land use, transportation, open space and housing, in accordance with State requirements, and provides a policy framework for various matters that fall within these areas.~~

Comment [API2]: Include a more elaborate description of the General Plan

~~The General Plan is a legal document, required by state law, which serves as the city of Menlo Park's "constitution" for development and the use of its land. It is a comprehensive, long-term document, detailing proposals for the physical development of the city, and of any land outside its boundaries but within its designated "sphere of influence."~~

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Orientation of New Council Members

It is important that members of the Council have an understanding of the full range of services and programs provided by the organization. As new members join the City Council, the City Clerk coordinates with department heads to provide tours of City facilities and meetings with key staff.

~~League of California Cities Guide~~

~~—A publication that provides additional useful information is the *Mayors and Council Members Resource Guide* published by the League of California Cities. The Guide contains general information on the role and responsibilities of city council members and on the specific requirements and laws that govern Council actions. The Guide is available from the City Clerk.~~

Menlo Park City Council: Powers and Responsibilities

City Council Generally

The powers of a city council in California to establish policy are quite broad. Essentially, councils may undertake any action related to city affairs other than those forbidden or preempted by state or federal law. Specifically, *the Council shall have the power, in the name of the city, to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants and which are not specifically forbidden by the Constitution and laws of the State of California (California Government Code [section-](#))*.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor and Mayor Pro Tem have some additional ceremonial and administrative responsibilities as described below, in the establishment of policies, voting and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. In turn, it is staff's responsibility to ensure the policy of the Council is upheld. Actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Council members who held a minority opinion on an issue.

The City Council has occasionally debated whether it should take positions of a broader nature or limit itself to purely municipal functions. Historically, Menlo Park City Councils have chosen to not take positions on issues outside of their immediate authority to effect. The propensity of the City Council to involve itself in such issues reflects the personalities and outlooks of the members who make up the two-year Council sessions.

Limitations are imposed on a Council member's ability to serve on appointed boards of the city. State law expresses that no member of the Council shall serve as a voting member of any city board, committee, or commission, whether composed of citizen volunteers, city employees, or a combination of both. This is not construed as prohibiting members of the Council from serving on committees or subcommittees of the Council itself, or of agencies representing other levels of government. In fact, Council members often participate and provide leadership in regional and state programs and meetings. Council members are strongly encouraged to report to the Council on matters discussed at subcommittees and other regional or state board/agency/group activities in which they have been involved.

Role of Mayor & Mayor Pro Tempore

Mayor: As reflected in the Municipal Code, the Mayor is to preside at all meetings of the City Council and perform such other duties consistent with the office as may be imposed by the Council or by vote of the people. The Mayor does not possess any power of veto. As presiding officer of the Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the city for all ceremonial purposes.

The Mayor, unless unavailable, shall sign all ordinances, and other documents that have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Mayor Pro Tempore's signature may be used.

Traditionally, the Mayor has also been assigned by the City Council to consult and coordinate with the City Manager in the development of agendas for meetings of the City Council. The scope of such review focuses on the timing of business items and the volume of business that can be considered at any one meeting. Such review does not allow for a unilateral unlimited delay of items to be considered by the Council or the introduction of new items not otherwise part of the Council's identified priorities or staff's work plan. Should any significant disagreement arise regarding the scheduling of items, these matters are to be resolved by the full City Council. The staff maintains a "tentative" Council Calendar that programs when matters will likely be considered at future meetings.

Mayor Pro Tempore: The City Council has specified that the Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence ~~or disability~~. The Mayor Pro Tempore shall serve in this capacity at the pleasure of the City Council.

Appointment of City Manager, City Attorney

The City Council appoints two positions within the city organization: the City Manager and City Attorney. Both positions serve at the will of the City Council. The City Manager is an employee of the City and has an employment agreement that specifies certain terms of employment including an annual evaluation by the City Council. The City Manager is responsible for all other personnel appointments within the City. The current City Attorney is a part-time employee, and a partner in a local law firm that has served the City for many years.

Role in Disaster

The City Council has some special, extraordinary powers in the case of a disaster. Some meeting restrictions and expenditure controls are eased in such extreme situations. In critical situations the Council may be directed by the City Manager/Emergency Services Director to assemble in the City's Emergency Operations Center (EOC), located within the Police Department, to provide policy guidance and to receive information in an emergency. Should the City Council not be available during an emergency, state law specifies a hierarchy of others who may serve in place of the City Council. The most likely scenario is that the County Board of Supervisors would serve in the place of the Council.

The City Council also has the responsibility to declare a local emergency. Emergency proclamations are normally made when there is an actual incident or threat of disaster or extreme peril to the safety of persons and property caused by natural or man-made situations. The local proclamation is the first step toward a State and Federal declaration which would then activate eligible State and Federal disaster relief programs to provide financial relief to both local government and the public.

Appointment of Advisory Bodies

The city has a number of standing advisory bodies. ~~Appendix C~~City Council Policy #CC-01-004, Commissions/Committees Policies and Procedures and Role, contains ~~adopted policy #CC-01-0004-guidelines~~ on the appointment, roles and responsibilities of the various Commissions. These procedures apply to all appointments and reappointments to standing advisory bodies.

Comment [API3]: Confirm info in this section is still accurate – YES, plus additional language

In addition, resident committees and task forces are occasionally appointed by the City Council to address issues of interest. A task force or other ad hoc body is a body created by Council for a specific task. Council subcommittees, when used, are to help the Council do its job. Committees ordinarily will assist the Council by preparing policy alternatives and implications for Council deliberation. Council subcommittees will normally not have direct dealings with staff operations. Council subcommittees may not speak or act for the Council. Subcommittees will be used sparingly and ordinarily in an ad hoc capacity. This policy applies to any group that is formed by Council action, whether or not it is called a subcommittee. Unless otherwise stated, a subcommittee ceases to exist as soon as its task is complete. The Council may assign, and specify the role of, one or two Council Members to the task force (if more, it becomes a defacto Council meeting). Unless otherwise specified, Council Members have all the rights, and only the rights, of ordinary citizens with respect to task forces and other ad hoc bodies.

Note that both appointed advisory bodies and ad hoc committees are usually subject to the open meetings laws commonly known as the Brown Act.

Council Relationship with Advisory Bodies

The City Council has determined that Council Members should not lobby commissioners for particular votes. However, Council Members may attend meetings as residents and request that commissioners consider certain issues during their deliberations or in unusual instances as Council Members to reflect the views of the Council as a body.

Council Members choosing to attend commission or committee meetings should be sensitive to the fact that they are not participating members of the body. Council Members have the rights, and only the rights, of ordinary citizens with respect to Commissions – including the right to write to and speak to the Commission during public comment periods.

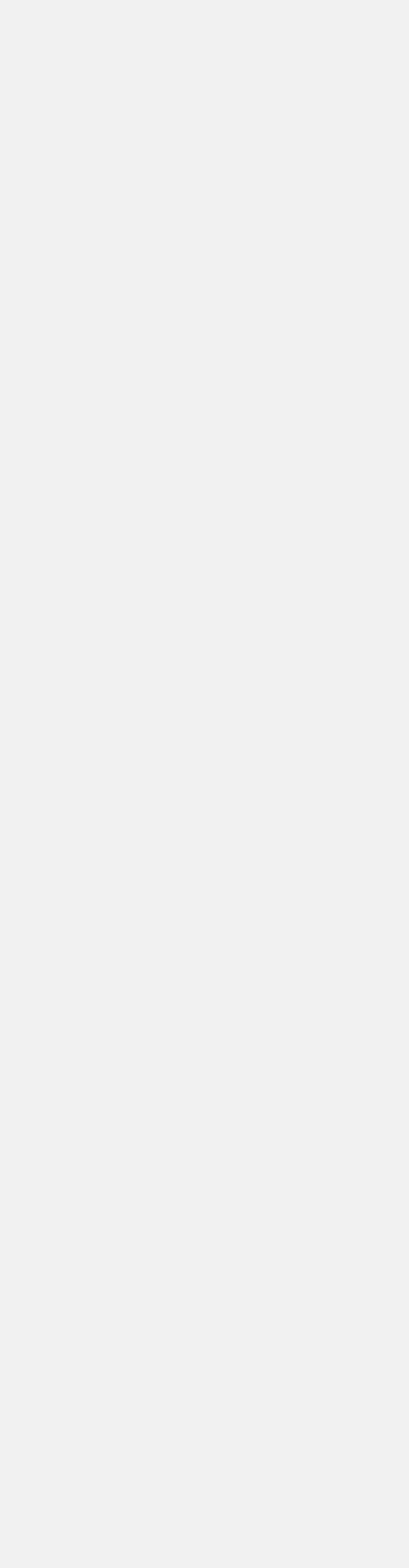
Role of Commission Liaison

Members of the Council are assigned to serve in a liaison capacity with one or more city commissions. The purpose of the liaison assignment is to facilitate communication between the City Council and the advisory body. The liaison also helps to increase the Council's familiarity with the membership, programs and issues of the advisory body. In fulfilling their liaison assignment, members may elect to attend commission meetings periodically to observe the activities of the advisory body or simply maintain communication with the commission chair on a regular basis.

Members should be sensitive to the fact that they are not participating members of the commission, but are there rather to create a linkage between the City Council and commission. In interacting with commissions, Council Members are to reflect the views of the Council as a body. Being a Commission liaison bestows no special right with respect to Commission business.

Typically, assignments to commission liaison positions are made at the beginning of a Council term in December. The Mayor will ask Council members which liaison assignments they desire and will submit recommendations to the full Council regarding the various committees, boards, and commissions which City Council Members will represent as a liaison.

In the rare instance where more than one Council Member wishes to be the appointed liaison to a particular commission, a vote of the Council will be taken to confirm appointments.



City Council Meetings

General Procedures

By resolution, the City Council has adopted a modified version of Roberts Rules of Order.

Presiding Officer: The Mayor is the presiding officer and acts as chair at Council meetings. In the absence or incapacity of the Mayor, the Mayor Pro Tempore serves as presiding officer.

Seating arrangement of the Council: The Mayor Pro Tempore is seated immediately next to the Mayor. The Mayor, with the approval of individual Council members, shall establish the seating arrangement for regular Council meetings.

Quorum: Three-fifths of the Council members constitute a quorum for the transaction of business.

Meeting Schedule

The Council approves and follows an annual calendar that reflects its priorities and coincides with the budgeting process, beginning at the start of the calendar year. ~~Project priorities~~ Capital Improvement Plan ~~are is reviewed-ranked~~ in February for the following fiscal year, in order to reflect the commitment of resources required. Other Council priorities are overlaid on the calendar as time permits.

Regular meetings are usually held in the Council Chambers, 701 Laurel Street, on Tuesdays at 7 pm, with study sessions and closed sessions generally being convened earlier, as needed, or at the end of the meeting at the conclusion of public business.

On occasion, the Council meeting will be held in alternative locations such as the Senior Center. No Council meeting will typically be held in the event that a regular meeting of the Council falls on a legal holiday or the day after a holiday. Other meetings throughout the year may be cancelled as well. Council Members should inform the City Manager's secretary as soon as possible if they intend to be out of town on a set meeting date. On occasion, arrangements may be made in order for Council Members to remotely participate in Council meetings by telephone conference call when out of town.

Special Meetings

Special meetings may be called by the Mayor or by three members of the City Council. Written notice must be given to the City Council and to the media 24 hours prior to a special meeting. No business other than that officially noticed may be discussed.

Public Comment: At all regular and special meetings, public comments must be permitted before or during consideration of any agenda item. Public comment is appropriate on any matter within the jurisdiction of the City Council.

Meeting Notices and Minutes: Notice requirements of the Brown Act are complied with for all meetings; minutes of the meeting are taken by the City Clerk or designee and made available for public inspection.

Development of Agenda

The City Council adopts a yearly meeting calendar identifying meeting dates and cancellations to aid members and staff with planning and scheduling. A medium-range “tentative” Council calendar that reflects an estimate of when various items will be scheduled over the next few weeks is available on the City’s website. A copy of the draft agenda is transmitted to the Mayor for review on the Monday one-week prior to the meeting. Staff is required to submit reports for a Tuesday Council meeting to the City Clerk by noon on the Thursday of the week preceding the meeting. All agenda materials are available ~~after 5:30pm on the~~ Thursday evening before the Tuesday Council meeting. Website posting includes a tentative Council calendar that shows Council meeting dates and planned agenda items 3-5 weeks in advance.

Given this agenda development schedule, it is usually extremely difficult when Council requests at a Tuesday meeting that a report be prepared for consideration the following meetingweek. For this reason, it will usually require at least one week for the preparation of a report requested by the City Council. Complex reports, of course, will require more time to prepare, and an estimated time of completion can be provided to the City Council. The ability to schedule new agenda items depends on the nature of the item itself, other agenda subjects that are already scheduled and the amount of time available.

Placing Items on Agenda

City Council: A Council Member may request an item be considered on a future agenda and, upon agreement of a majority of Council, staff will prepare a staff report if formal Council action is required. Council Members may make this request verbally during a meeting or may submit written requests. Normally, the process involves two steps: initial consideration of the request by the full Council at the soonest possible regularly scheduled meeting; and, if a majority agrees, the matter is then scheduled for further consideration on an upcoming meeting agenda.

Members of the public: A member of the public may request that an item be placed on a future agenda during public comment or through other communication with Council Members. Upon approval of a majority of Council, the item will be agendaized and a staff report may be prepared. The City Manager will inform the Council of the potential impact the request will have on established priorities or staff workload and seek approval by the City Council before authorizing the work or scheduling the item as appropriate.

Emergency and Non-Agenda items: Emergency and non-agenda items may be added to an agenda only in accordance with state law. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters and other severe emergencies. Adding an emergency item requires a majority vote. Emergency items are very rare. More likely, after the agenda is posted an item arises that the Council would like to act on. Non-agenda items may be added to the agenda only if the Council makes findings that (1) the need to consider the item arose after the posting of the agenda, and; (2) there is a need to take immediate action at this meeting of the City Council. These findings must be approved by a

4/5th vote; if less than five members of Council are present, the findings require a unanimous vote of those present.

Notification and Advertising

The City attempts to well publicize matters of significant neighborhood or community public interest that appear on a City Council agenda, as well as all matters where advertising is required by law. Advertisements and notifications are intended to inform all interested individuals.

Order of Business

The City Council established the order of business for meetings through the adoption of a policy on meeting procedures. Technically, the order of the agenda is as follows: roll call; special business; proclamations; council, committee and staff reports; public comment #1; appointments to boards/commissions/committees; consent calendar; public hearings; regular business; ~~public comment #2~~; written communications; information items; adjournment. The following section describes the various types of meeting components.

- 1. Closed Sessions** (*closed to the public*): The ability of the City Council to conduct sessions not open to the public is restricted by state law to ensure open proceedings. Certain defined circumstances exist wherein a city council may meet without the public in attendance. Such circumstances include:

Real Property: The purchase, sale, exchange or lease of real property with the City's negotiator; the real property and the person(s) with whom the City may negotiate must be announced in open session prior to the closed session (*Cal Govt Code 54956.8*).

Litigation: Pending or a significant exposure to litigation or the decision to initiate litigation; the litigation title must be identified in open session prior to the closed session unless the Council states that to do so would jeopardize its ability to conclude existing settlement negotiations or effectuate service of process.

Compensation: Salaries and benefits of employees; Council meets in closed session to review its position and instruct designated representatives (*Cal Govt Code §54957.6*).

Personnel: A closed session is held to discuss the appointment, employment, evaluation of performance, or dismissal of a public employee, or to hear a complaint against the employee unless the employee requests a public hearing (*Cal Govt Code §54957.6*).

It is critical to stress that there shall be no disclosure of closed session confidential information. Members of the Council, employees of the City, or anyone else present shall not disclose to any person, including affected/opposing parties, the press, or anyone else, the content or substance of any discussion which takes place in a closed session without Council direction and concurrence. Whenever possible, written reports received for closed session items will be turned in at the end of the meeting.

Typically, closed sessions will be scheduled prior to the public portions of the meeting or at the end of the meeting after public business has been concluded. This is done so public portions of the meeting are not interrupted by closed sessions. In addition, such sessions may require the attendance of special legal counsel and consultants. In an attempt to manage the costs of these professionals, it is beneficial to conduct closed sessions at a time certain. On

occasion, during the course of a regular meeting, an issue arises that requires the Council to adjourn to a closed session on the advice of the City Attorney.

- 2. Council Member Reports:** Provides members of the Council an opportunity to introduce matters not currently before the Council, including brief announcements, to pose questions of staff and make requests for items to be placed on the agenda at a future meeting. Examples of appropriate communications would be information of general interest received from outside agencies, comments or inquiries received from the public, requests to agenda future items, or announcements of interest to the public.

State law provides that Council can take action only on such matters that have been noticed at least three days (72 hours) in advance of the regular meeting, or 24 hours in the case of a special meeting, unless special circumstances are found to exist (as mentioned above). Formal action or approval on non-agendized items is not allowed, and such items should be placed on the agenda of the next available regular meeting.

- 3. Consent Calendar:** Those items on the Council agenda that are considered to be of a routine and non-controversial nature by the City Manager are placed on the “Consent Calendar.” These items shall be approved, adopted, accepted, etc., by one motion of the Council. Typical consent calendar items include the final reading and adoption of ordinances, various resolutions approving agreements, awards of contracts, minor budgetary adjustments, meeting minutes, status reports, and reports of routine city operations.

Council Members may request that any item listed under “Consent Calendar” be removed from the Consent Calendar, and Council will then take action separately on this item. A member of the public may request that an item listed under “Consent Calendar” be removed and Council action taken separately on the item; the City Council must concur with such a request. Items that are removed (“pulled”) by members of the Council for discussion will typically be heard after other Consent Calendar items are approved unless the majority of Council chooses an earlier or later time.

Council Members are encouraged to contact the City Manager’s office prior to 12:00 noon on the day of a Council meeting day to provide notification of items to be removed from the Consent Calendar. This practice allows the City Manager to notify staff that may need to be present to respond to removed items. Equally important, it also allows the Manager to inform staff who do not need to be present at the meeting. Unless contacted in advance of the meeting with sufficient time, the presumption is that staff will not be present.

- 4. Public Comment:** ~~A block of 30 minutes time is set aside at the beginning of the meeting and again at the end to receive~~The City Council receives general public comment about issues not on the agenda. Comments on agenda items should not be heard until the appropriate item is called. Individuals desiring to speak are to address the Council from the speaker podium after giving their name and place of residence. Speaker cards may be required and should be filled out, including the speaker’s actual jurisdiction of residence, and given to the City Clerk prior to Public Comment.

Comments should focus on a specific matter within the Council’s jurisdiction. Members of the public are encouraged to present written comments, preferably in advance of the meeting, as a way to fully communicate their thoughts on agenda or non-agenda items. When written materials are presented, they should be submitted to the City Clerk for

distribution and record keeping ahead of time. Comments are typically limited to three minutes per speaker so that all have an opportunity to address the Council.

Videos, PowerPoint or similar presentations may accompany in-person testimony but are subject to the same speaking time limits. Prior notice and coordination with the City Clerk is strongly encouraged and the Mayor reserves the privilege to limit such requests as necessary for the effective conduct of the meeting. Speakers are to address their comments to the City Council from the podium.

Public comment on regular business items normally follows staff's presentation of the staff report, clarifying questions from Council Members and applicant comments as necessary and appropriate. Typically, applicants or appellants are limited to a maximum of 10 minutes. Council will then hear public comment.

5. **Public Hearing:** In the case of public hearings, once the Council has voted to close the hearing, no member of the public shall be permitted to address the Council or the staff from the audience, except at the discretion of the presiding officer (Mayor).
6. **Regular Business Items:** Regular items are shown on the agenda and are normally taken in the order listed.

Informational Items: Informational items may contain a status update, background report or a preview of a larger item coming before the Council at a future meeting.

7. **Written Communications:** The City Council has established a practice of placing written communication between Members requesting items to be agendaized and select letters sent by agencies to Council Members on the meeting agenda so that this correspondence receives wide distribution. If letters or emails from the public are received on the day of or just before a meeting, copies will be placed at the Council Members' positions on the dais.
8. **Commission Reports:** Commission reports provide an opportunity for designated members of appointed boards to address the Council on matters of importance or to update the Council and community on studies that are underway.
9. **Study Session:** From time to time, the Council will hold study sessions. These meetings are normally scheduled before the regular Council meeting. ~~On occasion, dedicated study sessions are held instead of a regular meeting on the first Tuesday of the month.~~ The purpose of study sessions is to give the Council a less formal and more interactive forum to discuss issues in advance of any official action to be taken. Staff often presents policy alternatives and is more directly engaged in the dialogue. ~~Official minutes are not generally kept, but~~ Meetings are open to the public and are broadcast and videotaped when held in the Council Chambers and at the direction of the Council. While general direction may be given to staff or the proponent behind the topic of discussion, no formal action by the Council is taken in a study session.

Discussion Rules

To assist the City Council in the orderly discussion of items, rules are followed which represent accepted practices for the management of Council meetings.

1. **Obtaining the floor:** A member of the City Council or staff shall first address the Mayor and gain recognition. Comments and questions should be directed through the chair and

limited to the issue before the Council. Cross-exchange between Council Members and public should be avoided.

2. **Questions to staff:** A Council Member shall, after recognition by the Mayor, address questions to the City Manager, City Attorney, department head or designated staff member. If a Council Member has questions on an agenda item, that member should preferably contact staff prior to the meeting in order to allow staff time to research a response for the meeting.
3. **Interruptions:**
 - a. Once recognized, a Council Member is considered to have the floor, and another Council Member may not interrupt the speaker except to make a point of order or point of personal privilege. In such a circumstance, the Council Member holding the floor shall cease speaking until the point of order or privilege is resolved.
 - b. Upon being recognized by the Mayor, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.
4. **Discussion:** A Council Member should not speak more than once on a particular subject until every other Council Member has had the opportunity to speak. Council Members are encouraged to discuss items during the decision-making process and may ask staff to respond when appropriate. The Mayor normally allows other members to speak first, then will give his/her views and summarize.
5. **Tabling procedure:** Tabling an item immediately stops discussion and causes a vote to postpone a matter indefinitely or to a time and date certain. A motion to “continue” an agenda item has the same effect, but is generally used when a scheduling problem arises or when insufficient time is available to address the matter thoroughly.
6. **Right of protest:** A Council Member is not required to state reasons for a dissenting vote.
7. **Calling for the question:** The purpose of calling for the question is to disallow further debate and put an issue to an immediate vote. A Council Member may move to “call for the question” on an item which is being considered. The motion requires a second, is not debatable, and must pass by a four-fifths vote. If the motion carries, the item is no longer debatable and the City Council must vote on it.
8. **Conducting business at a late hour.** According to Council policy, all regular meetings of the Council are to end by midnight unless there is a three-fourths vote taken by 11:00 pm to extend the meeting. The motion to extend is to include the title of the items to be considered after 11:00 and a new ending time for the meeting.

Voting Procedures

When present, all Council Members are to vote. Failure of a seated member to orally express a vote constitutes an affirmative vote.

No ordinance, resolution or motion shall be passed or become effective without an affirmative vote by the majority with a quorum present.

A conflict of interest shall be declared whenever appropriate and in compliance with state law. The affected Council Member will step down from the dais and leave the Chambers.

Council members may declare general consensus at the discretion of the presiding officer, if there are no negative votes or objections.

Upon the request of any Council Member, a roll call vote will be taken and recorded.

Tie vote: A tie vote is equivalent to a motion that has failed. The presiding officer may publicly explain the effect of the tie vote for the audience or may direct a member of the staff to do so.

Motions. There are a number of types of motions, each of which must meet certain requirements before a vote can be taken. A reference guide to motions is provided in chart form in Appendix A of this manual.

Reconsideration: Reconsideration of an item shall be allowed in accordance with the following Council guideline: A Member of the prevailing majority when the previous vote was taken must make a motion for reconsideration. The City Council has determined that any motion for reconsideration should be made at the meeting immediately following that at which the action was taken. No motion for reconsideration will be entertained after this time unless the City Council determines significant new information has arisen which warrants such action.

Other Guidelines

Other guidelines have been developed to ensure that meetings of the Council are conducted in a civil and professional manner. Council members and staff shall:

1. Work to preserve appropriate order and decorum during all meetings.
2. Discourage side conversations, disruptions, interruptions or delaying efforts.
3. Inform the Mayor before departing from a meeting.
4. Limit disruptive behavior. The Mayor will call persons demonstrating rude, boisterous, or profane behavior to order. If such conduct continues, the Mayor may call a recess, request the removal of such person(s) from the Council Chambers, adjourn the meeting, or take such other appropriate action. The Council has a policy to discourage applause, booing or other similar behaviors from the public during meetings.
5. Recognize that only the City Council, staff, advisory body chairs or designated representatives, and those authorized by the presiding officer shall be permitted to sit at the Council or staff tables.
6. Limit breaks of the City Council to 5-10 minutes. The Council has authorized the Mayor to resume the meeting if a quorum exists and other members have not returned from the break within the announced time period.
7. Impose time limits on speakers. While the City Council encourages and embraces the need for and right of public participation, it acknowledges that public comments must, at times, be limited. Therefore, the City Council authorizes the Mayor, as presiding officer, to poll the audience for an indication of the number of people wishing to speak, and to impose time limits per speaker. Typically, speakers are limited to three minutes but a

shorter time limit may be established as deemed necessary. When a member of the public is to speak on behalf of others in attendance, a maximum time limit of ten minutes is usually imposed. After the time limit, Council may ask questions of the speaker for clarification, if needed. Each speaker will be thanked for his or her participation.

Values of Respect: The City Council has also recognized the importance of approaching the public's business in an environment of personal respect and courtesy, which places emphasis on the consideration of policy and avoids personalization of comments. Some guidelines utilized by the City Council include:

1. Discussion should focus on policy matters
2. Personal criticism of members is inappropriate
3. Proper decorum should be displayed as other members express their views
4. Treat members of the public equally, applying rules in a fair and consistent manner

5. Members of the public are advised to treat all public speakers with due respect and to refrain from verbal expressions in support of or opposition to (such as clapping or booing) any public speakers' comments.

Enforcement of Order: The Police Chief or his designee acts as the Sergeant-At-Arms. Any Council Member may request the presiding officer to enforce the rules of protocol. Upon motion and majority vote, the presiding officer shall be required to do so.

Open Meeting Laws - ("The Brown Act")

Operations and procedures of the City and City Council incorporate requirements of the state's open meeting law (commonly referred to as the Brown Act). Because this law is such an important part of local government operations, some specific requirements of the law are highlighted below.

Applicability and Penalties: The entire city organization conducts its business in compliance with the Ralph M. Brown Act, State Government Code Section 54950. The intent of the Act is to ensure that deliberation and actions of local public agencies are conducted in open and at public meetings.

- A. **Applicability:** The Act applies to Council and all commissions, boards and Council appointed subcommittees (except if comprised entirely of two Council Members) and task forces that advise Council. Staff cannot promote actions that would violate the Act.
- B. **Meetings:** All meetings shall be open and public. A City Council meeting takes place whenever a quorum (3 or more members) is present and information about the business of the body is received; discussions qualify as a meeting. Social functions (e.g., receptions, dinners) do not fall under the Act unless city business is discussed.

Serial meetings take place when any member of Council or city staff contact more than two Council Members for the purpose of deliberating or acting upon an item pending before the City Council. This restriction does not apply to the public or media who may contact Council Members. Correspondence that merely takes a position on an issue is

Comment [API4]: Confirm this section reflects the most current law - YES

acceptable. Note that the Brown Act applies to City Council Members immediately after their election and prior to their swearing-in ceremony.

- C. Agendas: Agendas for regular meetings must be posted 72 hours in advance of the meeting and must meet various requirements.
- D. Actions: No action can be taken on any item not appearing on the posted agenda.
Exceptions: 1) An emergency situation exists (determined by a majority of the Council). 2) The need to take action arose subsequent to the agenda being posted and there is a need for immediate action (determined by 2/3 vote of the Council; or if less than 2/3 are present, by unanimous vote). 3) The item was continued to another meeting that was scheduled and posted within 5 days of the original agenda.
- E. Public Input: The public, by law, has an opportunity to address the Council on any item of interest to the public that is within the jurisdiction of the Council, at the time the matter is heard. The Mayor has the right to establish a time limit on speakers and the total time allocated for a particular issue. Three minutes per speaker has been standard, but in unusual cases either shorter or longer time periods may be established by the Mayor or the Council.
- F. Public Disruptions: A portion or all of the public may be removed if willful disruption makes conducting the meeting "unfeasible"; the press may remain unless they participate in the disruption.
- G. Correspondence: All writings distributed for discussion or consideration at a public meeting are public records.
- H. Special Meetings: Special meetings may be called by the Mayor or a majority of the Council with strict notification requirements for delivery to the media and Council 24 hours before the time of the meeting.
- I. Emergency Meetings: Emergency meetings may be called without notification due to the disruption or threatened disruption of public facilities. Only work stoppages or crippling disasters that impair the public health and/or safety qualify for emergency meetings.
- J. Other Provisions: The Act provides many other restrictions and requirements; this chapter is intended merely as a Council summary and overview of the Act, and nothing in this Chapter supersedes the provisions of the Brown Act. Please check with the City Attorney and/or the City Clerk for more information.

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Council Communications

Overview

Perhaps the most fundamental role of a Council Member is communication—communication with the public to assess community opinions and needs—communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives. Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking as a Council Member. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

Correspondence from Council Members

Members of the City Council may occasionally be called upon to write letters to citizens, businesses or other public agencies. Typically, the Mayor will be charged with transmitting the City’s position on policy matters to outside agencies on behalf of the City Council. Correspondence sent on behalf of the Council is placed on official City letterhead and is signed by the Mayor or City Manager. Individual members of Council may prepare letters to constituents in response to inquiries or to provide requested information. Individualized City Council Member letterhead is available for this purpose, and staff can assist in the preparation of such correspondence. Council Members are required to provide copies of any correspondence on City letterhead to every Council Member and the City Manager.

On occasion, members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, members should use their personalized letterhead and clearly indicate within letters that they are not speaking for the City Council as a whole, but for themselves as one member of Council.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title, and staff support should not be utilized in order to avoid confusion. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.

Council Members may be asked to prepare letters of recommendation for students and others seeking appointment. It is appropriate for individual Council Members to utilize City letterhead and their Council titles for such letters. No review by the full Council is required, however, copies will be kept on file.

Speaking for “the City”

Similar to written correspondence, when members are requested to speak to groups or are asked the Council’s position on an issue, the response should reflect the position of the Council as a whole. Of course, a member may clarify their vote on a matter by stating, for example, “While I voted against “X”, the City Council voted in support of it.” When representing the City

at meetings or other venues, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.

When dealing with members of the media, it is usually the Mayor who represents the position and interest of the City Council. When the City Manager or Department Heads are contacted, they too will refer the media first to the Mayor for comment. Similarly, when the City issues a Press Release, the Mayor is consulted in terms of any Council Member quotes or references. The City Manager decides whether staff are available to respond to media requests directly or not.

Local Ballot Measures

At times measures that affect City Council policy may be placed on the ballot. There are restrictions regarding what actions a City Council or individual Members may take on ballot measures. Guidelines as to what is permissible are available from the City Clerk or City Attorney upon request.

State Legislation, Propositions

The City has been a member of the League of California Cities for many years. In addition, the City has a representative on the City/County Association of Governments (C/CAG). Both of these groups actively track legislation at the state level. Either through the advisories received from these two organizations or as a result of City staff following key legislative bills of importance to the City, the Council is at times requested to take a position or an action on pending state legislation. Unless Council has previously acted on a similar bill in the recent past, in which the City's position is clear, the Council has a practice of requiring analysis and discussion of bills prior to taking an official position. The analysis includes a summary of the legislation's purpose and a listing of those entities both in support of and against the proposed legislation. As a framework for screening bills that are pending to determine if the City should weigh in, Appendix B serves as a Legislative Policy Guide, with the explicit understanding that the City will express itself on legislation dealing with issues that will directly effect its financial stability or effective operation, and that the City may enter into alliances with other entities to promote common goals.

Proclamations

Ceremonial proclamations are often requested of the City in recognition of an event or individual. Proclamations are not statements of policy but a manner in which the city can make special recognition of an event (e.g., Recycling Week) or individual. As part of his/her ceremonial responsibilities, the Mayor is charged with administration of proclamations. Individual Council Members do not issue proclamations. Proclamations can be sent to the requestor or presented at a City Council meeting as arranged with the requesting body and at the Mayor's discretion.

Interaction with City Staff

Overview

City Council policy is implemented on a daily basis through staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so that policies and programs may be implemented successfully. The City of Menlo Park has a long tradition of positive relationships between members of the City Council and staff. To maintain these effective relationships it is important that roles are clearly recognized.

Council-Manager Form of Government

Like most California cities, Menlo Park has adopted a City Council-City Manager form of government. The Council appoints a City Manager to implement policy, enforce its laws, to direct the daily operations of city government, and to prepare and monitor the municipal budget. The Municipal Code specifies roles and responsibilities and requires that Council Members work through the City Manager in dealing with City staff unless simply requesting information from department heads or other staff members. The City Manager is responsible to the City Council as a body rather than to individual Council Members.

Council-Manager Relationship

The employment relationship between the City Council and City Manager reflects the fact that the City Manager is the chief executive officer of the City. The City Manager has an employment agreement with the City Council. Regular communication between the City Council and City Manager is important in maintaining effective interpersonal relations. All dealings with the City Manager, whether in public or private, should be consistent with the authority of the City Manager in administrative and personnel matters. Council Members should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the City Council. Further, Council Members should avoid involving themselves in matters regarding individual City employees or related affairs.

The City Council evaluates the City Manager's performance on a regular basis to ensure that both the City Council and City Manager are in agreement about organizational performance and priority goals that are based on mutual trust and common objectives.

As in any professional relationship, it is important that the City Manager keep the City Council informed. The City Manager respects that the final responsibility for establishing the policy direction of the City is held by the City Council. The City Manager communicates with City Council in various ways. In addition to the formal Council meetings, there are periodic briefing meetings with individual Council members and written memoranda and email. Communication must be undertaken in such a way that all Council Members are treated similarly and kept equally informed. It is also important that the Council provide ongoing feedback, information and perceptions to the City Manager including responses to written communications and surveys requesting feedback [in a timely manner](#).

City Manager Code of Ethics

The City Manager is subject to a professional code of ethics that binds the City Manager to certain practices that are designed to ensure his or her actions are in support of the City's best

interests. Violations of such standards can result in censure. Appendix D is a copy of the City Manager's Code Of Ethics.

City Council-City Attorney Relationship

The City Attorney is the legal advisor for the Council, City Manager and departments. The general legal responsibilities of the City Attorney are to: 1) provide legal assistance necessary for formulation and implementation of legislative policies and projects; 2) represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings; 3) prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and 4) keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the City. It is important to note that the City Attorney does not represent individual members of Council, but the City Council as a whole.

Roles and Information Flow

Objectives: It is the intent of staff to ensure Council members have free and easy access to information from the City and to ensure that such information is communicated completely, with candor and without bias. Individual Council Members may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, or executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Council Members, and to allow staff to execute the priorities given by management and the Council as a whole without fear of reprisal.

Council roles: The full City Council retains power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, service levels, work loads and schedules, departmental priorities, and the performance of City business. If a Council Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

Should a Council Member become dissatisfied about a department, he/she should always talk it over with the City Manager, ~~and/or the Assistant City Manager, not the department head.~~ Concerns about a department head must be taken to the City Manager only.

Access to Information: Individual Council Members as well as the Council as a whole shall receive the full cooperation and candor of staff in being provided with any requested information. The City Manager or appropriate staff will inform council when a critical or unusual event occurs about which the public would be concerned.

To assist the City Manager in his ability to monitor the flow of information, requests for information are best tracked if submitted in writing, either in memorandum form or through email. And to ensure proper responsiveness, Council Members are asked to "cc" both the department head and the City Manager on all correspondence with staff. Staff further encourages Council Members and constituents to utilize the "Menlo Park Direct Connect" web-based system that is accessed via the home page of the City's website.

Comment [API5]: Needs update

There are limited restrictions when information cannot be provided. Draft documents (e.g., staff reports in progress, administrative draft EIRs) under review are not available for release until complete and after review by city management. In addition, there are legal restrictions on the City's ability to release certain personnel information even to members of the City Council. Certain aspects of Police Department affairs (access to restricted or confidential information related to crimes) may not be available to members of the Council.

City Council Members have a responsibility in this information flow as well. It is critical that they make use of staff reports and commission minutes. Council Members should come to meetings well prepared – having read staff reports and attachments, and requesting in advance any necessary and available information from staff. If a Council Member has questions on an agenda item, that member should preferably contact staff prior to the meeting in order to allow staff time to research a response for the meeting.

Staff roles: The Council recognizes the primary functions of staff as serving the community, executing Council policy and actions and in keeping the Council informed. Staff is obligated to take guidance and direction only from the Council as a whole or from the appropriate management supervisors [through the City Manager](#). Staff is directed to report to the City Manager any attempts by individual members of the Council to unduly direct or otherwise pressure them into making, changing or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests made by individual Council Members for information or assistance; provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council. If a request by an individual Council Member is determined by the City Manager to take one hour or more of staff time to complete, that request may be included on the formal Council agenda for full Council discussion.

Dissemination of Information

In cases where a staff response to an individual Council Member request involves written materials that may be of interest to other Council Members, the City Manager will provide copies of the material to all other Council Members. In making this judgment, the City Manager will consider whether the information is significant, new, otherwise not available to the Council or of interest to the Council.

Magnitude of Information Request

Any information, service-related request, or revised policy position perceived as necessary by individual Council Members, and that cannot be fulfilled based on the above guidelines, should be submitted by the individual Council Member in writing to the Council as a whole. When raised at a Council meeting, the full Council can decide whether and when to agendaize the request for further consideration. The City Manager will seek necessary clarification as to whether the Council desires staff research or a report prepared; and, if so, the relative priority that should be given to such a request in light of other priorities and potential workload impacts.

Staff Relationship with Advisory Bodies

Staff support and assistance is typically provided to commissions and task forces. However, advisory bodies do not have authority over City employees. While staff may work closely with

advisory bodies, staff members remain responsible to their immediate supervisors and ultimately the City Manager and City Council. The members of the commission/ board/committee are responsible for the functions of the advisory body, and the chairperson is responsible for committee compliance with City policies and practices as outlined in the Commission Handbook.

Staff support often includes preparation of an agenda and its posting in compliance with the Brown Act. Staff may also prepare reports providing background on the issue, alternatives, a recommendation, and appropriate backup materials, if necessary. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues. The assigned staff person may ~~serve as secretary,~~ taking minutes as needed. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

It is important that advisory bodies wishing to communicate recommendations to the City Council do so through approved Council agenda procedures. In addition, if a commission wishes to correspond with an outside agency, that correspondence will be prepared by staff for review by the City Manager and possible approval by the City Council. Individuals who would like staff to perform research or for the commission to review a particular issue must gain the approval for such a request from the full City Council before any work is planned or done. ~~The annual work plan for the City's commissions is determined by the City Council at its priority-setting that precedes the adoption of the fiscal year budget. Each Commission establishes a 2-year work plan that is in line with the City Council's goals, which guides the commissions' activities and projects.~~

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Restrictions on Political Involvement by Staff

Local governments are non-partisan entities. Professional staff, as reflected within the principles of the Council-Manager form of government, formulates recommendations in compliance with Council policy and for the good of the community and is not influenced by political factors. For this reason, it is very important to understand the restrictions of staff in any level of political involvement through campaigns, fund-raisers, or other means.

By working for the City, staff members do not surrender rights to be involved in local elections. Indeed, laws are in place to preserve those rights. However, there are limitations to such involvement. Different restrictions apply to management and to general employees.

General employees have no restrictions while off the job. No participation in campaigns or other activities may take place while on the job. No City resources may be used by staff in support of any campaign. Even while off the job, no employee may participate in campaign or other activities in a City uniform. For example, posing for a promotional photograph for a candidate for local office while in uniform is inappropriate. The support of the City Council in these matters is requested. A Council Member asking staff to sign petitions or similar items can similarly create an awkward situation.

For management staff, the City Manager strongly discourages any involvement in a local campaign even while on personal time. Such involvement could erode the tenet that staff is to provide an equal level of service to all members of the City Council. The City Manager specifically prohibits any political involvement in local campaigns by department heads.

Support Provided to City Council

Staff Support

General administrative support to members of the City Council is provided through the City Manager's Office. ~~Secretarial-Administrative~~ services including scheduling of appointments ~~and~~ receipt of telephone messages, ~~and word processing~~ are available as needed. ~~In addition to supporting the five City Council members, the two administrative support staff members also assist the City Manager, Assistant City Manager, City Clerk and Business Development Manager.~~ Sensitivity to the workload of support staff members in the City Manager's Office is appreciated. Should requested tasks require significant time commitments, prior consultation with the City Manager is requested.

Office Equipment/~~Technology~~

To enhance Council Members' ability to communicate with staff and the public, the City Council office is equipped with a computer and telephones with voicemail. The Council can also receive and send faxes.

Council Members may be connected from their home to the City's computer network. Information ~~Technology~~Services staff will provide initial assistance in setting up necessary software and hardware. While staff will maintain those computer applications related to City affairs, staff cannot provide assistance for personal computer applications. ~~Each Councilmember is provided the use of a tablet device.~~ When individual Council Members have completed their term of office, any ~~installed software and external modem~~technology must be returned to the City.

These technologies facilitate efficient communication by Council Members. However, their use also raises important legal issues to which Council Members must pay special attention. First, the Brown Act prohibits members from using "technological devices" to develop a concurrence by a majority regarding an action to be taken by the Council. "Technological devices" under the Brown Act include phones, faxes, computer email, public access cable TV and video. Council Members should not use e-mail, faxes or phones for communicating with other Council Members in order to develop a majority position on any particular issue that may come before the full Council. Particular caution is advised when using or responding to email received via the "CCIN" feature on the City's website and email directory. Correspondence sent using CCIN automatically goes to all five Council Members, certain staff and to the local newspapers.

Second, be aware that most emails sent by Council Members probably are public records under the Public Records Act. Even though it does not create paper, sending email is more similar to mailing a letter than placing a telephone call. The information in the email is stored on the computer network until deleted, and may continue to exist on the network's back-up systems even after being deleted. As a result, emails can become records of the City maintained in the course of business, and thus available for public disclosure under the Public Records Act.

Finally, the City's email system is intended for the conduct of official business, and not for political reasons. See CHAPTER 8 for a detailed discussion on the prohibition against using City property and funds for personal or political purposes.

Meeting Rooms

An office is available adjacent to the City Manager's Office for shared use by members of the City Council. Council Members can also reserve larger meeting space for use by contacting the City Manager's Office staff.

Mail, Deliveries

Members of the City Council receive a large volume of mail and other materials from the public, private interests and staff. The City Manager's Office staff maintains a mailbox for each member. Meeting agenda materials are available for pick up Thursday evenings at 5:30pm and are posted on the City's website. Members are encouraged to return unwanted reports and documents to staff for distribution to the public or for recycling.

Financial Matters

Council Compensation

State law and the Municipal Code provide for modest compensation to members of the City Council. State law limits an increase in City Council salaries to 5% per year, effective only following the next election after adoption. Currently, Council Members receive a stipend of \$640 per month. Council Members are also eligible for participation in group insurance benefits including retirement, medical, dental, vision, and life insurance plans available at the level provided to management employees.

Expenditure Allowance

The annual city budget includes limited funding for members to undertake official City business. Eligible expenses include travel for attendance at conferences or educational seminars, and the purchase of publications and annual subscriptions. Travel expense reimbursement for meals does not allow reimbursement for alcohol. Donations to organizations are not eligible nor are meals for individuals other than Council Members. Available funds are disbursed on a first come first served basis, with the Mayor and City Manager monitoring expenses during the year. ~~City Council Policy Appendix D includes a copy of #CC-91-0002 pertaining~~ to travel and meeting expenses.

Expenditure Guidelines

It is important to note that any expense must be related to City affairs. Public property and funds may not be used for any private or personal purpose. Courts have ruled that this prohibition includes personal political purposes. For example, reimbursement could not be allowed to pay for meals at a meeting designed to discuss political or campaign strategies. It is also inappropriate for City funds to pay for a meal or other expenses of a private citizen.

City budgetary practices and accounting controls apply to expenditures within the City Council budget. Reimbursement requests should be made through the City Manager's Office monthly with receipts. Expenditure records are public information. Questions arising as to the proper application or interpretation of the adopted policy will result in the City Manager conferring with the Mayor.

Conflicts & Liability

Conflict of Interest

State laws are in place to prevent an action by a Council Member that would or may constitute a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. At any time a Member believes a potential for conflict of interest exists, he/she is encouraged to consult with the City Attorney or private legal counsel for advice. Staff may also request an opinion from the City Attorney regarding a member's potential conflict. Laws that regulate conflicts are very complicated. Violations may result in significant penalties including criminal prosecution.

There are two primary laws that govern conflicts of interest for public officials in California - the Political Reform Act and Government Code §1090. In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before the official; §1090 prohibits a public official from having an interest in government contracts.

The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a financial interest. Therefore, if a public official has a conflict of interest, the official must disqualify himself or herself from acting on or participating in the decision before the City. Once a year Council Members and certain staff are required to file statements of economic interests.

Government Code §1090 is similar to the Political Reform Act, but applies only to City contracts in which a public official has a financial interest. The financial interests covered by §1090 are different from those in the Political Reform Act. A Member having an interest in a contract may preclude the City from entering into the contract at all. In addition, the penalties for violating §1090 are severe. If a Council Member believes that he or she may have any financial interest in a contract that will be before the Council, the Member should immediately seek advice from the City Attorney or the Member's personal attorney.

There are a number of other restrictions placed on Council actions that are highlighted in the League of California Cities' *Guide*. Such restrictions include prohibitions on secrecy and discrimination as well as assurance that all city funds are spent for public purposes. Violations of these restrictions may result in personal liability for individual Council Members.

City Attorney Advice

The City Attorney has an affirmative duty to protect the City and City Council from conflicts of interest wherever possible. It is critical to note that while the City Attorney can render advice on the interpretation of State laws and regulations on conflict matters, such advice is solely an interpretation of the law. The only authority that can provide binding interpretations on such matters is the State Fair Political Practices Commission (FPPC). Members or the full Council may also solicit opinions on such matters directly from the FPPC; however, such opinions often take time to develop and may not readily respond to urgent matters. It is important to note that

Comment [API 6]: Have Bill confirm this information/law is up to date - YES

the City Attorney does not represent individual members of Council, but the City Council as a whole.

Conflict of Interest Forms

Annual disclosure statements are required of all Council members, designated commissioners and senior staff which indicate potential conflicts of interest including sources of income, ownership of property and receipt of loans and gifts. Council Members and the City Manager often serve on the governing board of other agencies as a result of their positions. These agencies also require submittal of disclosure forms. These forms require information including income, loans, receipt of gifts, and interest in real property among other items.

Liability

The City is a large institution offering a variety of services and may occasionally find itself subject to legal actions through lawsuits. For example, those involved in automobile accidents sometimes choose to take actions against a City since the accident occurred on a City roadway. The City must always approach its responsibilities in a manner that reduces risk to all involved; however, with such a wide variety of high-profile services all risk cannot be eliminated. The City belongs to an agency with other governments to manage insurance and risk activities.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in that member's being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment or fraud.

Additional Training & Resource Materials

League of California Cities

The League is an association of virtually all cities in California. It provides many services including the production of educational conferences for local officials, publication of various newsletters and the monthly magazine *Western City*. The League has lobbyists on staff to represent the interest of cities before the state legislature and federal government and supports committees having local officials as members that are organized to address issues as they arise. The League has an Internet web site at www.cacities.org. The City of Menlo Park participates in League activities through the Peninsula Division.

Local Government Commission

The Commission is a California-based organization that focuses largely on planning and resource conservation issues. It conducts workshops, offers periodic seminars, and publishes newsletters.

International City/County Management Association (ICMA)

ICMA is a professional association of local government chief executives/city managers. The association has an extensive list of publications to assist local officials.

[The League of California Cities produces a number of publications on substantive issues in city and local government. These publications are available for purchase from the League.](#)

[Municipal Revenue Sources Handbook, 2014](#)

[Open & Public IV, Revised July 2010](#)

[Rosenberg's Rules of Order: Parliamentary Procedure for the 21st Century](#)

[The People's Business: Guide to the California Public Records Act, 2008](#)

[Countdown to Success](#)

[For publication inquiries, contact Craig Matsumoto at \(916\) 658-8217](#)

[The Institute for Local Government also produces publications. For ILG publications please go to \[www.ca-ilg.org/publications\]\(http://www.ca-ilg.org/publications\).](#)

Other Reference Material Available

— [The Brown Act – Open Meetings for Local Legislative Bodies](#)

— [Report on City Participation in Ballot Measure Campaigns](#)

— [A Guide to the Political Reform Act](#)

- ~~— Elected Officials Handbooks:
 - ~~Setting Goals for Action: An Overview of Policy Development~~~~
- ~~— Building a Policy-Making Team~~
- ~~— Setting Policies for Service Delivery~~
- ~~— Pursuing Personal Effectiveness~~
- ~~— City of Menlo Park Municipal Code~~

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STAFF REPORT

City Council

Meeting Date: 1/26/2016

Staff Report Number: 16-016-CC

Informational Item: City Council 2016 Work Plan Preparation

Recommendation

This is an informational item and does not require City Council action.

Policy Issues

It has been the City Council's policy to adopt goals/work plan annually. Any policy issues that may arise from the implementation of individual goals will be considered at that time.

Background

The City Council adopts goals and/or a work plan at the beginning of the year. These items are typically not funded until the adoption of the budget later in June. At the January 12, 2016 Council meeting, the City Council was provided with an update on the work plan items for 2015. Many of the items on the work plan for 2015 are ongoing. The adopted work plan identified resources and funding necessary for each of the items.

Analysis

The Council work plan for 2015 includes 30 items, some of which include multiple components. The resources to work toward and complete many of these items were not funded until the budget adoption in June of 2015. Staff has also been working on a significant number of Council approved Capital Improvement Plan (CIP) projects. Some of the CIP projects overlap with the work plan items approved by the Council. A list of work plan items, CIP projects, and other projects within the City are included as a Draft City Council work plan in Attachment A. The list has been grouped into themes to help categorize the items. The themes are as follows in no specific order:

- Improving Menlo Park's multimodal transportation system to more efficiently move people and goods through Menlo Park
- Responding to the development needs of private residential and commercial property owners
- Realizing Menlo Park's vision of environmental leadership and sustainability
- Maintaining and enhancing Menlo Park's municipal infrastructure and facilities
- Attracting thoughtful and innovative private investment to Menlo Park
- Furthering efficiency in city service delivery models
- Providing high-quality resident enrichment, recreation, discovery and public safety services

The City recently conducted a resident survey regarding City services and other issues. The City received high satisfaction ratings for Community Services, Library Services, and Police Services. By contrast, residents expressed concern with traffic, downtown and the lack of new development. The themes listed above were informed by these results. The survey results are included as Attachment B.

The Council work plan discussion for this year is scheduled for Friday, January 29, 2016. At this meeting, Council will consider the current work plan/project list included as Attachment A. The ongoing nature of many of the projects is important for Council to consider if these items are still a priority.

Some of the work plan items are broad in nature such as "Address traffic issues on Willow Road." These particular items have been converted to specific projects that work toward implementation of that Council goal, such as "Start construction on the Willow/101 interchange." Now that the resources to work on the work plan and other projects are in place, a continued course toward completion of those items should be considered through the work plan process.

This process is building toward preparation of the budget for fiscal year 2016-17. The budget is developed based on principles approved by the City Council. The budget principles are included as Attachment C.

In an effort to help guide the work plan discussion, the following process is recommended for Council to consider:

- Review the current work plan items
- Consider new initiatives/projects
- Evaluate interest among the Councilmembers in the new initiatives/projects
- Assess relative importance of any new ideas/projects, which the Council desires to pursue in place of current work plan items
- Determine the impact/reprioritization of other work plan items

Depending on the outcome of the work plan discussion by Council, the work plan would be brought back to Council for adoption, likely at the February 9th, 2016 Council meeting.

Public Notice

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

Attachments

- A. Draft City Council work plan
- B. Community Survey results PowerPoint
- C. City Council Budget Principles

Report prepared by:
Chip Taylor, Assistant City Manager

DRAFT CITY COUNCIL WORK PLAN

Responding to the development needs of private residential and commercial property owners

Number	Description	Lead department
1	Establish public benefits approach for development projects	City Manager's Office, Community Development
2	General Plan process; stay on schedule with revitalization of M-2 area commercial areas	Community Development
3	Numerous development projects	Community Development
4	Downtown/EI Camino Real Specific Plan biennial review	Community Development

Realizing Menlo Park's vision of environmental leadership and sustainability

Number	Description	Lead department
5	Community Zero Waste policy draft	City Manager's Office
6	Renewable energy - solar installation at city buildings	City Manager's Office
7	Climate Action Plan implementation (EV charging stations, etc)	City Manager's Office
8	Update the Heritage Tree ordinance	City Manager's Office

Attracting thoughtful and innovative private investment to Menlo Park

Number	Description	Lead department
9	Implement the Economic Development Plan	City Manager's Office
10	Expand downtown outdoor seating pilot program	City Manager's Office
11	Housing Element implementation programs	City Manager's Office, Community Development
12	Downtown/EI Camino Real Specific Plan streetscape implementation (ex: paseo, parklets)	City Manager's Office, Public Works

Providing high-quality resident enrichment, recreation, discovery and public safety services

Number	Description	Lead department
13	Develop implementation plan for the Sister City and Friendship Program	City Manager's Office
14	Bedwell Bayfront Park operations/maintenance plan	Community Services
15	Measure T funds evaluation/project ranking	Community Services
16	Belle Haven Action Plan Phase III implementation	Community Services
17	Achieve City Council-approved cost recovery levels in all Community Services programs	Community Services
18	Improve and enhance special events	Community Services
19	Belle Haven Pool facility analysis for year-round operations	Community Services
20	Create a community disaster preparedness partnership with residents, businesses and schools utilizing the existing agreement with the Menlo Park Fire Protection District	Police

DRAFT CITY COUNCIL WORK PLAN

Maintaining and enhancing Menlo Park's municipal infrastructure and facilities		
Number	Description	Lead department
21	Belle Haven Pool deck lighting and repairs	Community Services, Public Works
22	Belle Haven Youth Center playground replacement	Community Services, Public Works
23	Bay levee project (participate in the environmental process and design process led by the SFCJPA)	Public Works
24	Bedwell Bayfront Park leachate collection system replacement	Public Works
25	Chilco Street sidewalks and improvements	Public Works
26	Citywide sidewalk repair program	Public Works
27	Citywide street resurfacing program	Public Works
28	Downtown streetscape improvement project (development of the pilot plan program and implementation phasing)	Public Works
29	Haven Avenue streetscape improvement (bike lanes, complete sidewalk gaps, new pedestrian bridge over Atherton Channel)	Public Works
30	Jack Lyle Park restroom construction	Public Works
31	Library landscaping	Public Works
32	Library interior wall fabric replacement	Public Works
33	Nealon Park sports field sod and irrigation system replacement	Public Works
34	Radio infrastructure replacement	Public Works
35	Relocation of Nealon Park dog park	Public Works
36	Urban Water Management Plan update	Public Works
37	Willow Oaks dog park and restroom project	Public Works
38	Complete sidewalks on Santa Cruz Ave	Public Works
39	Address downtown parking garage (prioritize location and design concepts)	Public Works
40	Develop a water master plan	Public Works
41	a. Add an additional emergency well	Public Works
42	b. Develop a recycled water program	Public Works
43	c. Recycled water study for Sharon Heights Golf and Country Club and West Bay Sanitary District	Public Works
44	Pope/Chaucer bridge improvements (participate in Santa Clara Valley Water District's process)	Public Works
45	Bayfront canal/Atherton Channel flooding in Redwood City/Menlo Park agreement on costs	Public Works
46	Downtown utility undergrounding	Public Works
47	Complete library space needs study	Public Works

DRAFT CITY COUNCIL WORK PLAN

Furthering efficiency in city service delivery models		
Number	Description	Lead department
48	Recruit all vacant positions, develop training and retention programs necessary to maintain a high quality workforce, and adopt contemporary job class specifications reflective of actual duties and responsibilities performed by employees.	Administrative Services
49	a. Develop the classification and compensation study and work with labor units to address the study's findings	Administrative Services
50	Complete the Information Technology Master Plan process	Administrative Services
51	a. Develop an RFP for enterprise resource planning (ERP) business management system for city operations including administration and land development	Administrative Services
52	b. Identify and implement interim upgrades to existing business systems as a bridge to a new ERP	Administrative Services
53	Assess current staffing levels in the Administrative Services department, realign existing resources, and add resources where necessary to support the organization's growing need for technology, financial, and personnel support	Administrative Services
54	Complete a fee study for solid waste and water utilities	Administrative Services
55	Complete an updated cost allocation plan, user fee study for non-utility operations, and cost recovery models for non-development related services	Administrative Services
56	Analysis and prioritization of alternative service delivery model goals, what outcome is desired (financial, service changes, etc.) and what metrics determine success	City Manager's Office
57	Improve communications with the community	City Manager's Office
58	Improve relationships with other agencies	City Manager's Office
59	Prioritization of what is most important to the City Council so that staff can focus on those priorities	City Manager's Office
60	Organizational study for development services	City Manager's Office, Community Development, Public Works
61	Organizational Study for Public Works maintenance services	City Manager's Office, Public Works
62	Implementation of recommendations from the department operational reviews (including, among others):	Community Services, Library
63	a. Develop and implement strategic plans for the Library and Community Services departments	Community Services, Library
64	b. Revise and update departmental policies and procedures in the Library and Community Services departments	Community Services, Library
65	c. Develop and improve cooperative relationships with community stakeholders (school districts, community groups, etc.)	Community Services, Library
66	Administration building space planning implementation	Public Works

Improving Menlo Park’s multimodal transportation system to move people and goods through Menlo Park more efficiently

Number	Description	Lead department
67	Transit improvements (study transit options including enhancements to existing shuttles and transportation management associations)	Public Works
68	Willow Road transportation study	Public Works
69	101/Willow Road interchange – Caltrans improvements design & construction	Public Works
70	Rail coordination	Public Works
71	El Camino Real corridor study & design implementation	Public Works
72	Explore Dumbarton rail corridor activation / re-use	Public Works
73	Caltrain electrification design review	Public Works
74	High Speed Rail environmental process	Public Works
75	Grant-funded projects (with deadlines for completion)	Public Works
76	a. Sand Hill Road signal modification project	Public Works
77	b. Citywide bicycle and pedestrian visibility project (add green colored pavement to existing high-use corridors at conflict points and downtown bike racks)	Public Works
78	b. Menlo Park-Atherton bike/pedestrian improvements project (Valparaiso Avenue Safe Routes to School project)	Public Works
79	b. Menlo Park-East Palo Alto connectivity (add Class III bike routes and sharrows to connecting streets and fill sidewalk gaps on O'Connor Street and Menalto Avenue)	Public Works
80	c. Ravenswood Avenue/Caltrain grade separation	Public Works



GODBE RESEARCH
Gain Insight



City of Menlo Park: 2015 City Satisfaction Survey

January 2016

The City of Menlo Park commissioned Godbe Research to conduct a survey of its residents to gauge community satisfaction and priorities, with the following research objectives:

- Develop baseline data for a unique Menlo Park questionnaire;
- Gauge the overall quality of life in Menlo Park;
- Assess the strength of feelings about a sense of community;
- Identify the resident satisfaction with various City issues and services such as, the Downtown area, parks and recreation, public libraries, public safety, and public works;
- Determine the impact of City communications; and,
- Identify any differences due to demographic characteristics.

- Data Collection Internet and telephone Interviewing
- Universe 24,777 adults ages 18 and older in the City of Menlo Park
- Fielding Dates December 8 through December 20, 2015
- Interview Length 22 minutes
- Sample Size n=744 (Online=533; Phone=211)
- Margin of Error ± 3.54

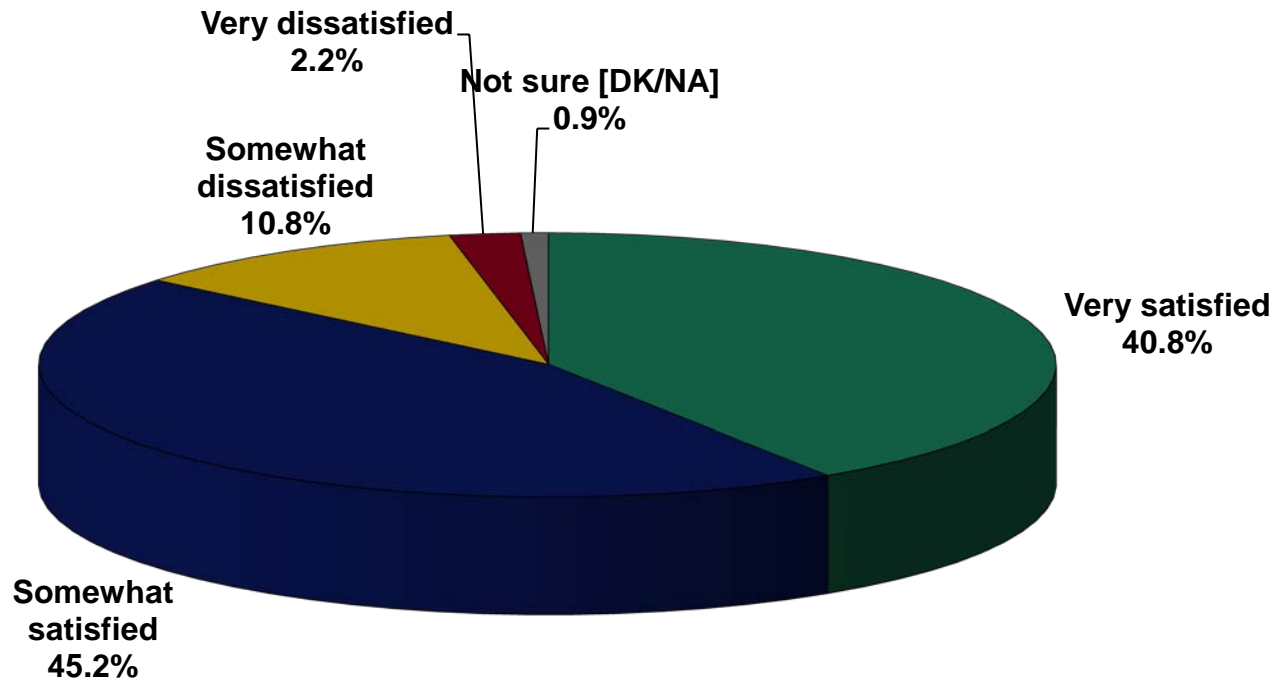


GODBE RESEARCH
Gain Insight

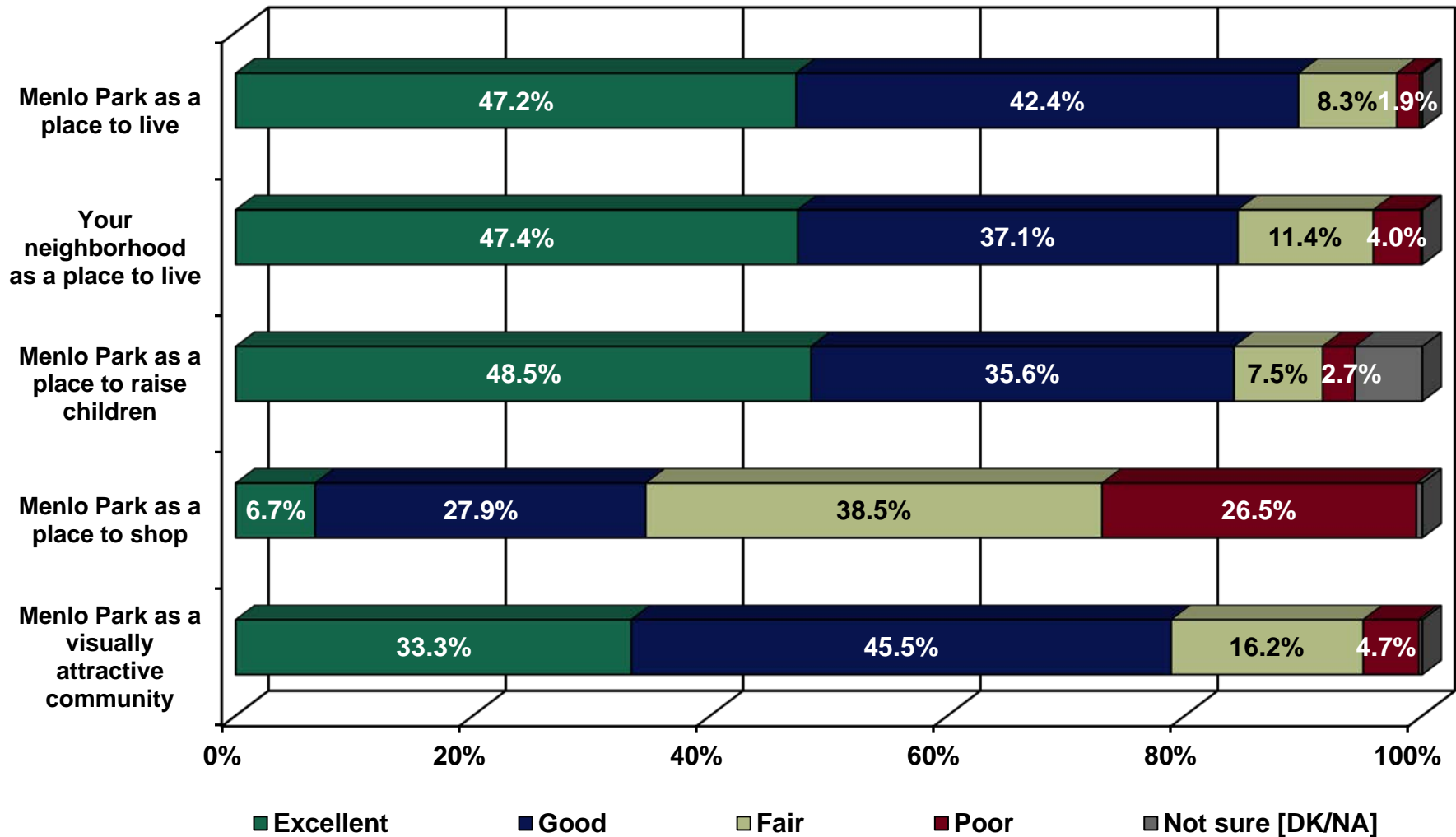


Key Findings

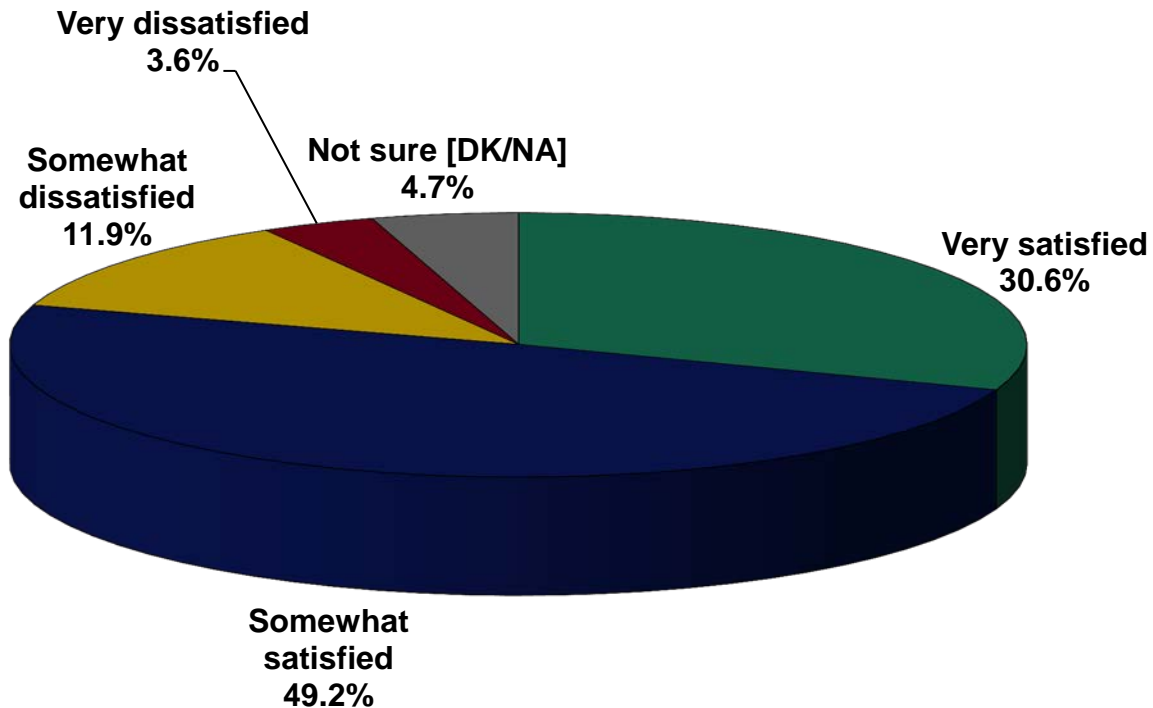
Q1. Satisfaction With Overall Quality of Life in Menlo Park (n=744)



Q2. Opinion on Aspects of Quality of Life in Menlo Park (n=744)

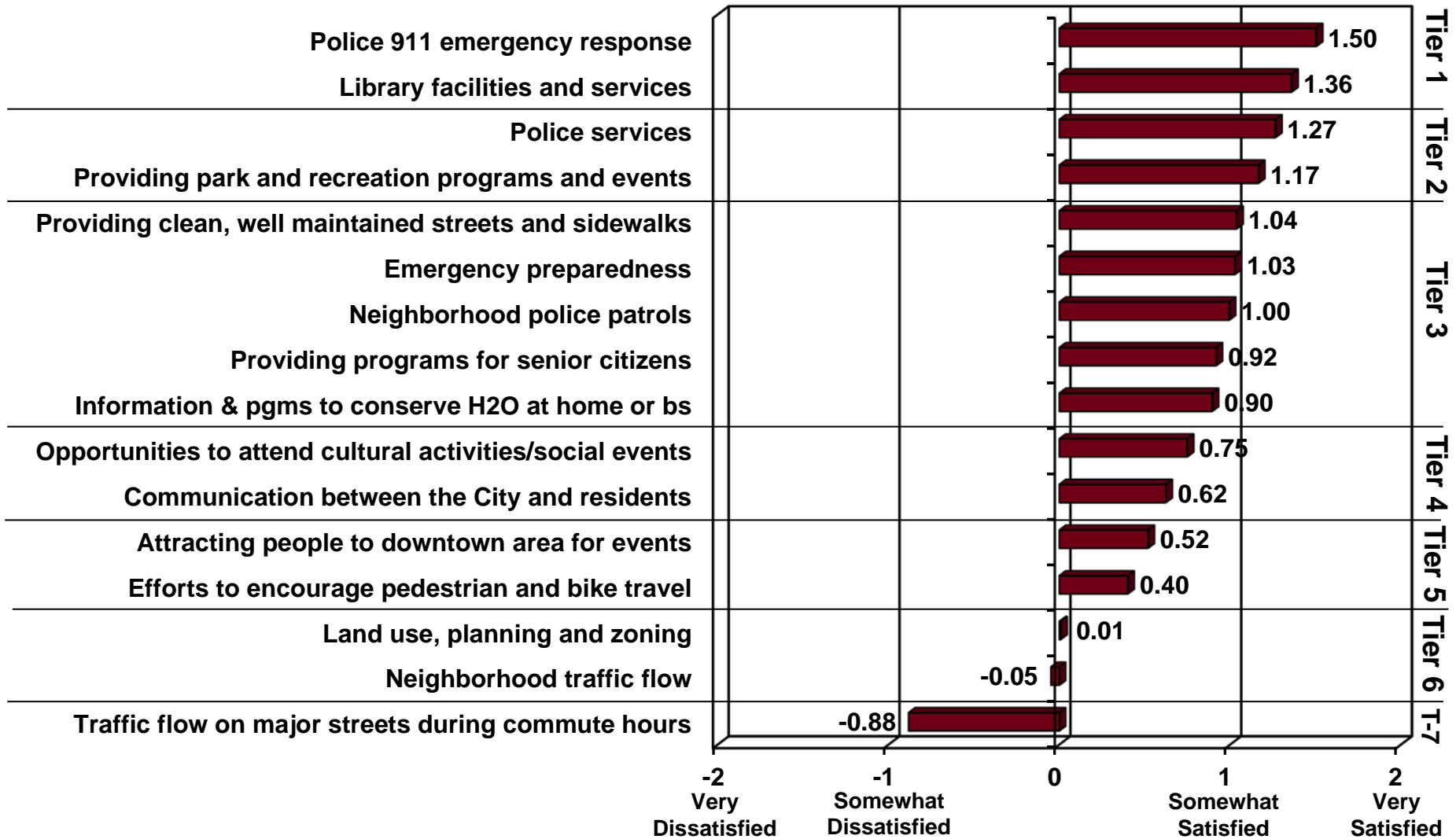


Q3. Satisfaction with Job the City is Doing to Provide Services (n=744)



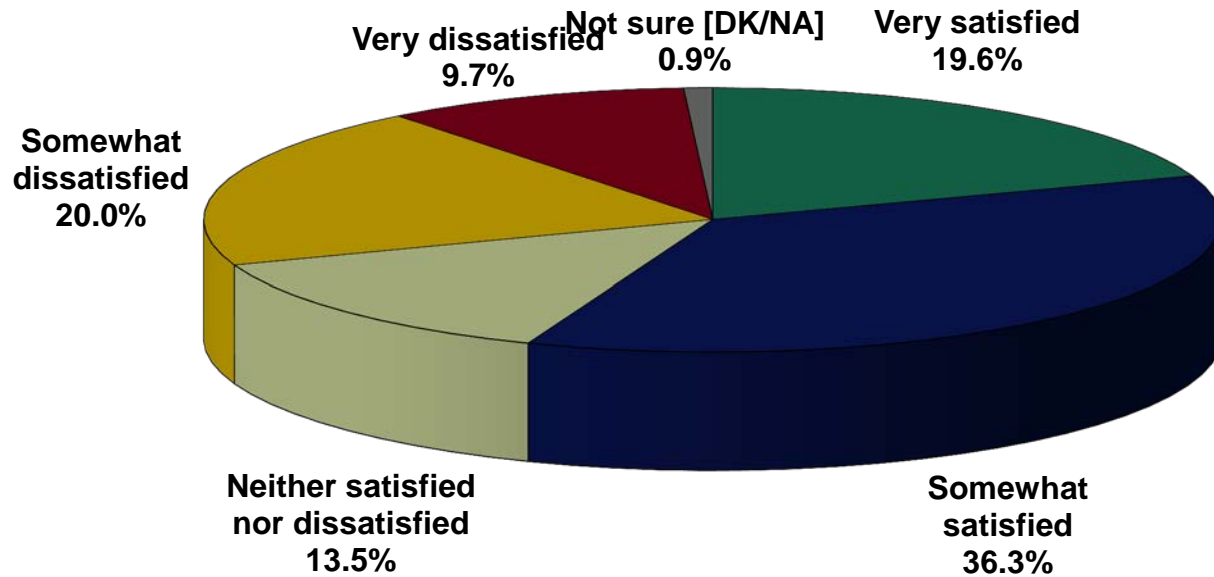
2015 Sat = 79.8%

Q4. Satisfaction with City Services (n=744)



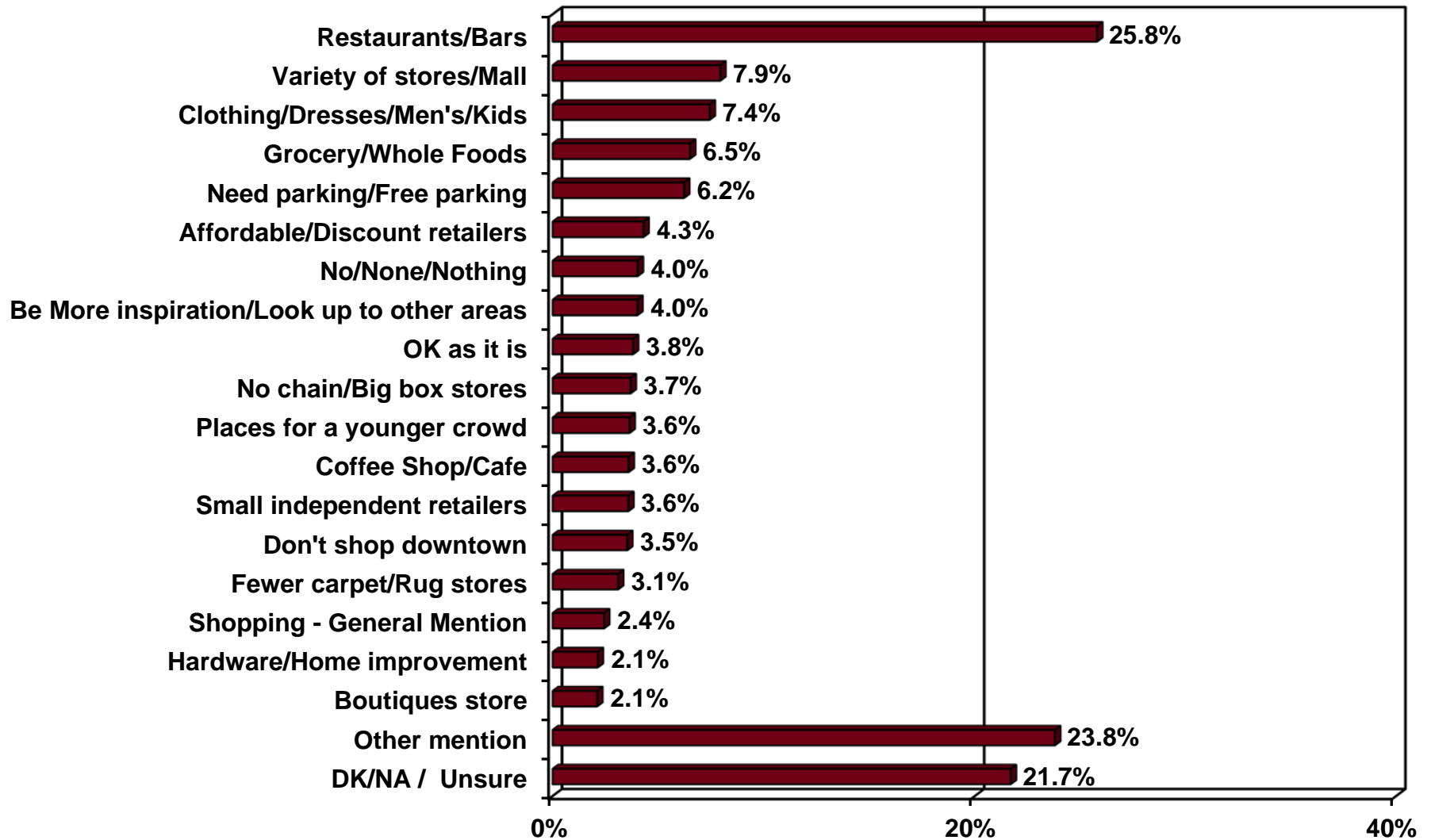
Note: The above rating questions have been abbreviated for charting purposes. The responses were recorded to calculate mean scores: "Very Satisfied" = +2, "Somewhat Satisfied" = +1, "Somewhat Dissatisfied" = -1 and "Very Dissatisfied" = -2.

Q5. Satisfaction with Downtown Menlo Park (n=744)

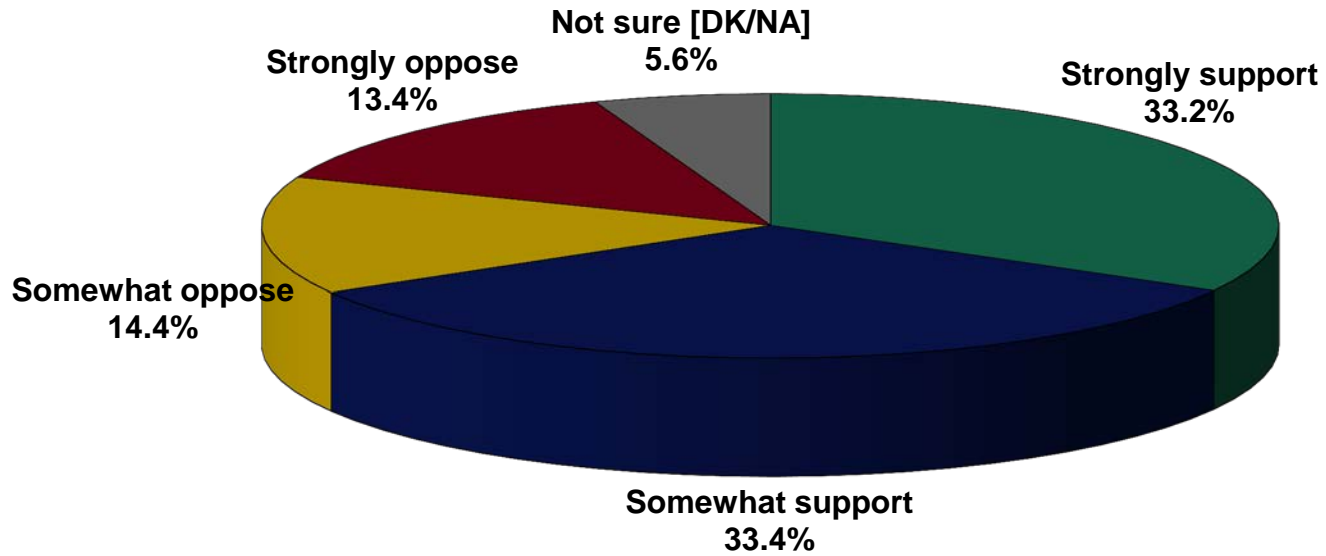


Sat = 55.9%
Dissat = 29.7%
Ratio = 1.9 to 1

Q8. New Shopping Requests for Downtown (n=744)

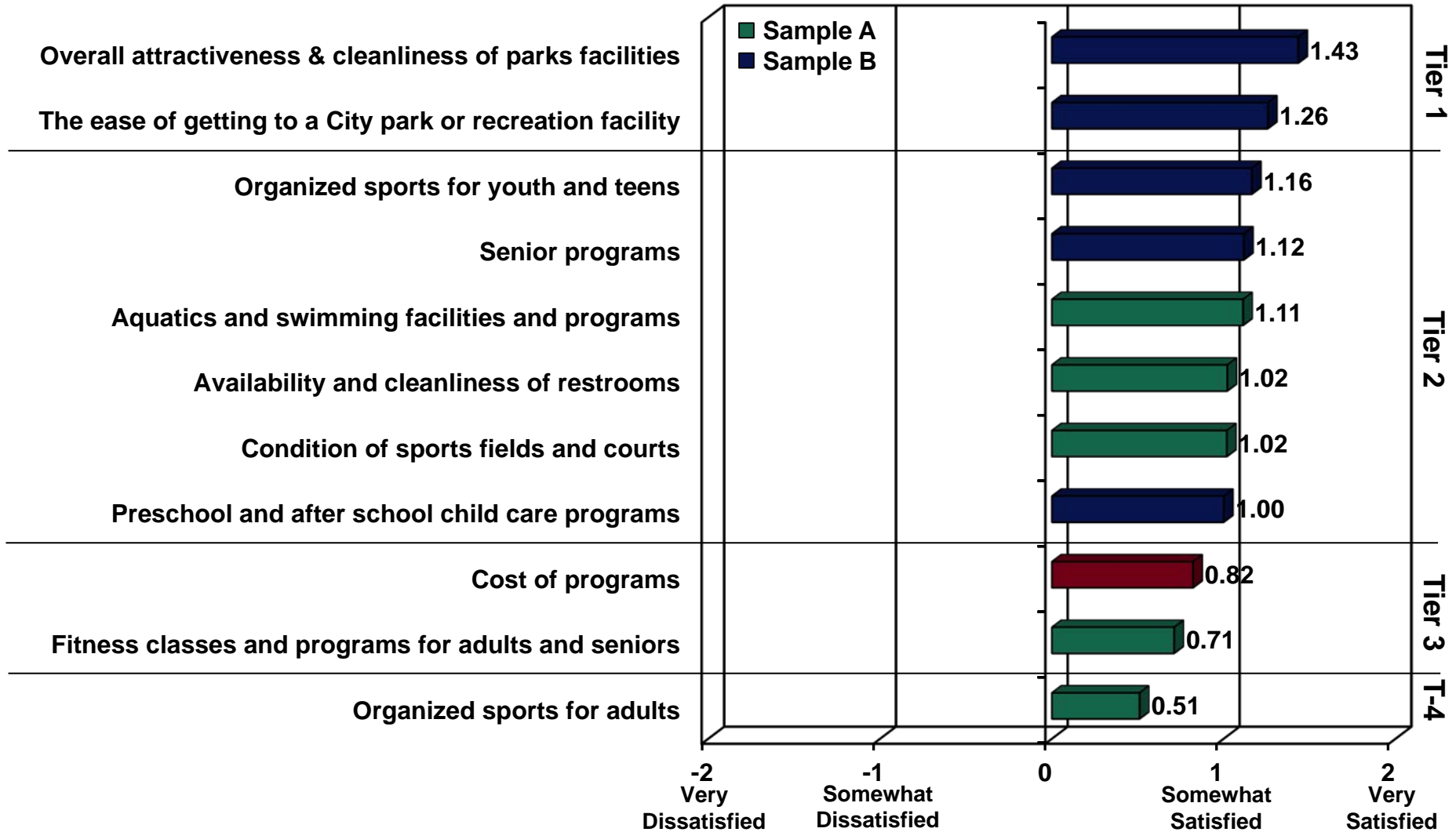


Q9. Support for Above Ground Parking Structures in Downtown (n=744)



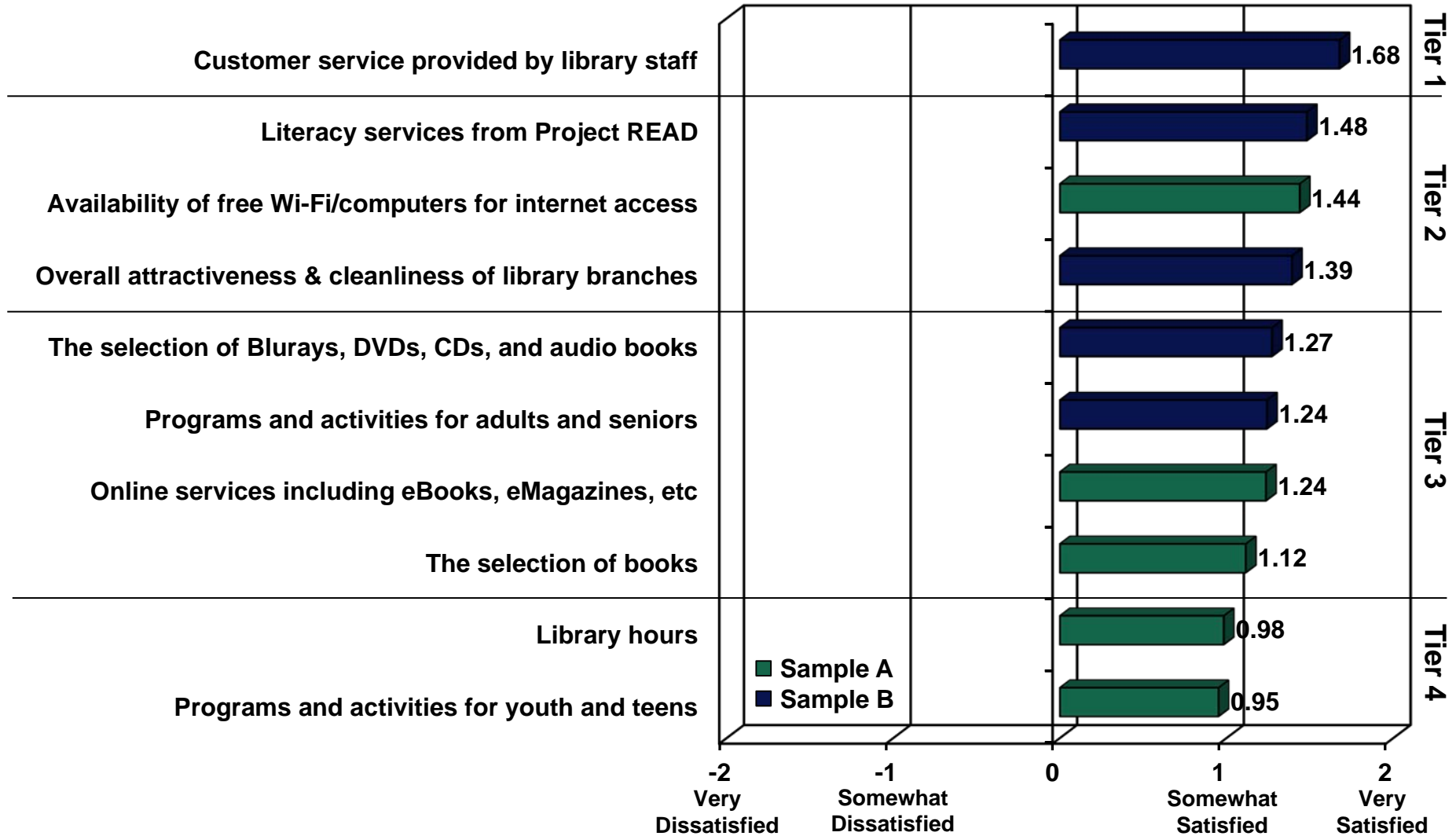
Support = 66.6%
Oppose = 27.8%

Q11. Satisfaction with Parks and Recreation (n=744)



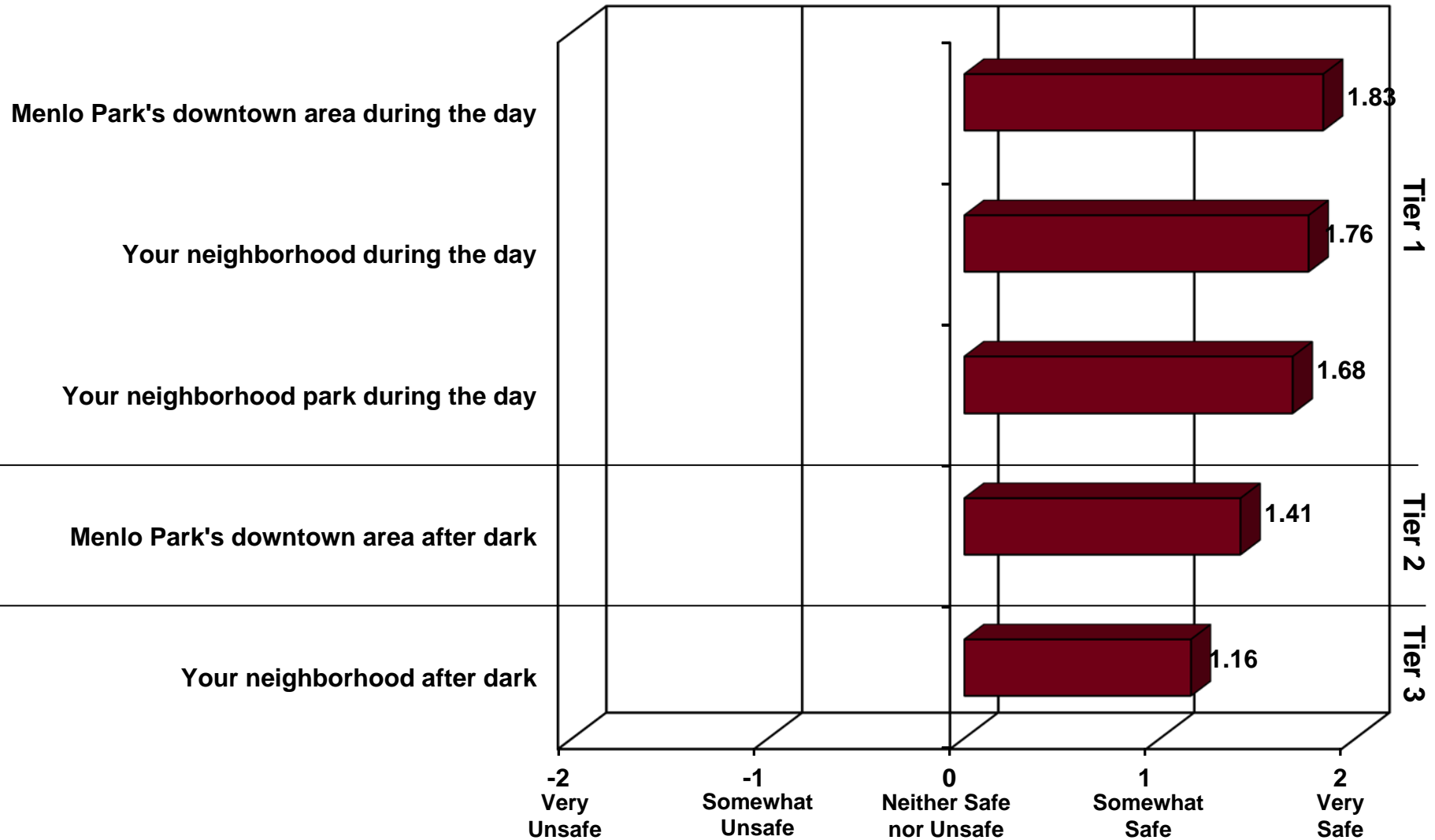
Note: The above rating questions have been abbreviated for charting purposes. The responses were recorded to calculate mean scores: "Very Satisfied" = +2, "Somewhat Satisfied" = +1, "Somewhat Dissatisfied" = -1 and "Very Dissatisfied" = -2.

Q13. Satisfaction with Menlo Park Public Libraries (n=744)



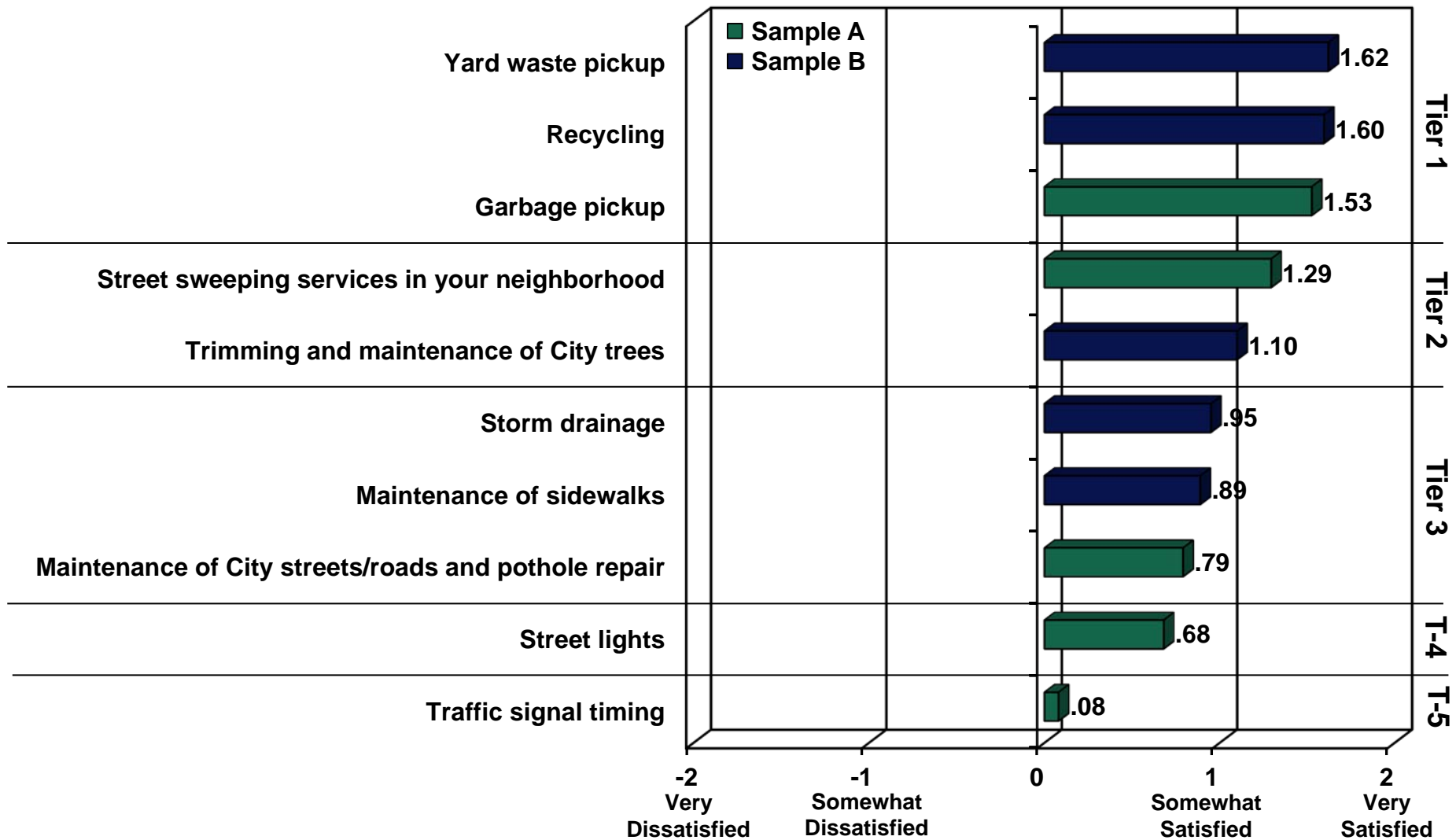
Note: The above rating questions have been abbreviated for charting purposes. The responses were recorded to calculate mean scores: "Very Satisfied" = +2, "Somewhat Satisfied" = +1, "Somewhat Dissatisfied" = -1 and "Very Dissatisfied" = -2.

Q15. Feelings of Safety Walking Alone in Different Areas/Times (n=744)



Note: The above rating questions have been abbreviated for charting purposes. The responses were recoded to calculate mean scores: "Very Safe" = +2, "Somewhat Safe" = +1, "Neither Safe nor Unsafe" = 0, "Somewhat Unsafe" = -1 and "Very Unsafe" = -2.

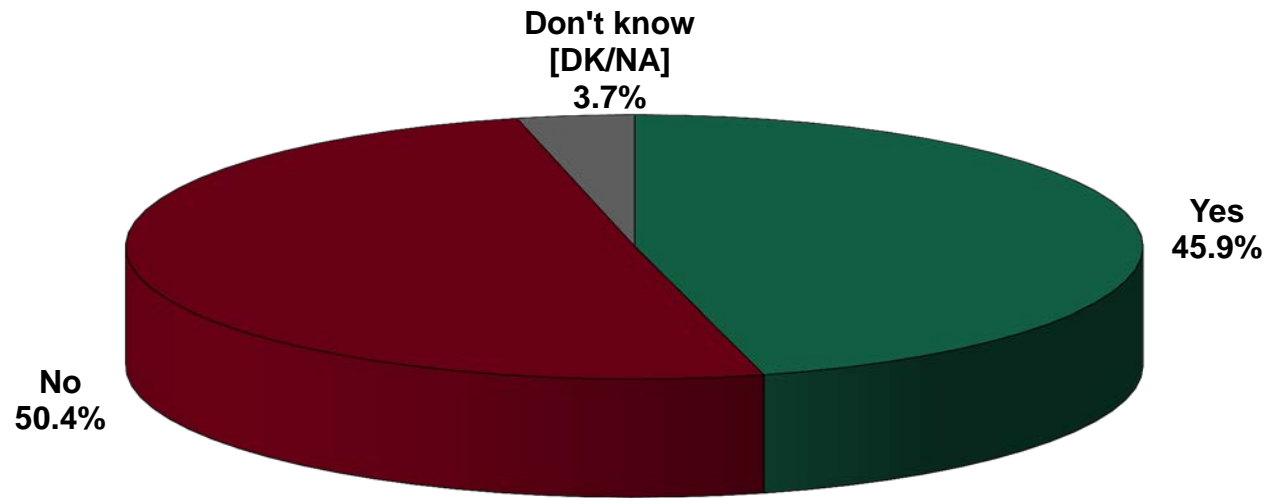
Q18. Satisfaction With Public Works Services (n=744)



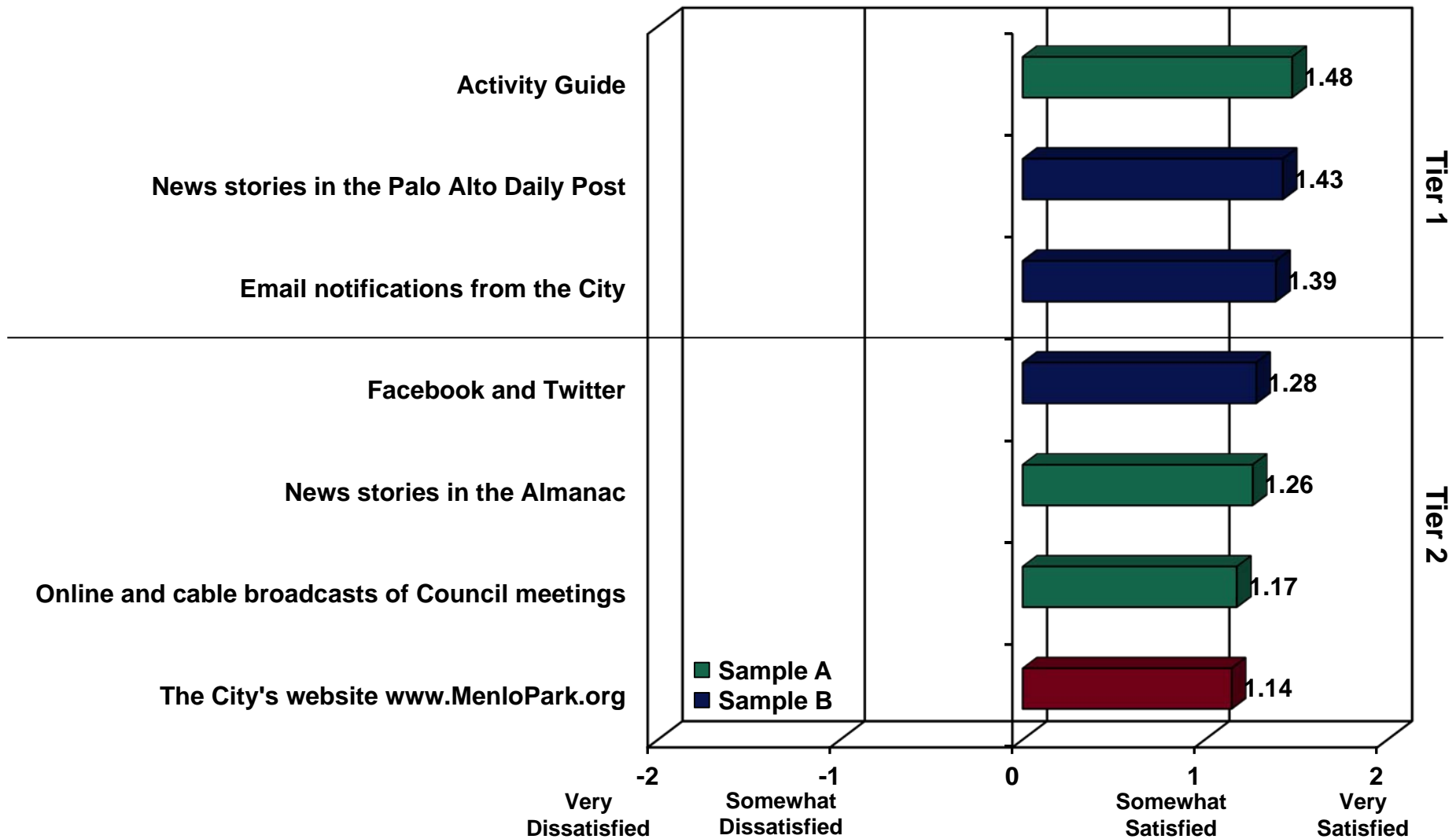
Note: The above rating questions have been abbreviated for charting purposes. The responses were recoded to calculate mean scores: "Very Satisfied" = +2, "Somewhat Satisfied" = +1, "Somewhat Dissatisfied" = -1 and "Very Dissatisfied" = -2.

Q19. Contact With City Employee in Past 12 Months

(n=744)



Q20. Satisfaction With City Communications (n=744)



Note: The above rating questions have been abbreviated for charting purposes. The responses were recorded to calculate mean scores: "Very Satisfied" = +2, "Somewhat Satisfied" = +1, "Somewhat Dissatisfied" = -1 and "Very Dissatisfied" = -2.



GODBE RESEARCH
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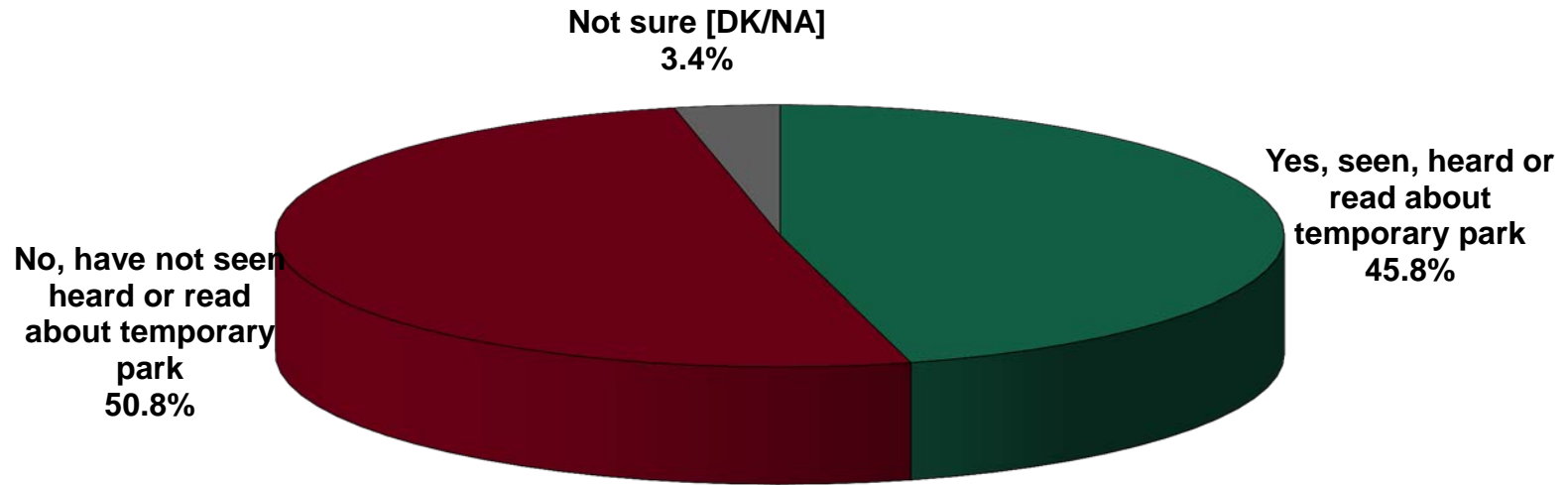
Appendix A: Additional Findings

Q2. Opinion on Aspects of Quality of Life in Menlo Park 2015 to 2008

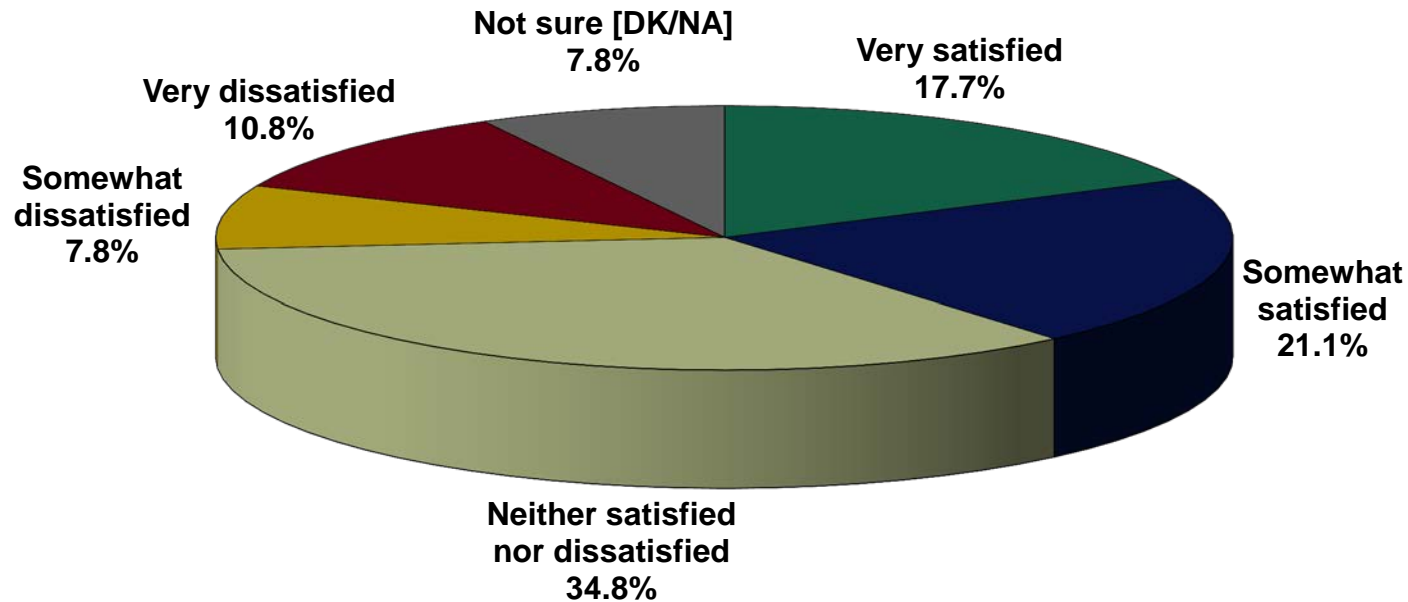
	Excellent + Good			
	2015	2012	2010	2008
Menlo Park as a place to live	89.6%	97.0%	96.0%	97.0%
Your neighborhood as a place to live	84.5%	89.0%	96.0%	89.0%
Menlo Park as a place to raise children	84.1%	76.0%	77.0%	78.0%
Menlo Park as a place to shop	34.6%	--	--	--
Menlo Park as a visually attractive community	78.8%	--	--	--

Q6. Seen, Heard or Read About Chestnut Lane Paseo

(n=744)

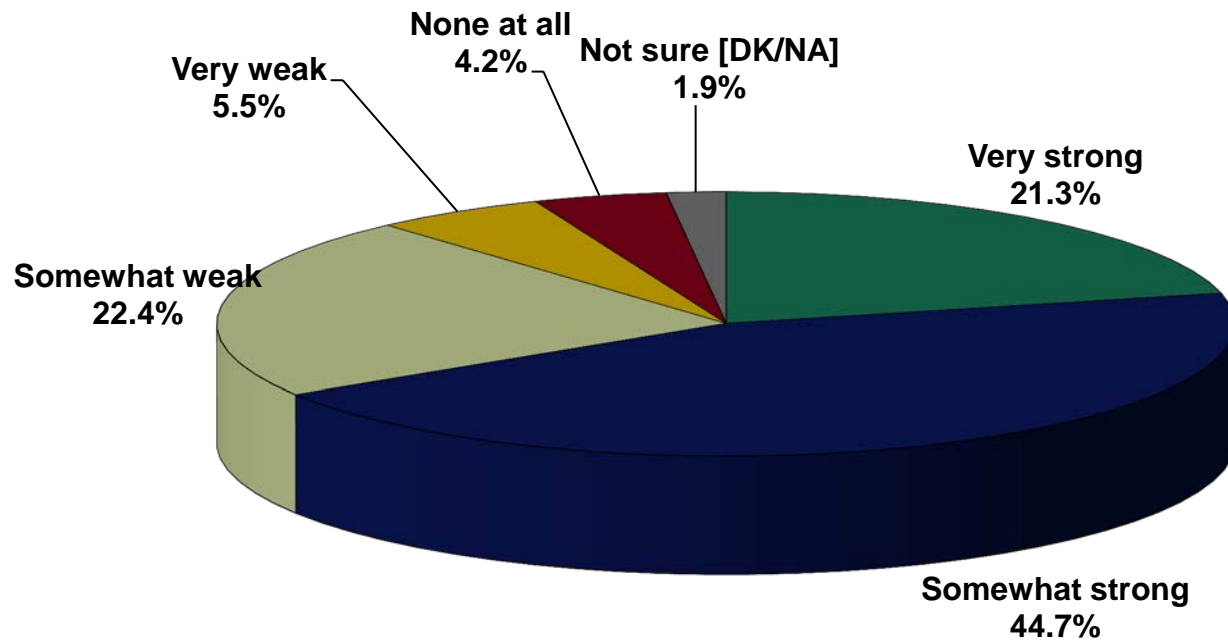


Q7. Satisfaction With Chestnut Lane Paseo (n=341)



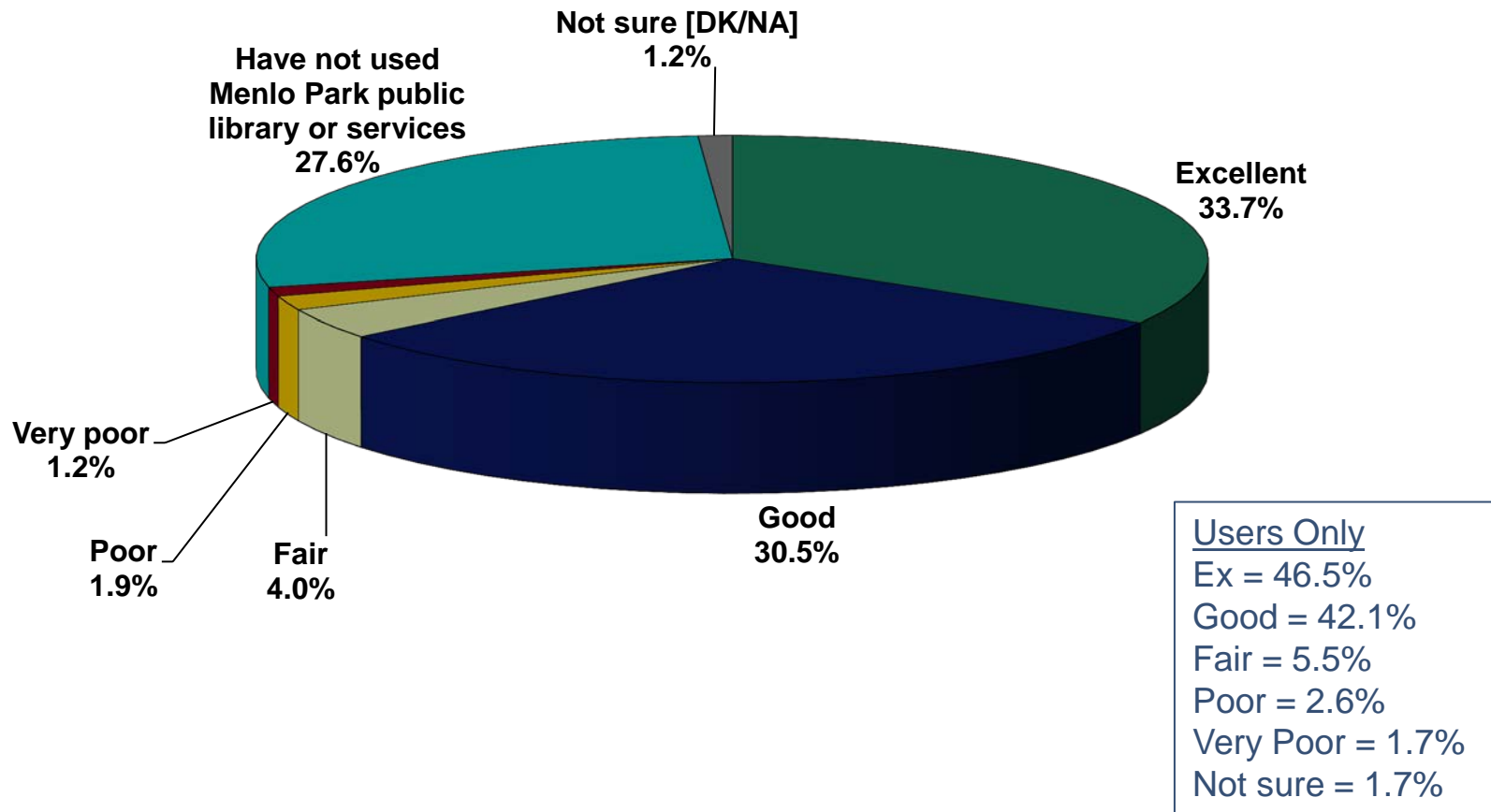
Sat = 38.8%
Dissat = 18.6%
Ratio = 2.1 to 1

Q10. Sense of Community (n=744)

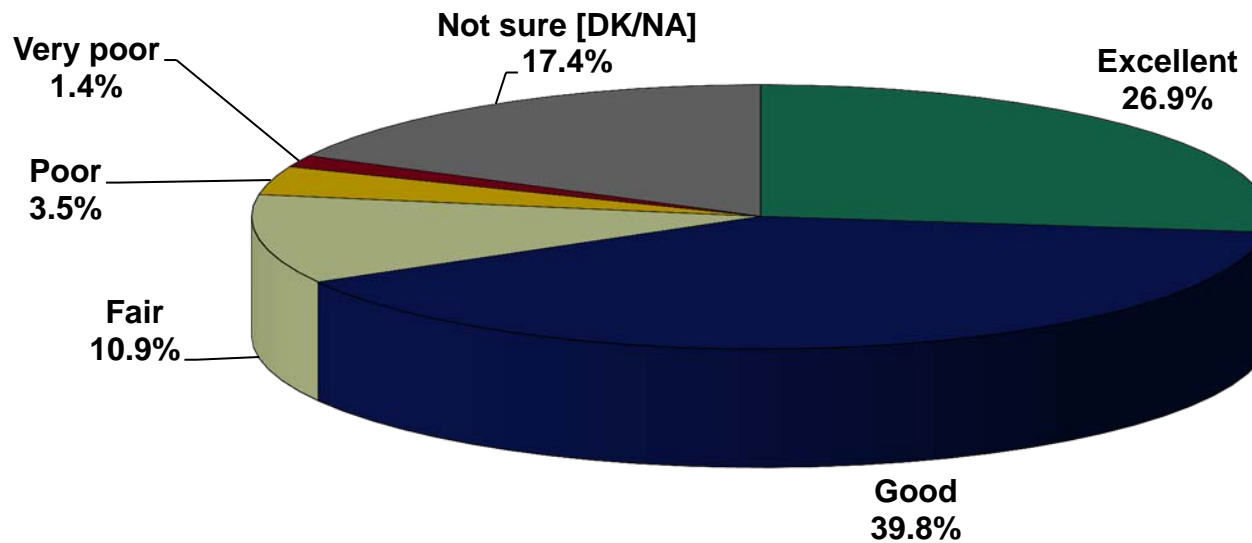


Strong = 66.0%
Weak = 27.9%
Ratio = 2.4 to 1

Q12. Used Menlo Park Public Libraries or Services in Past 12 Months (n=744)

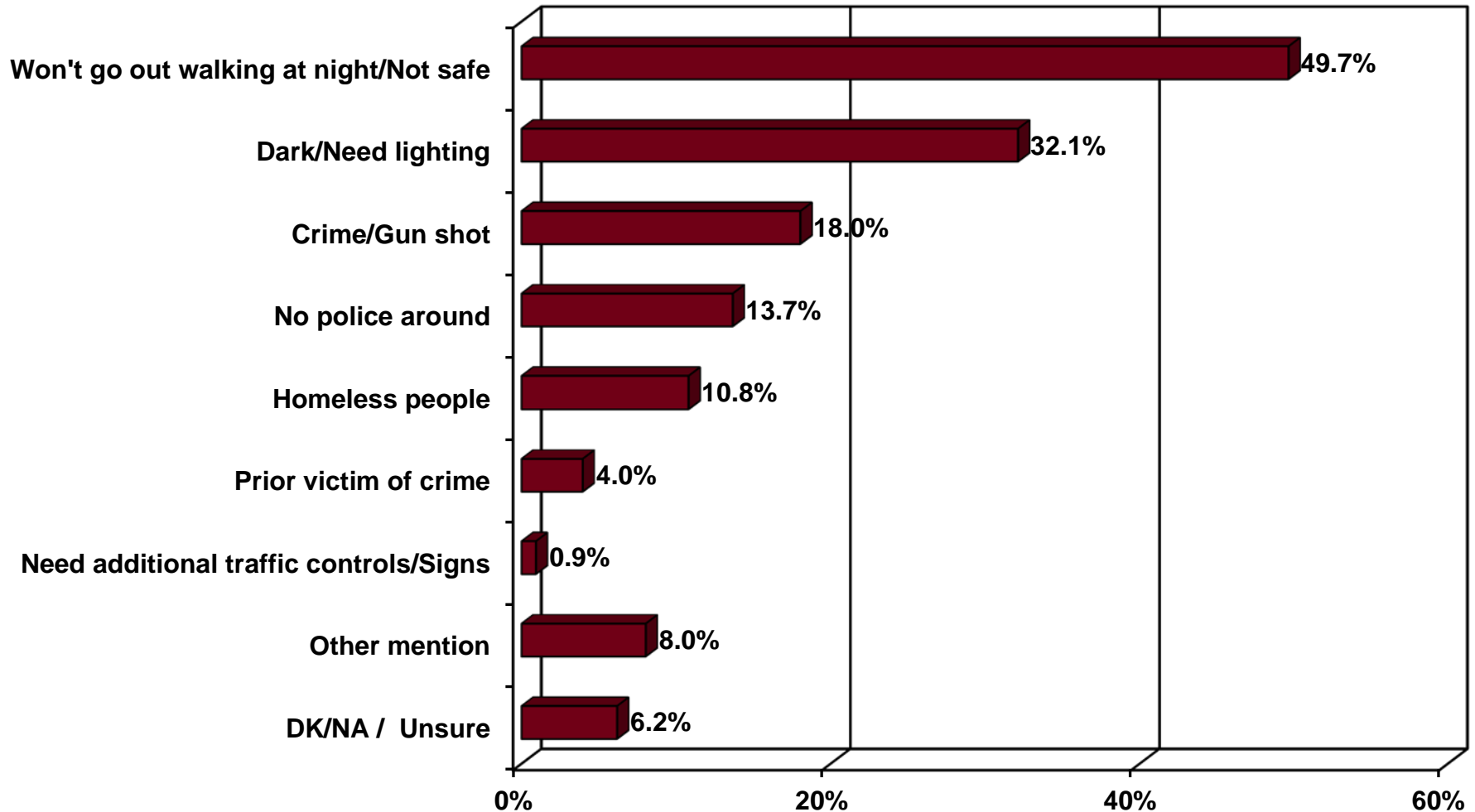


Q14. Opinion on Effectiveness of Police Dept. Addressing Neighborhood Concerns (n=744)

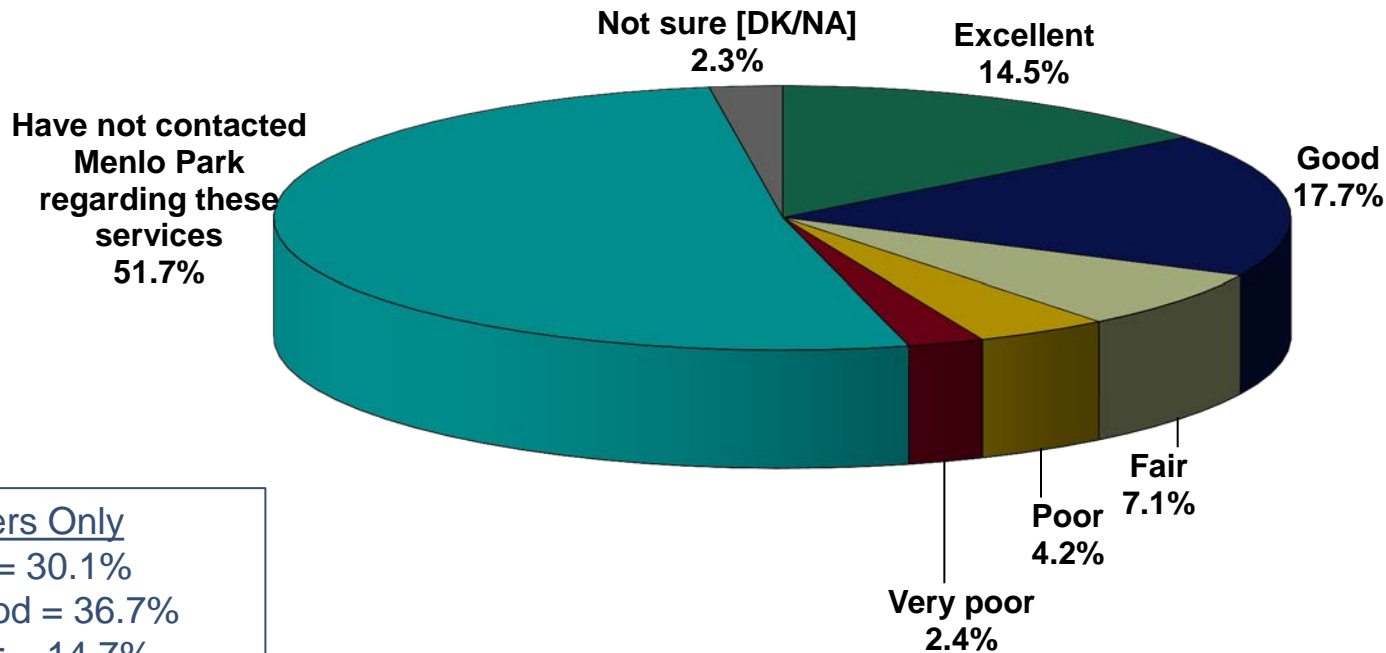


Ex + Good = 66.7%
Poor + Vy Poor = 4.9%
Ratio = 13.6 to 1

Q16. Reasons for Feeling Unsafe (n=106)



Q17. Satisfaction With Public Works Customer Service/Response (n=744)



Users Only

Ex = 30.1%

Good = 36.7%

Fair = 14.7%

Poor = 8.7%

Very Poor = 5.0%

Not sure = 4.8%



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BUDGET PRINCIPLES AND CITY COUNCIL GOALS

The City Council-approved budget principles guide the development of the proposed budget each year. These principles, which were first introduced for fiscal year 2013-14 and then further refined in January 2014, call for the City to:

- Invest in baseline services and City Council goals.
- Invest in programs, services and capital--promoting long-term prosperity.
- Look for opportunities to leverage existing resources and consolidate services within and across government agencies.
- Move toward recovering the full cost of any fee-based service, except where the City Council sees a clear public interest in providing a subsidy.
- Seek operational efficiencies and revenue enhancement opportunities.
- Invest in employee performance and/or production.
- Maintain existing infrastructure and invest in proven technologies to support the organization.
- Invest in the implementation of City Council-adopted plans and strategies.
- Evaluate one-time revenues for highest and best investment and/or use.
- Align and adjust the work program with staff capacity.
- Develop a budget format that is more useful for public consumption and internal control.
- Annually review the unfunded long-term liability of the CalPERS retirement plan and the reserve intended to help balance the annual financial obligation.

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STAFF REPORT

City Council

Meeting Date: 1/26/2016

Staff Report Number: 16-012-CC

Informational Item: 2015 Commissions Attendance Report

Recommendation

This is an informational item only. No Council action is required.

Policy Issues

City Council policy requires an annual attendance report for each commission.

Background

For advisory bodies to function effectively and accomplish their respective goals and work plans, it is important that all members be active participants by attending the regularly scheduled monthly Commission meetings.

In accordance with City Council Policy CC 91-001, a report regarding advisory body attendance is prepared each January reflecting data for the previous year. The 2015 attendance report is provided to Council for review and information.

Analysis

The policy states that members who attended less than two-thirds (67%) of the advisory body's scheduled meetings may be replaced by the City Council. In 2015, all current commissioners fulfilled the attendance requirement. In most cases, commissioners advise the staff liaison in advance of their absence and in most cases the absences are due to pre-planned vacations or scheduled work travel and are considered reasonable. Overall, commission liaisons have reported the absences do not have an impact on discussion or deliberation of agenda items.

Because the City places a high value on the work of the Commissions and strives to provide sufficient support to all commissioners in order to facilitate their work, removal from a commission appointment is rarely a consideration or recommendation and instead staff liaisons prefer to reach out to the commissioners falling in the 67% or below category to determine the reasons for the absences.

Public Notice

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

Attachments

- A. CC-91-002 Commission Attendance Policy
- B. Attendance data for each advisory body

Report prepared by:
Pamela Aguilar, City Clerk

City of Menlo Park		City Council Policy
Department City Council	Page 1 of 1	Effective Date 1/1/1991
	Subject Board and Commission Attendance Policy	Approved by City Council
		Procedure # CC-91-0001

PURPOSE:

This policy is adopted in order to encourage attendance at Board and Commission scheduled meetings and to replace members who are unable to attend on a consistent basis.

BACKGROUND:

A policy of attendance at Board and Commission scheduled meetings has not been uniform throughout the City. Many Commissions have their own policies which they implement on an informal basis. Some Commission scheduled meetings have been cancelled due to the lack of a quorum, a number of Commissions have members who miss a majority of their scheduled meetings and the issue of attendance at scheduled meetings is of concern. Some Commission Chairpersons have previously expressed a need for an attendance policy which would be consistent for all Boards and Commissions and which would dictate the removal of a Board or Commission member who has missed a certain number of scheduled meetings in the calendar year.

There are, often times, excellent reasons why a Board or Commission member might not be able to attend a scheduled meeting: illness, business or home commitments. The policy should be flexible enough so that a reasonable number of absences are allowed. Extensive absences on the part of a Board or Commission member do restrict the ability of a Board or Commission to complete its work and an attendance policy is meant to discourage such behavior.

POLICY:

- 1) A compilation of attendance will be submitted to the Council annually in January listing absences for all Board and Commission members.
- 2) Absences, which result in attendance at less than two-thirds of Board and Commission scheduled meetings for any reason during the calendar year, will be reported to the City Council and may result in replacement of the Board or Commission member by the Council.
- 3) Any Board or Commission member, who feels that unique circumstances have led to numerous absences, can appeal directly to the City Council for a waiver of this policy or a leave of absence.

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BICYCLE Name	January 1/12/2015	February 2/9/2015	March SP 3/2/2015	March 3/9/2015	April 4/13/2015	May 5/11/2015	June SP 6/1/2015	June 6/8/2015	July 7/13/2015	August 8/10/2015	September 9/14/2015	October 10/12/2015	November 11/9/2015	December 12/14/2015
Fred Berghout	Present	Present	Present	Present	Present	Present	Present	Present		Present	Present	ABSENT	Present	Present
William Kirsch	Present	Present	Present	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present
Lydia Lee	Present	Present	Present	Present	Present	Present	Present	Present		Present	Present	Present	ABSENT	Present
Witney McKiernan	Present	Present	Present	ABSENT	Present	Present	ABSENT	ABSENT		Present	Present	ABSENT	Present	Present
Jonathan Weiner	Present	Present	Present	Present	Present	Present	Present	Present		Present	Present	Present	ABSENT	Present
Cindy Welton	Present	Present	Present	ABSENT	Present	Present	Present	Present		Present	Present	Present	Present	Present
Matthew Zumstein	ABSENT	ABSENT	Present	Present	Present	ABSENT	ABSENT	ABSENT	Cancelled	ABSENT	VACANT	VACANT	N/A	N/A
Betsy Nash													Present	Present

2015 COMMISSION ATTENDANCE REPORT

ENVIRON. QUALITY Name	January 1/22/2015	February 2/26/2015	March 3/26/2015	April 4/23/2015	May 5/28/2015	June 6/25/2015	July 7/23/2015	August 8/26/2015	September 9/30/2015	October 10/28/2015	November 11/25/2015	December 12/9/2015
Andrew Barnes	N/A	N/A	N/A	N/A	Present	ABSENT		Present	Present	Present		Present
Allan Bedwell	Present	Present	ABSENT	ABSENT	Present	Present		Present	Present	ABSENT		Present
Chris DeCardy	ABSENT	Present	Present	Present	ABSENT	ABSENT		Present	Present	Present		Present
Kristin Kuntz-Duriseti	Present	ABSENT	ABSENT	Present	Present	Present		Present	Present	Present		Present
Scott Marshall	Present	Present	Present	Present	Present	ABSENT		Present	Present	Present		Present
Deborah Martin	Present	Present	Present	Present	ABSENT	Present		Present	ABSENT	Present		ABSENT
Mitchel Slomiak	Present	Present	Present	Present	N/A	N/A		N/A	N/A	N/A		Present
Christina Smolke	ABSENT	Present	Present	Present	Present	Present	Cancelled	Present	ABSENT	Present	Cancelled	ABSENT

2015 COMMISSION ATTENDANCE REPORT

FINANCE & AUDIT Name	January 1/8/2015	February	March	April	May	June	July 7/30/2015	September	October	November	December 12/10/2015
Catherine Carlton	Present						Present				Present
Rich Cline	ABSENT						ABSENT				ABSENT
Anne Craib	Present						Present				Present
Leslie Denend	Present						Present				Present
Laura Phelps*	Present						VACANT				N/A
Soodie Tornson	N/A						N/A				Present
* Moved out of town in June											

2015 COMMISSION ATTENDANCE REPORT

HOUSING Name	January 1/28/2015	February	March	April	May 5/6/2015	May 5/28/2015	July	August 8/5/2015	September	October	November 11/4/2015	December
Sally Cadigan	Present				Present	Present		Present				
Lucy Calder	Present				Present	ABSENT		Present				
Carolyn Clarke	ABSENT				Present	Present		Present				
Julianna Dodick	Present				Present	Present		ABSENT				
Michelle Tate	Present				Present	Present		ABSENT				

2015 COMMISSION ATTENDANCE REPORT

LIBRARY Name	January 1/12/2015	February 2/9/2015	March 3/9/2015	April 4/13/2015	May 5/11/2015	June 6/8/2015	July 7/13/2015	August 8/10/2015	September 9/14/2015	October 10/12/2015	November 11/9/2015	December 12/14/2015
Lynne Bramlett	Present	Cancelled Lack of Quorum	Cancelled Lack of Quorum	Present	Present	ABSENT	Present	Present	Present	Present	Cancelled Lack of Quorum	Cancelled Lack of Quorum
Jacqueline Cebrian	Present			Present	Present	Present	Present	Present	Present	Present		
Kristen Leep	N/A			N/A	Present	Present	ABSENT	Present	Present			
Kristina Lemons	N/A			N/A	Present	Present	Present	Present	Present			
Freda Manuel	N/A			N/A	Present	Present	Present	ABSENT	ABSENT			
Regine Nelson	N/A			N/A	Present	Present	Present	Present	Present			
George Repple	Present			Present	ABSENT	ABSENT	VACANT	VACANT	VACANT			
Alaina Sloo	Present			Present	N/A	N/A	N/A	N/A	N/A			

2015 COMMISSION ATTENDANCE REPORT

PARKS AND RECREATION Name	January 1/27/2015	February 2/25/2015	March 3/25/2015	April 4/22/2015	May 5/27/2015	June 6/24/2015	July 7/22/2015	September 9/12/2015	September 9/23/2015	October 10/28/2015	November 11/18/2015	December 12/16/2015
James Cebrian	Present	Present	Present	Present	Present	Present	ABSENT	Present	Present	ABSENT	Present	Cancelled
Kristin Cox	Present	ABSENT	Present	ABSENT	Present	Present	ABSENT	Present	Present	Present	Present	
Christopher Harris	Present	Present	Present	ABSENT	Present	Present	ABSENT	Present	Present	Present	Present	
Laura Lane	N/A	N/A	N/A	N/A	Present	Present	Present	Present	Present	Present	Present	
Marianne Palefsky	Present	Present	Present	Present	Present	Present	Present	Present	ABSENT	Present	Present	
Thomas Stanwood	ABSENT	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	
Elidia Tafoya	Present	ABSENT	Present	Present	Present	Present	Present	Present	Present	ABSENT	ABSENT	

2015 COMMISSION ATTENDANCE REPORT

PLANNING Name	January 1/12/2015	January 1/26/2015	February 2/9/2015	February 2/23/2015	March 3/9/2015	March 3/23/2015	April 4/6/2015	April 4/20/2015	May 5/4/2015	May 5/18/2015	June 6/8/2015	June 6/22/2015
Vincent Bressler	Present	Present	Present	Present	Present	ABSENT	Present	Present	Present	N/A	N/A	N/A
Andrew Combs	Present	Present	Present	Present	Present	Present	Present	ABSENT	ABSENT	Present	Present	Present
Ben Eiref	Present	Present	Present	Present	Present	ABSENT	Present	Present	Present	N/A	N/A	N/A
Katie Ferrick	Present	Present	Present	Present	Present	ABSENT	Present	Present	Present	Present	Present	Present
Susan Goodhue	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Present	Present	Present
John Kadvany	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Larry Kahle	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Present	Present	Present
John Onken	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	ABSENT
Katherine Strehl	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
PLANNING Name	July 7/13/2015	July 7/20/2015	August 8/3/2015	August 8/17/2015	September 9/21/2015	October 10/5/2015	October 10/19/2015	November 11/2/2015	November 11/16/2015	December 12/7/2015	December 12/14/2015	
Andrew Combs	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	
Katie Ferrick	Present	ABSENT	Present	Present	Present	Present	Present	Present	Present	ABSENT	Present	
Susan Goodhue	Present	Present	Present	Present	Present	ABSENT	Present	Present	ABSENT	Present	Present	
John Kadvany	ABSENT	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	
Larry Kahle	Present	ABSENT	Present	Present	Present	Present	Present	Present	Present	Present	Present	
John Onken	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	
Katherine Strehl	ABSENT	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	

2015 COMMISSION ATTENDANCE REPORT

TRANSPORTATION Name	January 1/14/2015	February 2/11/2015	March 3/11/2015	April 4/8/2015	May 5/13/2015	June 6/10/2015	July 7/8/2015	August 8/12/2015	September 9/9/2015	October 10/14/2015	November 11/4/2015	December 12/9/2015
Penelope Huang	ABSENT	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present
Adina Levin	Present	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present
Philip Mazzara	Present	ABSENT	Present	Present	Present	Present		Present	Present	Present	Present	Present
Michael Meyer	ABSENT	Present	Present	Present	Present	Present		Present	Present	Present	Present	Present
Jason Pfannenstiel	N/A	N/A	N/A	N/A	N/A	Present		ABSENT	ABSENT	Present	Present	ABSENT
Maurice Shiu	Present	Present	Present	Present	ABSENT	Present		ABSENT	ABSENT	ABSENT	Present	ABSENT
Bianca Walser	Present	Present	ABSENT	Present	Present	Present		ABSENT	Present	Present	Present	Present
Josh Wetzell	ABSENT	Present	Present	Present	Present	Present	Cancelled	Present	Present	Present	Present	Present