



STAFF REPORT

City Council

Meeting Date:

8/30/2016

Staff Report Number:

16-155-CC

Presentation:

**Update on the Belle Haven Visioning Process and
Neighborhood Action Plan**

Recommendation

Staff recommends that the City Council receive the Belle Haven Neighborhood Action Plan update and provide feedback to staff as the final phase of the consultant-led work comes to a close.

Policy Issues

Supporting Belle Haven residents and businesses in improving the Belle Haven area has been a long-held goal of the City Council. The Belle Haven Visioning Process and subsequent Action Plan implementation over the last two years has continued the City's focus on that area, especially in light of the elimination of redevelopment funds by the State, the relocation of Facebook to the area and the need to engage area residents in the ConnectMenlo General Plan Update.

Background

In January 2013, the City of Menlo Park began a community visioning process for the Belle Haven neighborhood to respond to changes affecting the neighborhood. The City's redevelopment agency (RDA), a major tool providing capital improvements and subsidized services to the community, had recently been eliminated by the State and major land use changes including Facebook's relocation to the Willow Road East Campus as well as development of the Facebook West Campus and approval of the mixed-use Menlo Gateway Project were greatly affecting the area. Significant demographic changes within the neighborhood, due in part to the Great Recession of 2008, and subsequent recovery in the years following were also changing the look and feel of the area. Finally, the anticipation of the upcoming ConnectMenlo General Plan Update, which would have a major focus on the area, would require a well-connected community with capacity to participate in, and influence, that lengthy process, would be needed for success.

Leading the Visioning Process was the City of Menlo Park's Community Services staff along with consultants from MIG, Inc. (MIG), Peninsula Conflict Resolution Center (PCRC), and Alejandro Vilchez with AV Consulting. The visioning process built on the work initiated by the City and sought to engage a broader cross-section of the Belle Haven neighborhood than had been involved with earlier planning processes. It was designed to identify community values, prioritize services and programs, identify needed improvements, and build capacity to better position Belle Haven residents to work with the City of Menlo Park, community partners and other stakeholders to advocate for the neighborhood's interests.

The culmination of the Visioning Process led to the development of a Belle Haven Neighborhood Action Plan which highlighted seven focus areas including Public Safety, Traffic, Education, Economic Opportunity, City Services in Belle Haven, Neighborhood Infrastructure and Working with the City. The action plan called for a collaborative effort between City staff, neighborhood residents and community-based partners to organize activities and projects under these priority areas. The implementation of the action plan occurred

over three phases.

Phase I of the action plan was implemented between January and June 2014. During this phase, four of the seven priority areas from the 2013 Visioning Process were addressed: *Public Safety, City Services, Neighborhood Infrastructure, and Working with the City*. City officials, community partners, and a significant number of new and long term Belle Haven residents participated in 32 community meetings and events where detailed action steps were developed. Upon completion of Phase I, residents reported an increase of trust, pride and vibrancy within the Belle Haven neighborhood.

Phase II (July 2014 - June 2015) consisted of similar strategies as the first phase with a focus on strengthened communication, youth development, neighborhood safety and fostering resident capacity and initiative. New partners were introduced that included local merchants and youth service providers. At the end of the second phase a total of 29 community meetings and events had been convened. The second phase also saw the formation of a local youth soccer league, a coordinated effort by residents to promote ConnectMenlo and the General Plan update, the development of a Belle Haven community garden and the first ever Belle Haven Community Resource Fair.

Phase III (July 2015 - June 2016) was a transitional year for the process focused on strengthening communications, supporting ConnectMenlo through community outreach and engagement, continuing community conversations, and building resident capacity to ensure that long-term neighborhood goals are achieved. Although the Belle Haven Visioning Process and ConnectMenlo General Plan are separate and distinct projects, the efforts over the past few years contributed to the broad community participation we have seen at the ConnectMenlo meetings. Residents' focus on the City's General Plan and future development of the neighborhood and surrounding areas represented a major but complimentary shift to the work of the visioning process and neighborhood action plan.

Analysis

At the conclusion of Phase III (July 2015 – June 2016) neighborhood residents were surveyed to get their feedback on the Visioning Process work over the past 12 months and since the beginning of the work three years ago. A total of 86 residents responded (58 English / 28 Spanish), similar to previous years. Respondents were asked to agree or disagree regarding their experience over the last 12 months:

- 73% indicated they have been actively informed about meetings, events, activities, related to the Belle Haven neighborhood.
- 73% indicated they have taken more responsibility to find out what's happening in the Belle Haven neighborhood.
- 60% indicated they have gotten to know new people who live in the Belle Haven neighborhood.
- 61% indicated since the Visioning Process began in 2013, they felt the neighborhood is more engaged, active and vibrant.
- 65% indicated they have become more familiar with community resources and networks that exist in the neighborhood.
- 54% indicated they have shared neighborhood concerns with City representatives either formally or informally.
- 75% indicated they have seen or participated in efforts to address their neighborhood concerns, i.e. attended meetings, posted on Nextdoor, called a City department; spoke to a neighbor, etc.
- 57% of respondents indicated since the Visioning Process began in 2013, they felt more vested and connected to their community.

There were a number of other highlights during *Phase III* (July 2015 – June 2016) including:

Community engagement and support

- Meet and Greet with new Belle Haven School Principal, Todd Gaviglio (Fall)
- Belle Haven School Dialogue with Menlo Park Police Department (Winter)
- Coordination and support of Belle Haven Community Fair (Spring)
- Belle Haven Library Community Dialogue (Spring)
- Crime and Burglary Prevention Workshop (Spring)
- Published quarterly Belle Haven newsletter
- Regular communication through email blasts to resident database and Nextdoor
- Community Mobilization workshop with Public Safety Action Team (Spring)
- Outreach and support to city staff as needed

Pursuing partnerships with local businesses

- Tour and meeting with JobTrain and City representatives (Winter)
- Ongoing communication and meetings with Belle Haven Merchant Network

Connect Menlo

- Coordinate translation services for ConnectMenlo meetings
- Outreach and support to city staff as needed

Public Safety Action Team (PSAT)

- PSAT and Neighborhood Watch groups were combined
- PSAT addressed crime prevention and neighborhood safety issues including improved street lighting around homes and businesses, ballast rock pile removal, pedestrian safety improvements along Chilco and nearby schools

Overall, the Belle Haven Visioning Process achieved good results demonstrated through data collected in surveys for the past three years. Surveys measured the effectiveness of activities in addressing resident priority areas as well as measuring the levels of engagement, trust and vibrancy within the neighborhood. Further evidence demonstrates heightened participation and self-advocacy at community meetings. While community advocacy was strong before the Visioning Process, it came from a smaller group of resident voices which now has been expanded to reflect the diversity of the neighborhood. The improvement of neighborhood communication through Nextdoor, regular email blasts, neighborhood newsletter, and increased use of the internet by seniors and low income immigrant families has broadened the base of residents attending meetings and locally based community-building events. Providing bilingual access prepared new and long term residents for the current ConnectMenlo and General Plan process where knowledge and understanding of government processes is crucial. Other evidence of success can be seen in the following:

- The development of the Belle Haven Community Garden
- The formation and sustainability of the Belle Haven Mini-Grants Program
- Over 50 mini-grants made for curb appeal and community engagement projects
- Renewed communication and positive relationship with Belle Haven School
- Community use of the Belle Haven Neighborhood Services Center
- Annual coordination of the Belle Haven Community Resource Fair which saw 800 in attendance in 2016 (first Fair had attendance of 150)
- Increased participation with Nextdoor from 75 residents in 2013 to over 400 in 2016
- Monthly e-blasts to the Belle Haven neighborhood via email and Nextdoor

- Quarterly dissemination of the Belle Haven Newsletter
- The two year (2014-2016) formation of the Public Safety Action Team
- Improvement of neighborhood street lighting and signage
- Developed a neighborhood list of local contacts
- Supported the removal of ballast rock material on Chilco
- The Chilco Street pedestrian improvements
- Increased meeting facilitation and community mobilization skills
- The increased connection between residents and the San Mateo Credit Union through financial education workshops
- Increased communication between residents and Menlo Park Police officers and command staff
- Coordination of multiple community dialogues focusing on youth, library services, public safety, education and community change
- Community building events such the photo-voice project, pool-movie night, Halloween candy giveaway and the formation of the BH local merchant network

Despite the above achievements, the Visioning Process did not attain all its desired outcomes. While the Belle Haven neighborhood has increased its community vibrancy, inter-connectedness and information sharing, it still lacks key factors that have contributed to Belle Haven's perception of being an uninvolved, under-represented and detached community from the rest of Menlo Park. The following is a list of existing gaps within the Belle Haven community along with possible recommendations that will help alleviate the current conditions:

- Continue to increase the overall neighborhood connectedness with the broader City of Menlo Park community. Belle Haven residents are often unaware and uninformed of broader social events and happenings taking place west of Highway 101. Due to its lack of geographic proximity, Belle Haven residents often don't see banners and signs for events held in other parts of the city. Youth sport leagues and service clubs inadvertently contribute to this isolation. Recommendation: Require event/league organizers to outline outreach strategies when applying for permits to ensure information is intentionally marketed towards the Belle Haven neighborhood.
- Address neighborhood resident confidence with the local public school district. *Phase III* saw increased communication with Belle Haven Elementary School, however many residents express dissatisfaction with the quality of educational outputs. Recommendation: Convene a series of community conversations between Belle Haven residents and high-ranking officials from the Ravenswood and Menlo Park School Districts.
- Increase connectedness of Belle Haven small businesses and the Menlo Park Chamber of Commerce. During *Phase II* of the Visioning Process, staff convened 3 meetings with Belle Haven merchants to address parking, safety and other issues affecting business in and around the Willow/Hamilton Plaza. A common theme that arose was the lack of outreach by the Menlo Park Chamber of Commerce to include the area's small businesses. Recommendation: Encourage the Chamber to convene 2-4 meetings or events during the next year in Belle Haven to begin integration and inclusion of area businesses.
- Increase communication with local faith communities. The Belle Haven neighborhood houses approximately 10 congregational houses with African-American, Latino and Pacific Islander membership. While individual members of these congregations have attended different Menlo Park meetings, most of these congregational leaders do not have regular communication with city officials despite their memberships consisting of neighborhood-based and commuter congregants. Recommendation: Convene a quarterly meeting between Belle Haven faith leaders and city officials i.e. department heads, city manager/ council members to build trust and address issues that arise.
- Promote micro-lending and local entrepreneur incubation. As Silicon Valley is home to the world's leading technology companies, it is also becoming a trend setter in the areas of food, style, culture and

social responsibility. Belle Haven residents seek to lend their talents to these areas in similar fashion by way of small business start-ups, such as café's, boutiques and independent retail outlets. There are few business establishments in Belle Haven that are owned and operated by local residents.

Recommendation: Similar to the successful mini-grants program, develop a pool of seed financing that provides small amounts of money to Belle Haven based entrepreneurs coupled with tech and infrastructure education to support and sustain small business growth.

- Support the formation of a locally based non-profit dedicated to the Belle Haven area which will engage the community in a variety of activities to enhance quality of life in such things as affordable housing, community advocacy, citizenship and education. Recommendation: Work with local foundations and donors to provide seed money for initiative planning and implementation of a long term Community Development Corporation.

Genuine community change takes between 3-5 years and often the results do not become normalized until 5-7 years after the original initiative. It has taken over 36 months for Belle Haven stakeholders including city staff, community partners and residents to build the current vibrancy and engagement currently felt within Belle Haven. To ensure that the human and financial resources utilized during the Visioning Process were well stewarded, it is imperative that the City take further action that will ensure this momentum is sustained over a long term. A criticism from Belle Haven residents has been that past issues will resurface after an initial response has been taken and long term efforts dismissed due to lack of institutional change and political will. As the Belle Haven community continues to be transformed by external forces, the internal mood and will of neighborhood residents must be equally powerful to avoid the loss of the neighborhood's unique identity within the city landscape.

In the meantime, several changes in the City's ways of working with the neighborhood have been institutionalized and are expected to continue positively affecting the neighborhood, including ongoing funding for the Mini-grant program through the Belle Haven Community Development Fund; a new scholarship program supporting youth participation in recreation classes at Onetta Harris Community Center; the Neighborhood Service Center and ongoing Police Dialogues in the neighborhood; the quarterly Belle Haven newsletter; a city-funded youth restorative justice program at Beechwood School; the Council's new subcommittee to research solutions to Ravenswood City School District facility needs; City support for the Community Garden; acceptance of a major grant to implement the Big Lift at the Child Development Center; and ongoing negotiations with area developers to ensure that new development brings public benefit as defined by residents to the neighborhood.

In addition, Council can, at any time, revisit funding for additional activity through their annual goal setting and budget allocation process.

Impact on City Resources

The Council approved and allocated \$42,500 for FY 2016-17 for the Belle Haven Neighborhood Mini-Grant program and support of neighborhood communications.

Public Notice

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

Report prepared by:
Derek Schweigart, Assistant Community Services Director

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STAFF REPORT

City Council

Meeting Date: 8/30/2016
Staff Report Number: 16-151-CC

Consent Calendar: Authorize the City Manager to enter into a consultant agreement with Noll & Tam Architects for the Library Space Needs Study Project

Recommendation

Staff recommends that the City Council authorize the City Manager to enter into an agreement with Noll & Tam Architects for the Library Space Needs Study in the amount of \$136,710 including contingencies and all necessary contract amendments.

Policy Issues

The project is consistent with City policies and 2016 Menlo Park City Council Work Plan item No. 42 – Complete Library Space Needs Study.

Background

The Library recently completed a Strategic Plan study that examined the community's growth patterns and demographics and identified service needs with respect to future trends and technologies. The Strategic Plan represents a comprehensive overview of library service goals, objectives, and activities.

The Library Space Needs Study will build upon the Strategic Plan by translating the recommendations of the Strategic Plan into flexible, efficient, and functional arrangements for the library's collections and services. The Library Space Needs Study will assign the new, remodeled, or repurposed square footage necessary to meet the needs identified in the Strategic Plan and to provide sufficient flexibility to meet Library needs 15 to 20 years in the future. The Library Space Needs Study will identify whether current and future Library needs can be accommodated within the current library configuration or if a remodeled or a completely new facility is necessary.

Analysis

Staff issued the Library Space Needs Study Request for Proposal on June 17, 2016 and received three consultant proposals on July 12, 2016. A panel of staff members reviewed the proposals and invited the two most qualified consultants to interview for the project. Interviews were conducted on July 27th and 28th 2016 and Noll & Tam Architects was selected as the most qualified consultant based upon their expertise in similar projects and their understanding of the project scope.

The proposed scope of work for the Project consists of data collection and review, an assessment of the

existing facility, space planning and conceptual design, cost estimating, preparation of a final report, and presentations to the City Council, the Library Foundation, and the Library Commission. The Project would allow the City Council to identify any recommended alternatives and future studies required.

Staff recommends the City Council authorize the City Manager to enter into an agreement with Noll & Tam Architects for the Project including all necessary contract amendments in the amount of \$136,710. The appropriation will allow the Project to further develop a conceptual design for an expanded facility and a new facility.

Impact on City Resources

The project was included in the FY 2014-15 adopted CIP. The CIP budget amount was \$130,000, which included a \$90,000 grant from the Library Foundation. The cost of the recommendation is \$164,210, which includes design, contingency and all staff time related to this project, and is higher than the 2014 estimate. An additional \$34,210 is needed to complete the project and is available in the adopted Library budget.

The budget for the Project consists of the following:

Library Space Needs Study Project	
Consultant Contract Amount	\$124,210
Contingency (10%)	\$12,500
Project Delivery (Staff Costs)	\$27,500
Total Cost of Recommendation	\$164,210

Environmental Review

The Project is categorically exempt under Class 6 of the current State of California Environmental Quality Act Guidelines, which allows for information collection, research, and resource evaluation activities as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.

Public Notice

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

Report prepared by:

Sam Rohlfs, Associate Civil Engineer

Report reviewed by:

Michael Zimmermann, Senior Civil Engineer

Susan Holmer, Library Director



STAFF REPORT

City Council

Meeting Date:

8/30/2016

Staff Report Number:

16-154-CC

Consent Calendar:

Adopt resolutions authorizing the installation of no parking zones on Hamilton Avenue north of Willow Road; on Santa Cruz Avenue at University Drive; and on Curtis Way near Roble Avenue

Recommendation

Staff recommends that the City Council adopt resolutions to authorize the installation of parking restrictions, to address safety, visibility and accessibility issues on Hamilton Avenue north of Willow Road (Attachment A), on Santa Cruz Avenue at University Drive (south leg) (Attachment B), and on Curtis Way near the 699 Roble Avenue driveway (Attachment C).

Policy Issues

The assessment of this project is consistent with Section 11.24 of the City of Menlo Park ordinance which allows City Council to establish parking, or stopping, standing and parking restrictions or prohibitions as may be necessary by ordinance or resolution.

These projects are consistent with policies stated in the City of Menlo Park, General Plan, 1994, Part I, Section II, Circulation and Transportation Goals and Policies, and the 2015-2023, City of Menlo Park, Housing Element, adopted April 1, 2014. These policies seek to maintain a circulation system using the Roadway Classification System that will provide for a safe and efficient movement of people and goods throughout Menlo Park for residential and commercial purposes.

Background

Hamilton Avenue is designated as a collector street, Santa Cruz Avenue is designated as a minor arterial street and Curtis Way is a cul-de-sac designated as a local street in the City of Menlo Park, General Plan, 1994, Part II, Roadway Classification System. The speed limits of Hamilton and Santa Cruz Avenues are 30 miles per hour and Curtis Way is 25 miles per hour.

The City received a complaint regarding the queue that forms at southbound Hamilton Avenue at Willow Road and unsafe right turn movements to the left of the left turn queue. The City also received a request to remove one parking space on the north side of Santa Cruz Avenue, just west of University Drive (south leg) because westbound vehicles often encroach into the bike lane while traversing through the intersection. Both locations are located within pedestrian generating areas including schools, parks, and/or retail/restaurants. The City also received a request from a resident to consider parking removal due to the difficulty maneuvering in and out of the driveways at 699 and 709 Roble Avenue.

Analysis

In response to the requests, staff conducted a field investigation at each location with the findings discussed below.

Hamilton Avenue north of Willow Road

This location has a high parking demand during the weekday midday peak period and a moderate parking demand during the evening peak period. This location also has a long southbound queue during the weekday evening peak period, where vehicles were observed queueing as far as Madera Avenue (approximately 700 feet or 28 car lengths) due to congestion on Willow Road from Bayfront Expressway, which can prevent vehicles from making the left turn from southbound Hamilton Avenue onto eastbound Willow Road. One occurrence of a vehicle crossing the median yellow stripe and traveling in the wrong direction to make the right turn from southbound Hamilton Avenue to westbound Willow Road was observed during the evening peak period.

The California Manual of Traffic Control Devices (CAMUTCD) is a set of standards used by public agencies to create consistent traffic control, signage and road markings throughout the state. The current CAMUTCD, 2014 Edition, states that at “signalized intersections, parking should be prohibited for a minimum of 30 feet on the near side and one stall length (20 feet) on the far side.” There are no red curbs painted at this location and vehicles were observed parked within the CAMUTCD recommended zones during both midday and PM peak periods.

Staff recommends that parking be eliminated for the CAMUTCD recommended 20 feet on the east side of Hamilton Avenue and 30 feet on the west side of Hamilton Avenue. Staff also recommends that a zone of time-limited no parking (between 4 PM and 6 PM on weekdays) be installed on the west side of Hamilton Avenue between the Chevron driveway and Willow Road, which is 135 feet in length. These proposed recommendations are shown in Attachment D.

Santa Cruz Avenue at University Drive

This intersection is signalized and located at the western end of downtown. The westbound approach of the intersection has one left-turn lane, one through lane and a bike lane. The receiving leg has one through lane, a bike lane, and a parking lane. Staff observed that as westbound vehicles traverse through the intersection, the through lane shifts to the left and some vehicles encroached partially into the bike lane. Removing the parking space within the intersection will provide a clear path of travel for bicyclists traversing simultaneously through the intersection with vehicles. This route is heavily used by students bicycling to Hillview Middle School, located farther west on Santa Cruz Avenue.

Staff recommends that one parking space on the north side, approximately 20 feet in length, within the intersection be removed. The proposed recommendation is shown in Attachment E.

Curtis Way

Driveways for the 699 and 709 Roble Avenue properties are located on Curtis Way. Parking is currently restricted on the west side of the street. The street’s narrow width of 22 feet only allows one lane of travel for both directions when vehicles are parked on the east side. Staff observed that vehicles in the driveways at 699 and 709 Roble Avenue had difficulty maneuvering in and out of their driveway, typically requiring movements beyond a 3-point turn, and parked vehicles obstruct the view. Six feet of red curb had been

previously installed on each side of the 699 Roble Avenue driveway to help with visibility concerns and issues with vehicles blocking driveway access.

Staff used turning templates for a passenger vehicle in accordance with the American Association of State Highway Transportation Officials (AASHTO) “A Policy on Geometric Design of Highways and Streets” to determine the path of a vehicle accessing the driveways of concern. Based on the turning templates, a vehicle must make multiple maneuvers to exit the driveways due to the narrow roadway width, short driveway radius, and proximity of parked vehicles to the driveway.

In order to minimize the number of maneuvers required to access each driveway, staff recommends that a 20-foot “No Parking Zone” be installed north of the 699 Roble Avenue driveway as shown in Attachment F. In addition to alleviating driveway access issues, the recommended “No Parking Zone” provides for increased visibility for all roadway users

The table below summarizes the proposed parking restriction installation and parking impacts for all of the locations under consideration.

Parking Restriction Installation Summary		
Location	Approximate Proposed No Parking Zone Installation	Approximate Number of Parking Spaces Impacted
Hamilton Avenue north of Willow Road	50 feet (20 feet on east corner, 30 feet on west corner)	3
Hamilton Avenue north of Willow Road – Time Limited during Evening Peak Period Only	135 feet	6 (in addition to 3 above)
Santa Cruz Avenue at University Drive	40 feet	2
Curtis Way	20 feet	1

At the June 8, 2016 Transportation Commission meeting, the Commission unanimously passed a motion to support the staff recommendation for the Hamilton Avenue and Santa Cruz Avenue locations with some questions and recommendations related to the Hamilton and Santa Cruz locations. These were evaluated and staff findings are as follows:

- Hamilton Ave at Willow Rd sight distance was verified as deficient at the east corner.
- Existing white bike lane striping on Santa Cruz Ave will be modified and refreshed as part of regular maintenance.
- New left turn “tracking” dashed white stripes will be painted for the northbound University Dr to westbound Santa Cruz Ave left turn movement as part of regular maintenance.
- Stop bar for eastbound through lane on Santa Cruz Ave will be moved back as part of regular maintenance.
- Addition of green to the existing bike lane on Santa Cruz Ave was evaluated and it was determined that implementation could not occur at this time as part of the recent citywide green bike lane installation due to the expiration of the grant. Staff will look for an opportunity to install as part of routine striping work.
- Removal of two on-street parking spaces on Santa Cruz Ave was evaluated and proposed, as opposed to the initial request for one on-street parking space.

At the July 13, 2016 Transportation Commission meeting, the Commission unanimously passed a motion to

support the staff recommendation for the Curtis Way location. Public outreach for both meetings was achieved by sending notification postcards to residents/property owners adjacent to the parking removal areas.

Impact on City Resources

Sufficient funds for this project are available in the operating budget for the City's signing and striping program.

The increased number of parking requests due to sight distance and access issues, has resulted in additional staff time developing staff reports and public notifications for both Transportation Commission and City Council meetings. Staff will be identifying possible process improvements and policy changes to increase efficiency and better allocate staff resources and anticipates bringing them forward to the Transportation Commission and City Council for future consideration.

Environmental Review

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

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Additional public outreach was achieved by sending notification postcards to the residents/property owners within 500 feet of the proposed parking restriction areas. No feedback has been received as of Thursday, August 25, 2016.

Attachments

- A. Resolution for Hamilton Avenue north of Willow Road
- B. Resolution for Santa Cruz Avenue at University Drive
- C. Resolution for Curtis Way near 699 Roble Avenue driveway
- D. Proposed Changes at Hamilton Avenue north of Willow Road
- E. Proposed Changes at Santa Cruz Avenue at University Drive
- F. Curtis Way Vehicle Turning Templates with Proposed Red Curb Installation

Report prepared by:

Angela R. Obeso, P.E., Associate Engineer, Transportation and
Octavio Duran Jr., Assistant Engineer, Transportation

Report reviewed by:

Nicole H. Nagaya, P.E., Transportation Manager

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE INSTALLATION OF PARKING RESTRICTION
ZONES ALONG HAMILTON AVENUE NEAR WILLOW ROAD

WHEREAS, staff received a request from a resident to consider the removal of on-street parking adjacent to the intersection due to long queues blocking drivers making right turns during the weekday evening peak period;

WHEREAS, at the June 8, 2016 Transportation Commission meeting, the Commission unanimously passed a motion to support staff's recommendation to install no parking zones for 30 feet along the east side of Hamilton Avenue north of the intersection of Willow Road, and for 20 feet along the west side of Hamilton Avenue north of the intersection of Willow Road and to install a time restricted (Weekdays 4:00 to 6:00 PM) parking zone along the west side of Hamilton Avenue, approximately 165 feet and 30 feet north of the intersection of Willow Road; 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 parking restriction zones on Hamilton Avenue north of the Willow Road intersection.

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 thirtieth day of August, 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 thirtieth day of August, 2016.

Pamela Aguilar
City Clerk

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE INSTALLATION OF A "NO PARKING" ZONE ALONG
SANTA CRUZ AVENUE NEAR UNIVERSITY DRIVE

WHEREAS, staff received a request from a resident to consider the removal of on-street parking within the intersection to prevent vehicles traveling through the intersection from encroaching into the bike lane due to parked vehicles creating a jog in the through lane; and,

WHEREAS, at the June 8, 2016 Transportation Commission meeting, the Commission unanimously passed a motion to support staff's recommendation to install a no parking zone along the north side of Santa Cruz Avenue, at the intersection of the south leg of University 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 at the Santa Cruz Avenue and University Drive intersection.

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 thirtieth day of August, 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 thirtieth day of August, 2016.

Pamela Aguilar
City Clerk

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING THE INSTALLATION OF A "NO PARKING" ZONE ON
CURTIS WAY NEAR THE DRIVEWAY OF 699 ROBLE AVENUE

WHEREAS, staff received a request from a resident to consider the removal of on-street parking adjacent to the driveway of 699 Roble Avenue due to the obstruction of vehicular movement created by parked vehicles for drivers pulling into and out of adjacent driveways; and,

WHEREAS, at the July 13, 2016 Transportation Commission meeting, the Commission unanimously passed a motion to support staff's recommendation to install a no parking zone along the north side of Curtis Way, 20 feet northeast of and adjacent to the driveway at 699 Roble Avenue; 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 at Curtis Way at the driveway of 699 Roble Avenue.

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

AYES:

NOES:

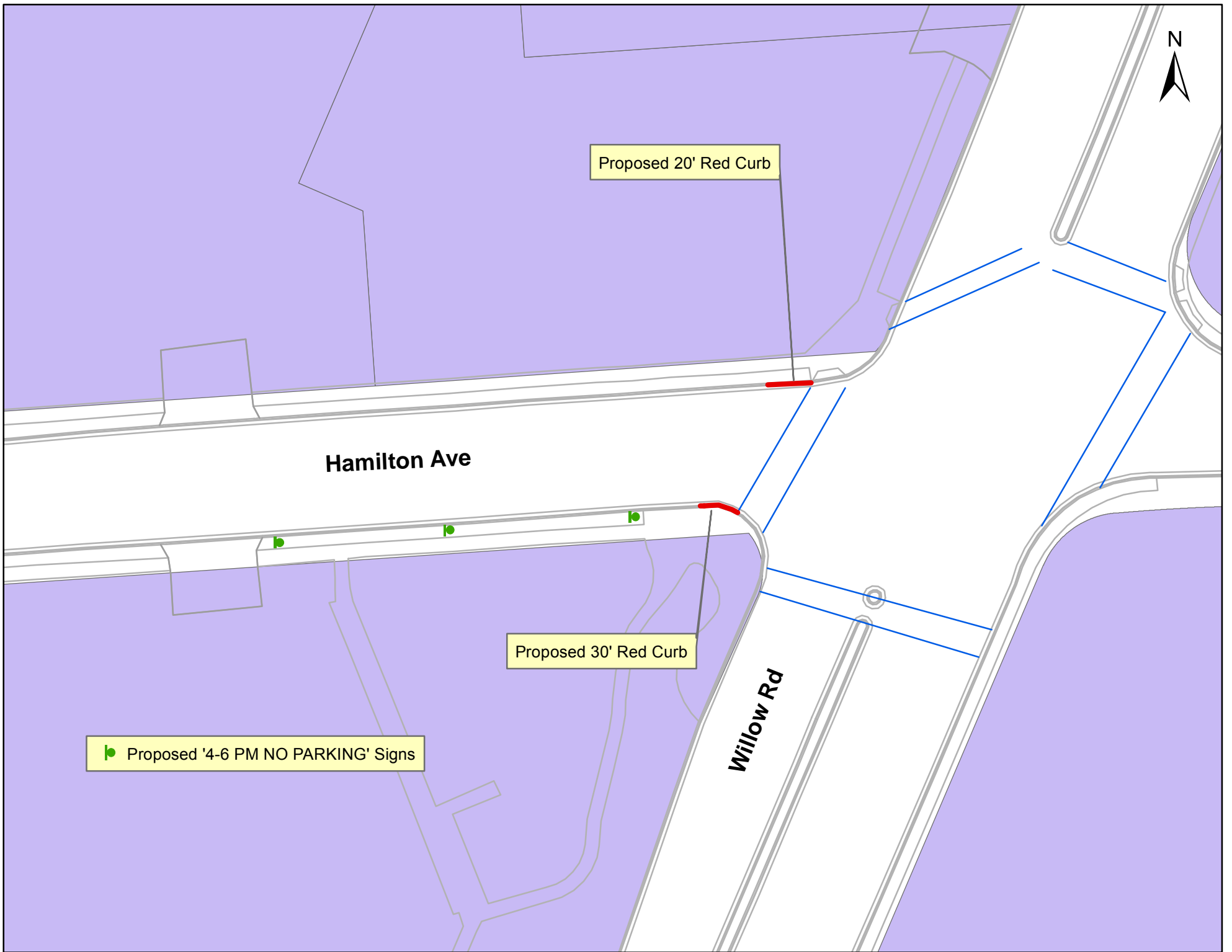
ABSENT:

ABSTAIN:

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

Pamela Aguilar
City Clerk

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Proposed 20' Red Curb

Hamilton Ave

Proposed 30' Red Curb

Willow Rd

Proposed '4-6 PM NO PARKING' Signs

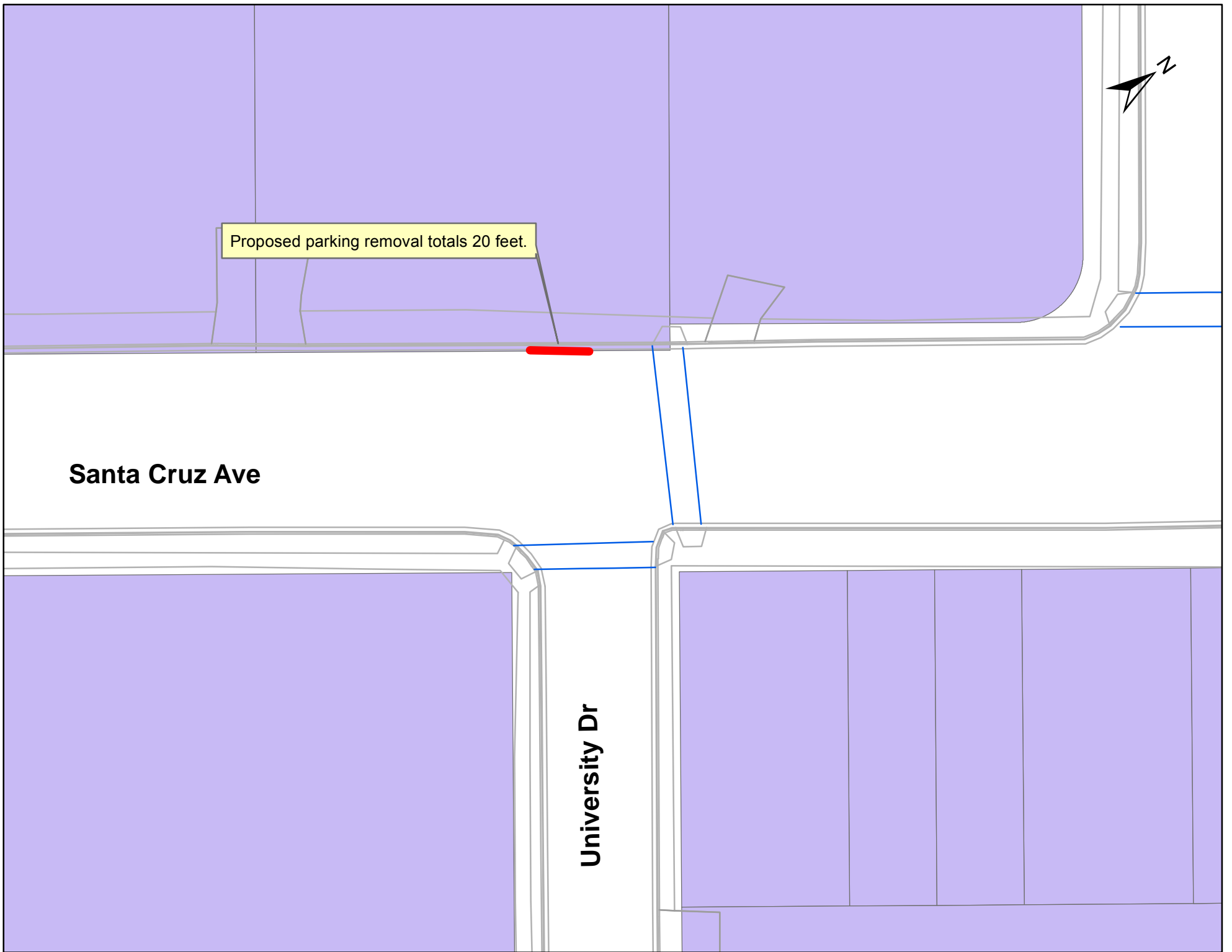
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Proposed parking removal totals 20 feet.

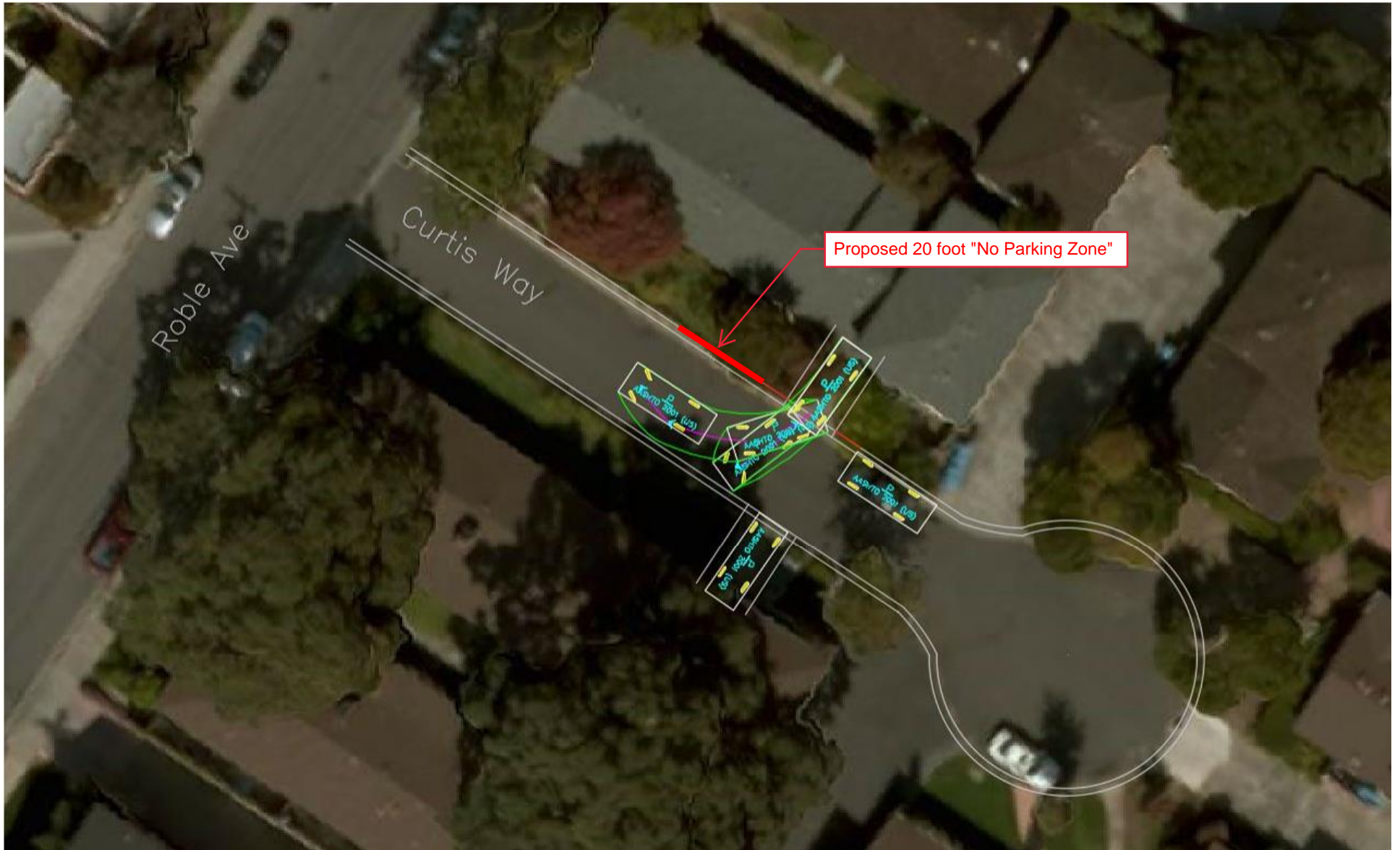
Santa Cruz Ave

University Dr



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Curtis Way Vehicle Turning Templates with Proposed Red Curb Installation







STAFF REPORT

City Council Meeting Date: 8/30/2016
Staff Report Number: 16-148-CC

Consent Calendar: Authorize the Public Works Director to accept the work performed by W. Bradley Electric Inc. for the Willow Road Traffic Signal Modification Project

Recommendation

Staff recommends that the City Council authorize the Public Works Director to accept the work performed by W. Bradley Electric Inc. for the Willow Road Traffic Signal Modification Project.

Policy Issues

Acceptance by the City Council of the completion of the work begins the one-year construction warranty period.

Background

On August 25, 2015, the City Council awarded a contract to W. Bradley Electric Inc. in the amount of \$229,490 with an authorized construction budget of \$263,913. The project consisted of traffic signal modifications at the Willow/Coleman and Willow/Gilbert intersections. More specifically the modifications included the installation of new video detection systems, new ADA pedestrian pushbutton assemblies, and new LED pedestrian signal and traffic signals heads.

Analysis

The work for the Willow Road Traffic Signal Modification Project has been completed in accordance with the plans and specifications. A notice of completion will be filed with the San Mateo County accordingly. The project was completed within the approved budget.

Contractor: W. Bradley Electric, Inc.
90 Hill Rd.
Novato, CA 94945

Impact on City Resources

Acceptance of the work has no impact on the City's resources.

Construction Contract Budget	
Construction contract amount	\$229,490
Contingency	\$34,423
Total Construction Contract Budget	\$263,913

Construction Expenditures	
Construction Contract	\$230,220
Change Order	\$7,239
Total Construction Expenditure	\$237,459

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.

Report prepared by:

Rene Punsalan, Associate Civil Engineer

Report reviewed by:

Michael Zimmermann, Senior Civil Engineer



STAFF REPORT

City Council
Meeting Date: 8/30/2016
Staff Report Number: 16-149-CC

Consent Calendar: **Adopt a resolution accepting dedication of Public Access Easements (PAE) from Menlo El Camino LLC (1285 El Camino Real) and authorize the City Manager to sign the agreement for the easement**

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) accepting dedication for Public Access Easement (PAE) described and shown as in Attachment B from Menlo El Camino LLC and authorize the City Manager to sign the agreement for the easement required by conditions of approval of the project.

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 agreement. The acceptance of access easements is consistent with the approved conditions of approval for the proposed 1285 El Camino Real project.

Background

The proposed development is to construct a new three-story mixed-use building within the El Camino Real/Downtown Specific Plan Zoning District. The new building would consist of 15 residential dwelling units and approximately 2,000 square feet of commercial space. The Planning Commission approved the proposed development on August 17, 2015.

Analysis

The El Camino Real/Downtown Specific Plan designates this district as El Camino Real/Mixed Use Residential. The El Camino Real Mixed Use/Residential designation emphasizes residential use in close proximity to the station area and downtown, in order to support area businesses, transit use and overall downtown vibrancy. The El Camino Real/Downtown Specific Plan identifies adequate facilities for pedestrian access as a component of improving downtown vibrancy. Therefore, for this district, building setback shall be sufficient to provide a 12-foot wide sidewalk with a minimum 8-foot wide clear walking zone and a minimum 4-foot wide furnishing zone measured from the back of curb. Currently, the sidewalk is approximately 8-foot wide measured from the back of curb to the property line. Post development conditions necessitate a 4-foot PAE dedication to achieve the required 12-foot wide minimum sidewalk as required for this district.

Additionally, Section 4f of the Architectural Control permit requires the applicant to dedicate a PAE along the property frontage on El Camino Real to accommodate a full eight foot clear walking zone.

Impact on City Resources

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

Environmental Review

The acceptance of the dedication of the PAE is categorically exempt under Class 1 of the current State of California Environmental Quality Act Guidelines.

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. PAE

Report prepared by:
Ebby Sohrabi, Senior Civil Engineer

Report reviewed by:
Justin Murphy, Public Works Director

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ACCEPTING A PUBLIC ACCESS EASEMENT FROM MENLO EL CAMINO
LLC (1285 EL CAMINO REAL)**

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

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby accept the public access easement from Menlo El Camino LLC (1285 El Camino Real) as shown in Exhibits A and B; and

BE IT AND IT IS HEREBY ALSO RESOLVED that the City Council authorizes the City Manager to sign agreements 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 thirtieth day of August, 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 thirtieth day of August, 2016.

Pamela Aguilar
City Clerk

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EXHIBIT "A"
LEGAL DESCRIPTION

PUBLIC ACCESS EASEMENT
1283-1285 EL CAMINO REAL, MENLO PARK, CA. 94025

THAT CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOTS 4 AND 6 IN BLOCK A AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PARAISO PARK, SAN MATEO COUNTY, CALIFORNIA", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON NOVEMBER 15, 1921 IN BOOK 10 OF MAPS AT PAGES 50 AND 51, AND SAID PORTION ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER COMMON TO SAID LOTS 4 AND 6; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4, NORTH 58°11'00" WEST, 103.43 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE, NORTH 33°34'00" EAST, 176.66 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF EL CAMINO REAL, 100.00 FEET WIDE, SAID POINT OF INTERSECTION ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY LINE, SOUTH 58°11'00" EAST, 103.43 FEET TO THE PROPERTY LINE COMMON TO SAID LOTS 4 AND 6; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, SOUTH 58°11'00" EAST, 51.71 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, SOUTH 33°34'00" WEST, 4.00 FEET; THENCE PARALLEL TO SAID RIGHT OF WAY LINE, NORTH 58°11'00" WEST, 51.71 FEET TO SAID PROPERTY LINE COMMON TO SAID LOTS 4 AND 6; THENCE CONTINUING PARALLEL TO SAID RIGHT OF WAY LINE, NORTH 58°11'00" WEST, 103.43 FEET; THENCE NORTH 33°34'00" EAST, 4.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 621 SQUARE FEET OF LAND, MORE OR LESS.

THE ABOVE LEGAL DESCRIPTION IS SHOWN ON THE ATTACHED EXHIBIT "B" AND BY REFERENCE HERETO MADE A PART HEREOF.

LEGAL DESCRIPTION PREPARED
UNDER THE SUPERVISION OF:

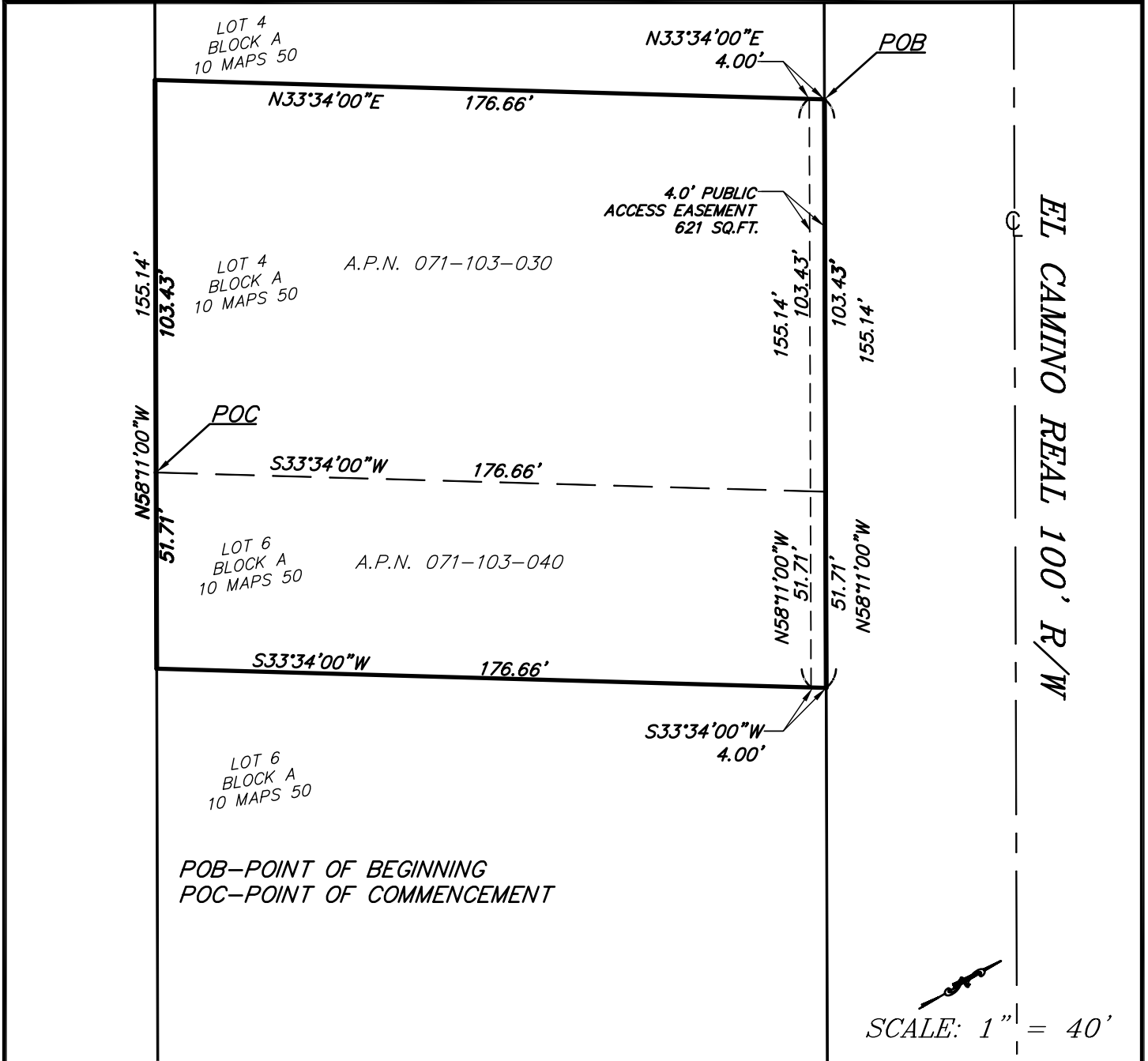


ANDREW K. HOLMES P.L.S. 4428
LIC. EXPIRES 09/30/17



EXHIBIT "B"
PUBLIC ACCESS EASEMENT
 CITY OF MENLO PARK, SAN MATEO COUNTY, CALIFORNIA

RECORDING INFORMATION:



POB—POINT OF BEGINNING
 POC—POINT OF COMMENCEMENT

OWNER: MENLO EL CAMINO LLC
 P O BOX 366
 MENLO PARK, CA 94026
 A.P.N. 071-103-030

OWNER: MENLO EL CAMINO LLC
 P O BOX 366
 MENLO PARK, CA 94026
 APN 071-103-040

SURVEYOR: ANDREW K. HOLMES PLS 4428
 TRIAD/HOLMES ASSOCIATES
 777 WOODSIDE ROAD, SUITE 2A
 REDWOOD CITY, CA 94061
 650-366-0216



CLOSURE PAE.txt

Parcel name: PAE

North: 4523.7747	East : 11647.9703
Line Course: N 33-34-00 E Length: 4.00	
North: 4527.1077	East : 11650.1819
Line Course: N 58-11-00 W Length: 155.14	
North: 4608.8979	East : 11518.3533
Line Course: S 33-34-00 W Length: 4.00	
North: 4605.5650	East : 11516.1417
Line Course: S 58-11-00 E Length: 155.14	
North: 4523.7747	East : 11647.9703

Perimeter: 318.28 Area: 621 sq. ft. 0.01 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 318,280,000.00

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STAFF REPORT

City Council
Meeting Date: 8/30/2016
Staff Report Number: 16-140-CC

Consent Calendar: **Adoption of a resolution by the City Council approving an update to the Menlo Park Local Hazard Mitigation Plan Annex to the San Mateo County Hazard Mitigation Plan**

Recommendation

Staff recommends that the Menlo Park City Council adopt a resolution approving the update to the Local Hazard Plan Mitigation Plan Annex to the County of San Mateo countywide Hazard Mitigation Plan, allowing the County of San Mateo to finalize its update to the county Hazard Mitigation Plan. This will allow the City to continue applying for and receiving grant funds from the Federal Emergency Management Agency (FEMA) for local disaster mitigation.

Policy Issues

Adoption of this resolution will allow the City's Director of Emergency Services to comply with Menlo Park Municipal Section 2.44.050(5) in requesting, contracting for, receiving and implementing state and federal aid of all types relating to disaster preparedness and relief.

Background

The Federal Disaster Mitigation Act of 2000 (DMA 2000) requires all cities, counties and special districts to adopt a Local Hazard Mitigation Plan (LHMP) to be eligible for participation in and receive disaster mitigation funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP). The LHMP identifies strategies that reduce or eliminate long-term risk to people and property from the effects of natural disasters. It contains courses of action that the City currently follows, or may consider for future implementation, that reduces vulnerability and expose to future events.

In 2004, the Association of Bay Area Governments (ABAG) led a regional effort to address hazard mitigation planning for jurisdictions within its area of responsibility. This regional template was used by numerous counties and cities within the ABAG planning area to achieve initial compliance under the DMA. The ABAG process equipped local governments with tools to complete individual planning processes that met their needs, while pooling resources and eliminating redundant planning efforts. In 2010, ABAG conducted its second regional planning effort. During the 2010 update, 17 local governments in San Mateo County used the ABAG tools to achieve DMA compliance.

Analysis

In 2015, the San Mateo County Office of Emergency Services (OES) and San Mateo County jurisdictions have teamed together to prepare an updated countywide hazard mitigation plan that would best suit the needs and capabilities of the County and its planning partners. With these factors in mind, San Mateo

County committed to preparation of its 2016 plan by securing technical assistance to facilitate a planning process that would comply with all program requirements. The ensuing planning process developed a new plan for the County and its planning partners from scratch, using lessons learned from the prior planning effort.

The San Mateo County Hazard Mitigation Plan identified eight major risks effecting the entire county, which included: earthquake, severe weather, wildfire, flood, landslide, tsunami, dam failure, and drought. In turn, each individual jurisdiction was required to prepare an "Annex" to the County LHMP, with mitigation strategies specific to the needs of that jurisdiction. The link to the San Mateo County Hazard Mitigation Plan can be found below.

In 2015, City Staff in conjunction with the City's Disaster Response Manager along with OES worked to develop the Annex for the City of Menlo Park. The Menlo Park Annex was reviewed by FEMA and approved for adoption by the City and inclusion with the San Mateo County Hazard Mitigation Plan.

Impact on City Resources

Successful adoption of the LHMP will allow the City to apply for and received grants from FEMA for disaster mitigation.

Environmental Review

Environmental review 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. Resolution of the City Council authorizing the adoption of the San Mateo County Hazard Mitigation Plan Update and Annex
- B. Local Hazard Mitigation Plan Annex: City of Menlo Park
- C. Hyperlink to San Mateo County Hazard Mitigation Plan
<http://www.menlopark.org/DocumentCenter/View/11406>
- D. Hyperlink San Mateo County Hazard Mitigation Plan Appendix
<http://www.menlopark.org/DocumentCenter/View/11407>

Report prepared by:
Dave Bertini
Police Commander

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK AUTHORIZING THE ADOPTION OF THE SAN MATEO COUNTY
LOCAL HAZARD MITIGATION PLAN UPDATE AND ANNEX**

WHEREAS, all of San Mateo County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS; a coalition of San Mateo County, Cities, Towns and Special Districts with like planning objectives has been formed to pool resources and create consistent mitigation strategies within the San Mateo County planning area; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

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

- 1.) Adopts in its entirety, Volume I and the introduction, chapter 11 the City of Menlo Park jurisdictional annex, and the appendices of Volume 1 of the San Mateo County Hazard Mitigation Plan (HMP).
- 2.) Will use the adopted and approved portions of the HMP to guide pre- and post-disaster mitigation of the hazards identified.
- 3.) Will coordinate the strategies identified in the HMP with other planning programs and mechanisms under its jurisdictional authority.
- 4.) Will continue its support of the Steering Committee and continue to participate in the Planning Partnership as described by the HMP.
- 5.) Will help to promote and support the mitigation successes of all HMP Planning Partners.

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 thirtieth day of August, 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 thirtieth day of August, 2016.

Pamela Aguilar
City Clerk

1. CITY OF MENLO PARK

1.1 HAZARD MITIGATION PLAN POINT OF CONTACT

Primary Point of Contact

Brian Henry- Public Works Department
 701 Laurel Street
 Menlo Park, CA 94025
 Telephone: 650-330-6799
 e-mail: bphenry@menlopark.org

Alternate Point of Contact

Arlinda Heineck- Planning Department
 701 Laurel Street
 Menlo Park, CA 94025
 Telephone: 650-330-6715
 e-mail: aaheineck@menlopark.org

1.2 JURISDICTION PROFILE

- Date of Incorporation— The City of Menlo Park was incorporated in 1927
- Current Population – 33,273
- Population Growth – The City of Menlo Park is home to 33,273 residents with an average of 2.6 persons per household, according to current California Department of Finance estimates. Between 2000 and 2014, Menlo Park saw a population increase of 7 percent, compared to a 9 percent increase in the Combined Counties and the larger Bay Area. Unlike growth in the region, Menlo Park’s growth is marked by an increase in household size rather than an increase in the total number of households.

Between 2000 and 2014, the average household size increased from 2.4 to 2.6 persons per household, or nearly 8 percent. Counter to these citywide trends, Belle Haven experienced a decrease in population in recent years, from 6,095 residents in 2000 to 5,605 residents during the 2008-2012 ACS survey period.

During the same time period, the number of households in Belle Haven (1,336 in 2008-2012) remained relatively constant. These changes are reflected in a smaller average household size in Belle Haven during the 2008-2012 ACS survey period (3.2 persons per household) compared to 2000 (4.6 persons per household), although the average household size in Belle Haven remains above the citywide average

- Location and Description – Menlo Park, covering 19 square miles, lies in the Mid- Peninsula region between San Francisco and San Jose. Located in the southern part of the San Mateo County it is bounded on the south by Palo Alto, Stanford University, and East Palo Alto, on the east by San Francisco Bay, on the north by Atherton and Redwood City, and on the west by Ladera, Portola Valley, and Woodside.

Together with Palo Alto and Stanford, Menlo Park forms a subregional center for commerce, employment, education, and cultural activities. Many of the business operations in the this subregion are regional, national or international centers for a company. Research and development and specialized technical manufacturing processes are the focus at these centers.

The largest employers in Menlo Park span a number of industries, including high tech, government, biotechnology, financial services, and retail. The ten largest employers in Menlo Park represent nearly one-third of wage and salary employment in Menlo Park. The largest employer by far is Facebook followed by SRI International, which is located near the Caltrain station. The professional, scientific, and technical services industry is the largest employment industry in Menlo Park, accounting for 35 percent of jobs located in the City. The second largest industry that employs workers in Menlo Park is manufacturing, followed by financial activities, leisure and hospitality, and education and health care.

Some of the largest employers in the area are (Facebook, Stanford Research Institute, TE Connectivity, Rosewood, and E Trade); the city also has Federally owned asset which reside within the jurisdiction such as Veterans Health System and United States Geological Survey.

- Brief History – In 1854 Menlo Park received its official name when two Irishmen, Dennis J. Oliver and D. C. McGlynn, whose wives were sisters, purchased 1,700 acres (some sources say it was 640 acres) bordering County Road, now El Camino Real, and built two houses with a common entrance.

Across the drive they erected a huge wooden gate with tall arches on which the name of their estate was printed in foot-high letters: “MENLO PARK”, with the date, August 1854, under it. When the railroad came through in 1863, this station had no name, it was just the end of the line, but it needed a designation. During a discussion about the choice of a name, a railroad official looked over at the gates and decided that “MENLO PARK” would be appropriate, and so the name was officially adopted. This station is now California State Landmark No. 955, the oldest California station in continuous operation.

On 23 March 1874, Menlo Park became the second incorporated city in San Mateo County, although only for a short time. The purpose was to provide a quick way to raise money for road repairs.

This incorporation, which included Fair Oaks (later Atherton) and Ravenswood (later East Palo Alto) lasted only until 1876. Little occurred to change the rural flavor of the community until the first World War, when, almost overnight, Menlo Park was populated by 43,000 soldiers in training at Camp Fremont, on land which extended from Valparaiso Avenue to San Francisquito Creek, and El Camino Real to the Alameda de las Pulgas, with the Base Hospital and other facilities on Willow Road where the Veterans Administration Medical Center now stands.

After the war enough service center activity remained to prompt an effort to reincorporate Menlo Park in 1923 with much the same boundaries as the earlier town. Incorporation planning involving Menlo Park and Atherton culminated in a dramatic race to the County Courthouse to file differing plans. Atherton representatives arrived only minutes before those from Menlo Park who had wished to include Atherton in their plans. Final incorporation of Menlo Park took place in November 1927.

- Climate— The City of Menlo Park climate is mild during summer when temperatures tend to be in the 60's and cool during winter when temperatures tend to be in the 50's. The warmest month of the year is July with an average maximum temperature of 78 degrees Fahrenheit, while the coldest month of the year is December with an average minimum temperature of 39 degrees Fahrenheit. On average, there are 255 sunny days per year with 56 days of measurable precipitation.
- Governing Body Format— The City Council is the city's governing body for the City of Menlo Park. In general municipal elect , its members are elected at-large to four-year overlapping terms. The Mayor and Mayor Pro Tem each serve one-year terms and are selected annually by the City Council at its first regular meeting in December. The Mayor, who represents the City of Menlo Park at ceremonial and public functions, also serves as the presiding officer of the City Council. The City of Menlo Park assumes responsibility for the adoption of this plan; the Planning, Public Works and Police Department will oversee its implementation.

- **Development Trends**— Economic development is essential to the city’s future, and involves the attraction, retention, and growth of companies in Menlo Park and the jobs they create. This requires providing companies with the facilities they need. All residents in Menlo Park have a stake in successful economic development because the fiscal revenues that it creates are key to the long-term sustainability of the City’s budget. Economic development also creates job opportunities for local residents, which can reduce congestion impacts from cross commuting.

Additionally, economic development supports expanded choices in housing, retail, and services that enhance the city and can fund community benefits and improvements via new projects. Menlo Park has a significant number of projects that are pending, approved, or under construction.

The city’s development pipeline includes 1,347 residential units, approximately 1.9 million square feet of office space, approximately 113,000 square feet of retail, and 373 hotel rooms. Of this total, a significant share is located in the M-2 Area, including 540 residential units, 1.3 million square feet of office space, approximately 94,000 square feet of retail, and 235 hotel rooms (with most of the remaining development that is pending, approved, or under construction in or near the El Camino Real / Downtown area).

1.3 CAPABILITY ASSESSMENT

An assessment of legal and regulatory capabilities is presented in Table 1-1. An assessment of fiscal capabilities is presented in Table 1-2. An assessment of administrative and technical capabilities is presented in Table 1-3. Information on National Flood Insurance Program (NFIP) compliance is presented in Table 1-4. Classifications under various community mitigation programs are presented in Table 1-5. An assessment of education and outreach capabilities is presented in Table 1-6.

Table 1-1. Legal and Regulatory Capability

	Local Authority	Other Jurisdiction Authority	State Mandated
Building Code <i>Comment: Menlo Park Municipal Code, Title 12, CA Bldg Code 2013. The Community Development, Building and Planning Divisions, adopted the code on 12/17/2013 and it became effective on 1/1/2014 .</i>	Yes		Yes
Zoning Code <i>Comment: Menlo Park Municipal Code, Title 16. The Community Development, Planning Division, implements this code. The Zoning Ordinance was adopted in 2014.</i>	Yes		
Subdivisions <i>Comment: Menlo Park Municipal Code, Title 15, adopted in 1977. The Community Development, Planning Division, and the Public Works, Engineering Division implement this code.</i>	Yes		
Stormwater Management <i>Comment: Menlo Park Municipal Code, Title 7.42, adopted in 1994. Stormwater Management Program complies with the California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES Permit. New permit requirements were issued in November 2015. The Public Works, Engineering & Maintenance Divisions, and the City Manager, Environmental Programs, implement this permit.</i>	Yes	Yes	Yes
Post-Disaster Recovery <i>Comment: The City does not have a municipal code or ordinance with Post Disaster Recovery. The City has a Post Disaster Recovery Plan. The City’s Emergency Operation Plan addresses Post Disaster Recovery Operations. Chapter Four Recovery section of the City Emergency Operation Plan which was adopted in 2011 outlines Post Disaster Recovery Operations.</i>	No		
Growth Management <i>Comment: Economics Existing Condition Report 2015/ General Plan update to the Land Use and Circulation Elements (will be adopted in October 2016). Between 2000 and 2014, Menlo Park saw a population increase of 7 percent, compared to a 9 percent increase in the Combined Counties and the larger Bay Area. Unlike growth in the region, Menlo Park’s growth is marked by an increase in household size rather than an increase in the total number of households. The city’s development pipeline includes 1,347 residential units, approximately 1.9 million square feet of office space, approximately 113,000 square feet of retail, and 373 hotel rooms. Of this total, a significant share is located in the M-2 Area, including 540 residential units, 1.3 million square feet of office space, approximately 94,000 square feet of retail, and 235 hotel rooms (with most of the remaining development that is pending, approved, or under construction in or near the El Camino Real / Downtown area)</i>	Yes		
Site Plan Review <i>Comment: The Engineering Division of the Public Works Department reviews site plans for all projects. The Building Division of Community Development reviews all site plans for conformance to Menlo Park Municipal Code, Title 12, adopted 1981. The Planning Division of Community Development reviews all site plans for conformance to Menlo Park Municipal Code, Title 16.</i>	Yes		
Flood Damage Prevention <i>Comment: Menlo Park Municipal Code, Title 12.42, adopted in 1988. The Public Works, Engineering Division, implements this code.</i>	Yes		

	Local Authority	Other Jurisdiction Authority	State Mandated
General or Comprehensive Plan <i>Comment: The land use goals, policy and programs include hazards and the adaption plan. The City's General Plan can be found here: http://www.menlopark.org/146/General-Plan. Sections IV and VII address safety and emergency preparedness. The Plan "provides policies and standards for the type, location, intensity and design of development in areas of potential hazards." Land Use and Circulation Elements (adopted December 1, 1994 plus amendments through May 21, 2013), Housing Element (2015-2023) (adopted April 1, 2014), Open Space and Conservation, Noise and Safety Elements (adopted May 21, 2013).</i>	Yes		
Capital Improvement Plan <i>Comment: The Capital Improvement Plan involves the implementation of infrastructure projects, such as the upgrade of storm water pumping facilities and the construction of emergency wells, to improve the City's resiliency to hazards. Planning is made on a 5 year basis, with annual updates.</i>	Yes	No	No
Floodplain or Watershed Plan <i>Comment: Local Hazard Mitigation Plan expired on 3/24/2016.</i>	Yes		
Habitat Conservation Plan <i>Comment: While the City does not have a Habitat Conservation Plan, the City has an annual partnership with Acterra, a non-profit that serves Silicon Valley, on the San Francisquito Watershed project. This project aims to restore the creek habitat and reduce storm water pollution by gathering volunteers to plant native species along the creek bed and organize creek clean up events. Between FY 12 – 15 Acterra organized 403 volunteers to plant 860 native species and remove 15,000 pounds of recycling and trash.</i>	No		
Economic Development Plan <i>Comment: July 2015 adopted. The Plan consists of three main elements: a Comparative Economic Advantages Study (CEAS), the Goals, and a series of Strategic Policy Recommendations towards implementing the Goals. The CEAS lays the foundation for the Economic Development Plan by outlining Menlo Park's economic advantages, opportunities and challenges in relation to other similar cities in the Silicon Valley region and the broader San Francisco Bay area.</i>	Yes		
Shoreline Management Plan <i>Comment: The City of Menlo Park shoreline is subject to the San Francisco Bay Conservation & Development Commission (BCDC), at http://www.bcdc.ca.gov/.</i>	No		
Community Wildfire Protection Plan <i>Comment: The Fire District provides fire suppression and fire protection services to the City of Menlo Park. The California Department of Forestry and Fire Protection does not acknowledge the City of Menlo Park as being in an area known to be considered as a "wildland urban interface" environment. The Fire District boundaries do not warrant a Community Wildfire Protection Plan.</i>	No		
Forest Management Plan <i>Comment: The Menlo Park Fire District provides fire suppression and fire protection services to the City of Menlo Park. The California Department of Forestry and Fire Protection does not acknowledge the City of Menlo Park as being in an area known to be considered as a "wildland urban interface" environment. The Fire District boundaries do not warrant a Forest Management Plan.</i>	No		

	Local Authority	Other Jurisdiction Authority	State Mandated
<p>Climate Action Plan</p> <p><i>Comment: The City first adopted a Climate Action Plan (CAP) in 2009, and in 2013 the City set a greenhouse gas (GHG) reduction target of 27% from 2005 levels by 2020. The purpose of the CAP is to present researched strategies that will help reduce greenhouse gas emissions originating in Menlo Park, based on the findings of the City’s greenhouse gas emissions inventory analysis that is completed annually. The plan provides strategies that may be implemented over the next few years by the City, its residents, and its businesses. The CAP is updated yearly as research continues to provide more emissions reduction data and as new technologies arise and economic conditions change.</i></p>	Yes	No	Yes
<p>Comprehensive Emergency Management Plan</p> <p><i>Comment: City adopted a Comprehensive Emergency Management Plan back in 2010. The plan conforms to the National Incident Management System (NIMS) and the California Standardized Emergency Management System (SEMS). It provides the City of Menlo Park Emergency Operations Center (EOC) responders with procedures, documentation, and user friendly checklists to effectively manage emergencies, and it also provides detailed information of supplemental requirements such as Public Information, Damage Assessment, and Recovery Operations.</i></p>	Yes	No	
<p>Threat & Hazard Identification & Risk Assessment</p> <p><i>Comment: The City Emergency Operation Plan addresses the threats, hazards and risks within the San Mateo County and City of Menlo Park. Chapter three of the EOP discusses the threats and follows the THIRA CPG 201 process. The EOP was adopted in 2011.</i></p>	Yes		
<p>Post-Disaster Recovery Plan</p> <p><i>Comment: The City Emergency Operation Plan addresses Post Disaster Recovery Operations. Chapter Four Recovery section of the City Emergency Operation Plan which was adopted in 2011 outlines Post Disaster Recovery Operations. This EOP also aligns with Debris Removal Guidelines for State and Local Officials (FEMA DAP-15); A Guide to Federal Aid and Disasters (DAP-19); Digest of Federal Disaster Assistance (DAP-21.)</i></p>	Yes		
<p>Continuity of Operations Plan</p> <p><i>Comment: The City Emergency Operation Plan adopted in 2011, addresses Continuity of Operations. At the City of Menlo Park, the following offices(Human Resources, City Clerk, City Manager’s Office, etc.) are responsible for the preservation of vital records. The EOP also discusses Line of Succession and restoration of governmental services following a large scale disaster impact. The City also has a contract with Agility Recovery to assist with mobilization of essential resource necessary to sustain governmental services which may/ or will allow personnel to operate remotely if necessary.</i></p>	Yes		

FINAL

Table 1-2. Fiscal Capability

Financial Resources	Accessible or Eligible to Use?
Community Development Block Grants	<i>Yes</i>
Capital Improvements Project Funding	<i>Yes</i>
Authority to Levy Taxes for Specific Purposes	<i>Yes</i>
User Fees for Water, Sewer, Gas or Electric Service	<i>Yes</i> <i>(Utility users tax on all except sewer)</i>
Incur Debt through General Obligation Bonds	<i>Yes</i>
Incur Debt through Special Tax Bonds	<i>Yes</i>
Incur Debt through Private Activity Bonds	<i>No</i>
Withhold Public Expenditures in Hazard-Prone Areas	<i>Yes</i> <i>(City Council authorization required)</i>
State-Sponsored Grant Programs	<i>Yes</i> <i>(Highway users tax)</i>
Development Impact Fees for Homebuyers or Developers	<i>Yes</i>
Flood Control / Seal Level Rise Hazard District	<i>Yes</i>

Table 1-3. Administrative and Technical Capability

Staff/Personnel Resources	Available?	Department/Agency/Position
Planners or engineers with knowledge of land development and land management practices	Yes	<i>Public Works, Community Development, Planning & Building Department</i>
Engineers or professionals trained in building or infrastructure construction practices	Yes	<i>Public Works, Community Development, Planning & Building Department</i>
Planners or engineers with an understanding of natural hazards	Yes	<i>Public Works, Community Development, Planning & Building Department</i>
Staff with training in benefit/cost analysis	Yes	<i>Public Works (Engineering Division)</i>
Surveyors	Yes	<i>Public Works and Consultants</i>
Staff capable of making substantial damage estimates	Yes	<i>Public Works and Building Department</i>
Personnel skilled or trained in GIS applications	Yes	<i>Public Works and Community Development Department</i>

Staff/Personnel Resources	Available?	Department/Agency/Position
Scientist familiar with natural hazards in local area	No	N/A
Emergency manager	Yes	Police Department and Menlo Park Fire District
Grant writers	Yes	Police Department , Public Works Department, and Menlo Park Fire District t

Table 1-4. National Flood Insurance Program Compliance

Criteria	Response
When did the community enter the NFIP?	6/14/1974 (First Flood Hazard Boundary Map)
When did the Flood Insurance Rate maps become effective?	10/16/2012
What local department is responsible for floodplain management?	Public Works, Engineering Division
Who is your floodplain administrator? (department/position)	Assistant Public Works Director
<ul style="list-style-type: none"> Is this a primary or auxiliary role? 	Auxiliary
Are any certified floodplain managers on staff in your jurisdiction?	Yes (1)
What is the date of adoption of your flood damage prevention ordinance?	1988 (with amendments in 1993, 1999, 2002, 2005)
<ul style="list-style-type: none"> Does your floodplain management program meet or exceed minimum requirements? 	Meets minimum requirements of 44 CFR 60.3 (e)
<ul style="list-style-type: none"> If so, in what ways? 	N/A
When was the most recent Community Assistance Visit or Community Assistance Contact?	2/16/11
Does your jurisdiction have any outstanding NFIP compliance violations that need to be addressed?	No
<ul style="list-style-type: none"> If so, please state what they are. 	N/A
Do your flood hazard maps adequately address the flood risk within your jurisdiction?	Yes
<ul style="list-style-type: none"> If no, please state why. 	N/A
Does your floodplain management staff need any assistance or training to support its floodplain management program?	Yes

Criteria	Response
<ul style="list-style-type: none"> If so, what type of assistance/training is needed? 	<p><i>The City of Menlo Park would require another Certified Floodplain Manager in the Engineering Division to assist with additional assignments and to re-evaluate the work required in participating in the Community Rating System.</i></p>
<p>Does your jurisdiction participate in the Community Rating System (CRS)?</p> <ul style="list-style-type: none"> If so, is your jurisdiction seeking to improve its CRS Classification? If not, is your jurisdiction interested in joining the CRS program? 	<p><i>No</i></p> <p><i>N/A</i></p> <p><i>No. The City of Menlo Park conducted a cost- benefit analysis associated with the rate of return, in comparison to the staff hours needed to manage the CRS program. Limited funding sources have made the program unsupportable.</i></p>
<p>How many Flood Insurance policies are in force in your jurisdiction?</p> <ul style="list-style-type: none"> What is the insurance in force? What is the premium in force? 	<p style="text-align: center;">890</p> <p style="text-align: center;">\$242,122,200.00</p> <p style="text-align: center;">\$1,071,228.00</p>
<p>How many total loss claims have been filed in your jurisdiction?</p> <ul style="list-style-type: none"> How many claims were closed without payment/are still open? What were the total payments for losses? 	<p style="text-align: center;">31</p> <p style="text-align: center;">16</p> <p style="text-align: center;">\$241,351.37</p>

Table 1-5. Community Classifications

	Participating ?	Classification	Date Classified
Community Rating System	<i>No</i>		Date
Building Code Effectiveness Grading Schedule	<i>Yes</i>	99	Date
Public Protection	<i>Yes</i>	<u> 2 </u>	2013

	Participating ?	Classification	Date Classified
Storm Ready	No	_____	Date
Firewise	No	_____	Date

Table 1-6. Education and Outreach

Criteria	Response
Do you have a Public Information Officer or Communications Office?	<i>Yes- The City of Menlo Park has three designated Public Information Officers. These individuals have played the PIO role during trained EOC exercises and are aligned with meeting the PIO State EOC credentialing requirement.</i>
Do you have personnel skilled or trained in website development?	<i>Yes- The City Manager’s Office is tasked with updating and coordinating any updated website information. The City has website templates which help to assist with managing any informational updates. Trained and skilled personnel in website development for the City of Menlo Park are on hand.</i>
Do you have hazard mitigation information available on your website?	<i>Yes</i>

Criteria	Response
<ul style="list-style-type: none"> If yes, please briefly describe. 	<p><i>Yes- The City of Menlo Park has hazard mitigation information available on its website. The City also has second party web links available (Menlo Park Fire, American Red Cross, Federal Emergency Management Agency etc.) in which the general public can access for more information. Hazard Mitigation information is posted based on relevance of the season(summer, fall, winter, and spring).</i></p> <p><i>*Summer-wildland fire and water drought hazard mitigation information may be posted.</i></p> <p><i>*Winter- flooding hazard mitigation information may be posted.</i></p> <p><i>*Fall- national preparedness month may include hazard mitigation information on earthquakes safety.</i></p> <p><i>*Spring- an all hazard mitigation campaign may be posted on “Get Ready” and What to do in the next 72 hours” for citizens to take advantage of the FEMA Community Emergency Response Team training provided by the Menlo Park Fire District.</i></p>
<p>Do you utilize social media for hazard mitigation education and outreach?</p>	<p><i>Yes- The City of Menlo Park has a Facebook, Nextdoor, Twitter, and Nixle account. The City posts relevant hazard mitigation educational information to the public through these social media and alert notification platforms. The City also has their own alert notification system(Blackboard Connect) which serves as a conduit for pushing out applicable hazard mitigation information.</i></p>
<ul style="list-style-type: none"> If yes, please briefly describe. 	<p>N/A</p>

Criteria	Response
<p>Do you have any citizen boards or commissions that address issues related to hazard mitigation?</p>	<p><i>Yes- The City of Menlo Park in partnership with the Fire District has a Community Emergency Response Team Committee. The committee meets quarterly to discuss issues related to hazard mitigation and emergency preparedness. The City also kicked off a new emergency preparedness forum called “ Menlo Ready”. Menlo Ready embeds a whole-community preparedness outreach approach campaign based on the guidelines set forth in (FDOC 104-008-1) of the Federal Emergency Management Agency. The City also participates as a member of the San Mateo County Emergency Managers Association which includes topics on hazard mitigation Countywide.</i></p>
<ul style="list-style-type: none"> • If yes, please briefly specify. 	<p><i>Reference statement above.</i></p>
<p>Do you have any other programs already in place that could be used to communicate hazard-related information?</p>	<p><i>No</i></p>
<ul style="list-style-type: none"> • If yes, please briefly describe. 	<p><i>N/A</i></p>
<p>Do you have any established warning systems for hazard events?</p>	<p><i>Yes</i></p>
<ul style="list-style-type: none"> • If yes, please briefly describe. 	<p><i>The City of Menlo Park has a Facebook, Twitter, Nextdoor and Nixle account. The City posts relevant hazard event information to the public through these social media alert notification platforms. The City also utilizes its website for providing public information in advanced for hazard events.</i></p>

1.4 INTEGRATION WITH OTHER PLANNING INITIATIVES

The following describe the jurisdiction's process for integrating the hazard mitigation plan into local planning mechanisms.

1.4.1 Existing Integration

The following plans and programs currently integrate the goals, risk assessment and/or recommendations of the hazard mitigation plan:

City of Menlo Park General Safety Plan –Adopted May 2013 and complies with Assembly Bill No. 2140 General plans: safety element.

(S1.7) Continue to require new development to reduce the seismic vulnerability of buildings and susceptibility to other hazards through enforcement of the California Building Standards Code and other programs.

(S1.8) Review and comprehensively revise the Safety Element whenever substantial new scientific data or evidence related to prevention of natural and human hazards becomes available, and coordinate with other General Plan elements and City emergency plans.

(S1.15) Support State and Federal financial assistance or tax incentive programs to encourage repair, demolition or abatement of earthquake hazardous structures.

(S1.17) Minimize risk associated with hazardous materials by assessing exposure to hazardous materials of new residential development and sensitive populations near existing industrial and manufacturing areas. Minimize risk associated with hazardous materials.

(S1.22) Continue to apply standards for any construction projects (new structures and existing structures proposed for substantial improvement) in areas of special flood hazard in accordance with FEMA and the Flood Damage Prevention Ordinance, including the use of flood-resistant construction materials and construction methods that minimize flood damage.

(S1.32-33) Locate critical facilities, e.g., hospitals, schools, Emergency Operations Center (E.O.C.), etc., to minimize impacts from hazards. Encourage local public utilities and service providers to locate and design facilities and systems to ensure continued service in emergency conditions.

(S1.34) Ensure disaster preparedness in cooperation with other public agencies and appropriate public-interest organizations. Expand abilities of residents to assist in local responses to disasters. Ensure adequate resources, facilities, and other support for emergency response equitably throughout the City.

(S1.35) Encourage improved safety programs for schools, institutions and industries to promote greater public awareness of all types of hazards and appropriate responses and support the City's program on emergency preparedness.

(SI.36) Continue to support and improve on the Emergency Notification System for disaster information release in emergencies.

(SI-37-39) Maintain a system of emergency connectors and evacuation routes as part of the City's disaster planning. Require that all private roads be designed to allow access for emergency vehicles as a prerequisite to the granting of permits and approvals for construction. Review and improve disaster response capabilities, recovery operations and evacuation planning or sensitive populations in the event of earthquake or other disasters.

1.4.2 Opportunities for Future Integration

The following plans and programs do not currently integrate the goals, risk assessment and/or recommendations of the hazard mitigation plan, but provide an opportunity for future integration:

- *Water System Emergency Action Plan—Required by the State Department of Environmental Health back in 2004. This Plan was written on 12/29/2004 and was partially updated in 2005, 2011 and 2013. The plan can be integrated with the hazard mitigation plan by re-writing it to confirm to the National Incident Management System (NIMS) and attaching it as an appendix. Water Emergency Annex Plan— Required by the San Mateo County Sheriff's office in 2004. This Plan was written on 11/15/2004 and can be integrated with the hazard mitigation plan by attaching it as an appendix. Both plans will be used to prepare the City for hazards that may interrupt the water distribution system. For example, if water supply is interrupted due to hazard, such as an earthquake, the City will implement the actions identified in the emergency plan to provide residents with drinking water. The information provided in the Local Hazard Mitigation Plan will enable the City to coordinate the emergency response effort with respect to water supply with other agencies as well as identify projects that would improve the resiliency of the City's water system.*
- *Adaptation to Climate Change Plan – The City will develop an Adaptation to Climate Change Plan (ACCP) that will focus on resiliency planning. The ACCP will assess the impacts to existing hazards from future risks posed by climate change, use existing data to develop a vulnerability assessment of existing assets, and develop policies and strategies to mitigate the impacts. The ACCP is expected to be completed in 2018 and will be integrated with the Local Hazard Mitigation Plan. This will be done by identifying actions that address the increased vulnerability associated climate change and including them in the Local Hazard Mitigation Plan.*
- *General Plan Update, Land Use and Circulation Elements – The City is currently working on updating the General Plan Land Use and Circulation Elements. As part of the sustainable and environmental planning guiding principle, the update will establish goals, policies, and programs that incorporate mitigation strategies to natural hazards.*

1.5 JURISDICTION-SPECIFIC NATURAL HAZARD EVENT HISTORY

Table 1-6 lists all past occurrences of natural hazards within the jurisdiction. Table 1-6. **Natural Hazard Event**

Type of Event	FEMA Disaster # (if applicable)	Date	Preliminary Damage Assessment
Earthquake	DR-845	10/18/1989	Unknown
Severe Storm(El Nino)	DR-1203	2/9/1998	Unknown
Severe Storm(El Nino)	N/A	12/23/2012	\$3 million Creek Bank Erosion Private Property \$820,000 Residential and Businesses

1.6 JURISDICTION-SPECIFIC VULNERABILITIES

The City will ensure hazard mitigation or control measures are taken in efforts to protect essential and critical facilities during an emergency, thus reducing further structural damage. The Building Department has identified the following facilities as critical or essential buildings which require a safety assessment inspection within the allotted time. These are as follows:

- City Hall- 701 Laurel Street, Menlo Park
- Menlo Fire Station 1- 300 Middlefield Road, Menlo Park
- Menlo Fire Station 6- 700 Oak Grove Avenue, Menlo Park
- Onetta Harris Community Center- 100 Terminal Avenue, Menlo Park
- Arillaga Building and Gymnasium- 600 Alma Street, Menlo Park
- Hillview Middle School- 1100 Elder Avenue, Menlo Park
- Oak Knoll School- 1895 Oak Knoll Lane, Menlo Park
- La Entrada School- 2200 Sharon Road, Menlo Park
- Philip Brook School-2245 Avy Ave, Menlo Park
- Bellehaven Child Development Center-410 Ivy Drive, Menlo Park
- Beechwood School- 50 Terminal Avenue, Menlo Park
- Mid-Peninsula High School- 1340 Willow Road, Menlo Park
- Saint Raymond Catholic Church- 1100 Santa Cruz Avenue, Menlo Park
- Saint Raymond Elementary School-1211 Arbor Road, Menlo Park
- Trinity School-2650 Sand Hill Road, Menlo Park
- Nativity Elementary School-1250 Laurel Street, Menlo Park
- Church of Nativity- 210 Oak Grove, Menlo Park
- Menlo Park Presbyterian Church- 950 Santa Cruz, Menlo Park
- Trinity Church- 330 Ravenswood Avenue, Menlo Park
- Church of Christ Scientist- 201 Ravenswood Avenue, Menlo Park

1.7 HAZARD RISK RANKING

Table 1-7 presents the ranking of the hazards of concern.

Rank	Hazard Type	Risk Rating Score (Probability x Impact)	Category
1	Earthquake	54	High

Rank	Hazard Type	Risk Rating Score (Probability x Impact)	Category
2	Flood	33	High
3	Severe Weather	33	Medium
4	Drought	3	Low
5	Dam Failure	3	Low
6	Landslide	0	Low
7	Tsunami	0	Low
8	Wildfire	0	Low

1.8 HAZARD MITIGATION ACTION PLAN AND EVALUATION OF RECOMMENDED ACTIONS

Table 1-8 lists the actions that make up the City of Menlo Park hazard mitigation action plan. Table 1-9 identifies the priority for each action. Table 1-10 summarizes the mitigation actions by hazard of concern and the six mitigation types.

Applies to new or existing assets	Hazards Mitigated	Objectives Met	Lead Agency	Estimated Cost	Sources of Funding	Timeline
MP-1 — Where appropriate, support retro-fitting, purchase or relocation of structures located in high hazard areas and prioritize those structures that have experienced repetitive losses.						
Existing	Earthquake, Flood	4,5,7,9,11	Public Works	High	HMGP, PDM, FMA, CDBG-DR	Short-term
MP-2 — Integrate the hazard mitigation plan into other plans, ordinances and programs that dictate land use decisions within the community.						
New and Existing	Earthquake, Flood	2,4	Community Development	Low	Staff time, General funds	On-going
MP-3 — Integrate the hazard mitigation plan into other plans and programs that support infrastructure investments, such as the capital improvement program						
New and Existing	Earthquake, Flood, Drought,	2,4	Public Works	Medium	Staff Time, General Funds	On-going
MP-4 — Develop and implement a program to capture perishable data after significant events (e.g., high water marks, preliminary damage estimates, damage photos) to support future mitigation efforts including the implementation and maintenance of the hazard mitigation plan.						
Existing	Flood, Earthquake, Drought	1,2,4,10	Public Works	Low	Staff Time, General Funds	On-going
MP-5 – Support the County-wide initiatives identified in Volume I of the hazard mitigation plan.						
New and Existing	Flood, Earthquake, Drought	1,2,3,4,5,6,7, 8,9,10,11	Public Works and Community Development	Low	Staff Time, General Funds	On-going
MP-6 - Actively participate in the plan maintenance protocols outlined in Volume I of the hazard mitigation plan.						
New and Existing	Flood, Earthquake, Drought,	1,4	Police Department	Low	Staff Time, General Funds	On-going

Applies to new or existing assets	Hazards Mitigated	Objectives Met	Lead Agency	Estimated Cost	Sources of Funding	Timeline
MP-7 —Continue to maintain good standing and compliance under the National Flood Insurance Program (NFIP). This will be accomplished through the implementation of floodplain management programs that will, at a minimum meet the requirements of the NFIP:						
		<ul style="list-style-type: none"> Enforcement of the flood damage prevention ordinance Participate in floodplain identification and mapping updates Provide public assistance/information on floodplain requirements and impacts 				
New and Existing	Flood	1,4,5,9	Public Works	Low	Staff Time, General Funds	On-going
MP-8 – Work with building officials to identify ways to improve the jurisdiction’s BCEGS classification						
New and Existing	Earthquake, Flood, Landslide, Severe Weather Wild Fire	5,6,7,10,11	Community Development	Low	Staff Time, General Funds	Short-term
MP-9 – Develop a post-disaster recovery plan and debris management plan.						
New and Existing	Earthquake, Flood	1,2,4,9	Police Department and Public Works	Medium	EMPG	On-going

Applies to new or existing assets	Hazards Mitigated	Objectives Met	Lead Agency	Estimated Cost	Sources of Funding	Timeline
MP-10 – Develop mitigation controls (continuity of government plans) and ensure force protection measures are in place in relation to vulnerable critical facilities within the City (police stations, fire stations, emergency operation center, City Hall, emergency shelters, etc.)						
New and Existing	Earthquake, Flood	4,6,7,11	Police Department	Medium	HMGP, PDM, FMA	On-going
MP-11 - Develop a plan for expediting the repair and restoration of water and wastewater systems through stockpiling of shoring materials, temporary pumps, surface pipelines, portable hydrants, and other supplies, such as those available through the Water Agency Response Network (WARN).						
Existing	Earthquake, Flood	6, 8	Public Works	Low	HMGP, PDM, FMA	On-going
MP-12 - Continue to participate in the Public Works Mutual Aid Agreement –San Mateo County in accordance with resource sharing and resource coordination.						
Existing	Earthquake, Flood, Wildfire	6	Public Works	Low	HMGP, PDM, FMA	On-going
MP-13 -Continue to ensure that critical intersection traffic lights function following loss of power by testing battery back-ups, emergency generators, or lights powered by alternative energy sources such as solar						
New and Existing	Earthquake, Flood	6	Public Works	Low	HMGP, PDM, FMA	On-going
MP-14 – Develop emergency plans or MOU agreements with neighboring mutual aid providers.						
Existing	Earthquake, Flood, Wildfire	8	Police Department	Low	Staff Time, General Funds	On-going

Applies to new or existing assets	Hazards Mitigated	Objectives Met	Lead Agency	Estimated Cost	Sources of Funding	Timeline
MP-15 – Implement maintenance and storm preparedness plans that include the annual clearing of storm water drains and culverts, drainage ditches, and other waterways, such as the Atherton Channel and San Francisquito Creek, to maintain flood protection.						
Existing	Flood	6, 7	Public Works	Medium	Staff Time, General Funds	On-going
MP-16 – Continue to coordinate with the City of Redwood City on the Bayfront Canal flood control improvements.						
Existing	Flood	1,5,6,7,8	Public Works	Low	Staff Time, General Funds	On-going
MP-17 – Continue to coordinate with the San Francisquito Creek Joint Powers Authority on San Francisquito Creek and SAFER Bay flood control projects.						
Existing	Flood, Dam Failure	1,5,6,7,8	Public Works	Low	Staff Time, General Funds	On-going
MP-18 – Continue to coordinate with the California Coastal Conservancy and the U.S. Fish & Wildlife Service on the South Bay Salt Pond Restoration Project.						
Existing	Flood	1,5,6,7,8	Public Works	Low	Staff Time, General Funds	On-going
MP-19 – Upgrade the Chrysler Pump Station to improve flood protection in the M-2 Zoning Area.						
Existing	Flood	6	Public Works	High	HMGP, FMA	Short-term
MP-20 – Develop and implement a Green Infrastructure Plan to improve storm water quality and flood protection.						
New	Flood	6	Public Works	High	FMA, Prop 1	Short-term

Applies to new or existing assets	Hazards Mitigated	Objectives Met	Lead Agency	Estimated Cost	Sources of Funding	Timeline
MP-21 – Produce hazards maps that take into account the impacts of flooding due to climate change.						
New and Existing	Flood, Severe Weather	1,3,6,8,9,10	Public Works	Low	HMGP, PDM, FMA	Short-term
MP-22 – Develop an Adaptation to Climate Change Plan and integrate into the Local Hazard Mitigation Plan.						
New and Existing	Flood, Drought, Severe Weather	1,2,3,6,8,9,10	City Manager’s Office and Public Works	Low	HMGP, PDM, FMA	Short-term
MP-23 – Continue to work with San Mateo County on the development of a Sea Level Rise Vulnerability Study and integrate the findings in the Local Hazard Mitigation Plan.						
Existing	Flood	1,2,3,6,8,9,10	Public Works	Low	Staff Time, General Funds	Short-term
MP-24 - Develop a recycled water feasibility study and adopt a recycled water ordinance for the use of recycled water in the Menlo Pak Municipal Water District service area.						
Existing	Drought	4,5,6	Public Works	Low	Staff Time, Water Enterprise	Short-term

MP-25 – Plan, design and build emergency water supply wells to serve residents during times of emergencies that result in a loss of water supply.

Applies to new or existing assets	Hazards Mitigated	Objectives Met	Lead Agency	Estimated Cost	Sources of Funding	Timeline
New	Earthquake	5,6	Public Works	High	Staff Time, Water Enterprise	Long-term
MP-26 – Update the Seismic Vulnerability Assessment of the City’s water distribution system.						
Existing	Earthquake	5,6	Public Works	Low	Staff Time, Water Enterprise	Short-term
MP-27 – Plan, design, and build for the undergrounding of utilities in the downtown parking areas.						
Existing	Earthquake, Severe Weather	1,2,3,4,5,6,8,10,11	Public Works	High	Staff Time, General Funds, Rule 20A	Long-term
MP-28 – Develop a program for the installation and replacement of emergency generators at critical facilities.						
New and Existing	Earthquake, Flood	4,5,6	Public Works	Medium	HMGP, PDM, FMA	On-going
MP 29 - Continue to enforce and/ or comply with the State-mandated requirement that site-specific geologic reports be prepared for development proposals within Alquist-Priolo Earthquake Fault Zones, and restrict the placement of structures for human occupancy.						
Existing	Earthquake	4, 7,	Community Development	High	Staff Time, General Funds	
MPK 30 – Update as needed and enforce regulations concerning new construction(and major improvements to existing structures) within flood zones in order to be in compliance with the federal requirements and, thus, be a participant in the National Flood Insurance Program.						
Existing	Flood	4, 7	Community Development, Public Works	High	Staff Time, General Funds	On-going

Table 1-9. Mitigation Strategy Priority Schedule

Action #	# of Objectives Met	Benefits	Costs	Do Benefits Equal or Exceed Costs?	Is Project Grant-Eligible?	Can Project Be Funded Under Existing Programs/Budgets?	Implementation Priority ^a	Grant Priority ^a
1.	5	High	High	No	Yes	No	Low	Medium
2.	2	Medium	Low	Yes	No	Yes	High	Low
3.	2	High	Medium	Yes	No	Yes	High	Low
4.	4	Medium	Low	Yes	No	Yes	High	Low
5.	11	Medium	Low	Yes	No	Yes	High	Low
6.	2	Medium	Low	Yes	No	Yes	High	Low
7.	4	Medium	Low	Yes	No	Yes	High	Low
8.	5	Medium	Low	Yes	No	Yes	High	Low
9.	4	High	Medium	Yes	Yes	No	Medium	Medium
10.	4	High	Medium	Yes	Yes	No	Medium	High
11.	2	High	Low	Yes	Yes	Yes	High	High
12.	1	Medium	Low	Yes	Yes	Yes	High	Low
13.	1	Medium	Low	Yes	Yes	Yes	High	Medium
14.	1	High	Low	Yes	No	Yes	High	Low

Action #	# of Objectives Met	Benefits	Costs	Do Benefits Equal or Exceed Costs?	Is Project Grant-Eligible?	Can Project Be Funded Under Existing Programs/Budgets?	Implementation Priority ^a	Grant Priority ^a
15.	2	High	Low	Yes	No	Yes	High	Low
16.	5	Medium	Low	Yes	No	Yes	High	Low
17.	5	Medium	Low	Yes	No	Yes	High	Low
18.	5	Medium	Low	Yes	No	Yes	High	Low
19.	1	High	High	Yes	Yes	Yes	Medium	High
20.	1	Medium	High	Yes	Yes	No	Medium	Medium
21.	6	Medium	Low	Yes	Yes	Yes	High	Low
22.	7	Medium	Low	Yes	Yes	Yes	High	Medium
23.	6	Medium	Low	Yes	No	Yes	High	Low
24.	3	Medium	Low	Yes	No	Yes	High	Low
25.	2	High	High	Yes	No	Yes	High	Low
26.	2	Medium	Low	Yes	No	Yes	High	Low
27.	9	Medium	High	Yes	Yes	Yes	Medium	Medium
28.	3	High	Medium	Yes	Yes	Yes	Medium	High
29.	2	High	High	Yes	No	Yes	High	Low
30.	2	High	High	Yes	No	Yes	High	Low

a. See the introduction to this volume for explanation of priorities.

Table 1-10. Analysis of Mitigation Actions

Hazard Type	Action Addressing Hazard, by Mitigation Type ^a					
	1. Prevention	2. Property Protection	3. Public Education and Awareness	4. Natural Resource Protection	5. Emergency Services	6. Structural Projects
Drought	MP-5, MP6,MP-22, MP-24		MP-5			
Earthquake	MP-1, MP-2, MP-3, MP-4, MP-5, MP-6, MP-8, MP-9, MP-10, MP-11, MP-12, MP-13, MP-14, MP-25, MP-26, MP-27, MP-28, MP-29	MP-1, MP-10	MP-4, MP-5		MP-4, MP-9, MP-11, MP-12, MP-13, MP-25, MP-28	MP-1, MP-3, MP-25, MP-27,MP-29
Flood	MP-1,MP-2, MP-3, MP-4, MP-5, MP-6, MP-7, MP-8, MP-9, MP-10, MP-11, MP-12, MP-13, MP-14, MP-15, MP-16, MP-17, MP-18, MP-19, MP-20, MP-21, MP-22, MP-23, MP-28,MP-30	MP-1, MP-10, MP-19	MP-4, MP-5, MP-7, MP-21	MP-15, MP-16, MP-17, MP-18	MP-4, MP-9, MP-11, MP-12, MP-13, MP-17,MP-28	MP-1, MP-3, MP-17, MP-30
Landslide	MP-5, MP-6, MP-8, MP-9, MP-12, MP-14	MP-1	MP-5		MP-9, MP-12	
Severe Weather	MP-2, MP-3, MP-4, MP-5, MP-6, MP-7, MP-8, MP-9, MP-10, MP-11, MP-12, MP-13, MP-14, MP-21, MP-22, MP-23,MP-27, MP-28	MP-1, MP-10	MP-4, M-5, MP-7, MP-21		MP-4, MP-9, MP-11, MP-12,MP-28	MP-3, MP-27

- a. See the introduction to this volume for explanation of mitigation types.
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**STAFF REPORT****City Council**

Meeting Date: 8/30/2016
Staff Report Number: 16-152-CC

Consent Calendar: **Adopt a resolution authorizing the annual destruction of obsolete records**

Recommendation

Staff recommends adoption of a resolution authorizing the disposal of obsolete City records for the following departments: City Clerk's Office, Community Services, Human Resources, Police and Public Works, as specified in Exhibits A-E to the proposed Resolution (Attachment A).

Policy Issues

The proposed action is consistent with the City's current policy and adopted Records Retention Schedule.

Background

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

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

Analysis

The City is committed to managing its records according to best practices to ensure business, audit, legal and regulatory requirements are met. The California legislature has established guidelines, resources and support for retention of records by local governments and upon which the City's current schedule is largely based.

An adopted Records Retention Schedule certifies the life, care and disposition of all agency records, and provides an agency with the legal authority to dispose of records entrusted in its care when they are no longer needed. Disposition may include sending appropriate records to an off-site storage facility, recycling unneeded records, and/or destroying unneeded records. Once records have fulfilled their administrative, fiscal or legal function, they should be disposed of as soon as possible in accordance with the established retention schedule. Keeping records beyond the retention period causes a burden on staff with more documents to manage, may effect response time to public records requests and extends the agency's legal liability. Compliance with the Records Retention Schedule is highly recommended as it improves staff efficiency and customer service when the status of information is up to date and available when needed. It also limits the agency's legal liability as a court of law cannot demand an agency produce documents that have been properly disposed of in accordance with an adopted Records Retention Schedule and with accepted industry practices.

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

Impact on City Resources

There would be a positive impact on office organization and staff efficiency particularly during the current City Hall remodel project where storage space is limited.

Environmental Review

This item does not require environmental review.

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 with Exhibits A-E

Report prepared by:
Pamela Aguilar, City Clerk

RESOLUTION NO.

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

WHEREAS, the City of Menlo Park is committed to managing its records according to best practices to ensure business, audit, legal, historical and regulatory requirements are met; and

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

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

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

NOW, THEREFORE BE IT RESOLVED, that the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore do hereby authorizes the destruction of the obsolete records described in Exhibits A, B, C, D and E Requests for Destruction of Obsolete Records, attached hereto and incorporated herein by this reference.

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

I, Pamela Aguilar, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the thirtieth day of August, 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 thirtieth day of August, 2016.

Pamela Aguilar
City Clerk

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EXHIBIT A

CITY CLERK'S OFFICE

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel Street, Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935

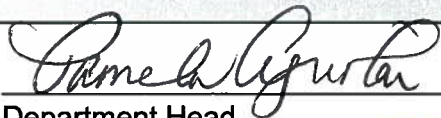


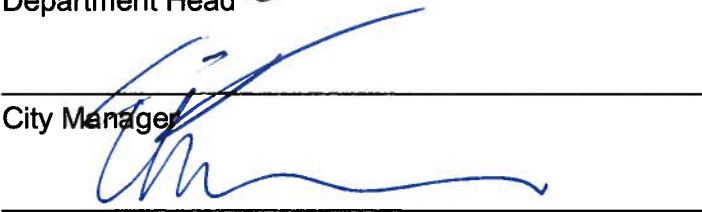
Date: August 22, 2016 Page: 1 of 1

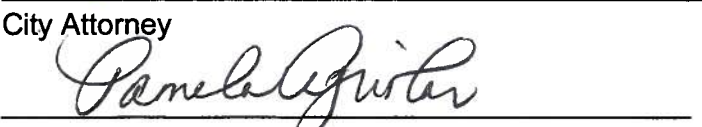
Department: City Manager's Office / City Clerk


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

Record Title	Container	Dates	Retention Period
Citizen Correspondence to Council (copies of CCIN, letters addressed to Council)	Box 'Clerk Destruction Aug 2016 Box #1'	August 2011 – Dec 2011 2012, 2013, Jan 2014 - July 2014	2 years
Copies of Alcohol Beverage License application	Box 'Clerk Destruction Aug 2016 Box #2'	2011, 2012, 2013	When no longer needed
Department copies of CalCard Invoices	Same	2011, 2012, 2013	When no longer needed (min 1 year)
Department copies of check requisitions	Same	2012, 2013	When no longer needed (min 1 year)
Department copies of receipts	Same	2012, 2013	When no longer needed (min 1 year)
Department copies of invoices	Box 'Clerk Destruction Aug 2016 Box #3'	2009, 2010, 2011, 2012, 2013	
Copies of tentative calendar	Same	2011, 2012, 2013	2 years
City Clerk correspondence	Same	2011, 2012, 2013	2 years
Requests for public records	Same	2011, 2012, 2013	2 years
FPPC 700 Series Forms (statement of economic Interest): DESIGNATED EMPLOYEES	Same	2009	7 years
FPPC 700 Series Forms (statement of economic Interest): PUBLIC OFFICIALS	Same	2009, 2010, 2011, 2012	2 years


 Department Head


 City Manager


 City Attorney


 City Clerk for Council

8.23.2016
 Date

8.23.2016
 Date

8/23/16
 Date

8.23.2016
 Date

OFFICE USE ONLY:

Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____

EXHIBIT B

COMMUNITY SERVICES DEPARTMENT

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
701 Laurel Street, Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



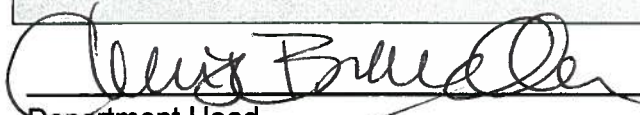
Date: July 16, 2016

Page: 1 of 1


Department: Community Services Department

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

Record Title	Container	Dates	Retention Period
Registration Forms A-Z	Box 1	01/01/10-12/31/10	5 years
Birthday Waivers, Time Cards, Attendance Sheets, Substitute Forms	Box 2	01/01/2010	5 years


Department Head


7/27/16
Date


City Manager

8.23.2016
Date


City Attorney

8/23/16
Date


City Clerk for Council

8.23.2016
Date

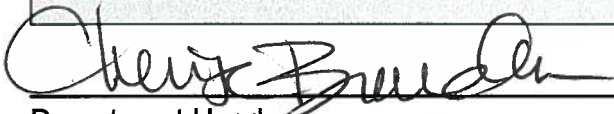
OFFICE USE ONLY:
Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel Street, Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Date: 7/26/16		Page: 1 of 1	
Department: CSD-Arrillaga Family Gymnasium			
Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
Deposit Slips	box	2014-June 2015	1 year
Burgess Gymnasium Form	box	Pre 2010	5
Registration Forms	box	2010	5
Field rental forms	box	2010	5


 Department Head

7/27/16
 Date


 City Manager

8.23.2016
 Date


 City Attorney

8/23/16
 Date


 City Clerk for Council

8.23.2016
 Date

OFFICE USE ONLY:
 Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____

REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS


Date: 7/14/2016

Page: 1

Department: Community Service
Department/BHCDC

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


RECORD TITLE	CONTAINER	DATES	RETENTION PERIOD
Children's File / DRDP	CSD/ BHCDC- Box 1	FY: 2010-2011	5 Years
Children's File / DRDP	CSD / BHCDCD – Box 2	FY: 2010-2011	5 Years
Sign in/out sheets Attendance/ Quarterly Report	CSD / BHCDC – Box 3	FY: 2010-2011	5 Years
Food Report/ Contract	CSD / BHCDC – Box 4	FY: 2010-2011	5 Years
Food Contract, Annual State Report, Emergency Plans, Invoices, Immunizations Reports, Audits	CSD / BHCDC – Box 5	FY: 2000-2011	5 Years
Children's File / DRDP	CSD / BHCDC – Box 6	FY: 2010-2011	5 Years

 Derek Schwergent
on behalf of Average
Burdell

7/25/16
Date



8.23.2016
Date



8/23/16
Date



8.23.2016
Date

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel Street, Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Date: 6/29/2016 Page: 1 of 1

Department: COMMUNITY SERVICES - OSD OHCC

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

Record Title	Container	Dates	Retention Period
Cal Card Information	CSD-OHCC-Container 2&4	2013-2015	No longer needed
Copies of Time Cards	CSD-OHCC-Container 4	2013-2015	No longer needed
Sign In Sheet for Summer Training	CSD-OHCC-Container 1&3	2011-2013	2 Years
Surveys Classes	CSD-OHCC-Container 2	2010-2011	5 Years sign in sheets
Registration Forms	CSD-OHCC-Container 1&2	2008-2011	5 Years surveys
2 nd Harvest Database/PW	CSD-OHCC-Container 3	2008-2011	4 Years Reg. form
Rental Applications	CSD-OHCC-Container 3	2013	Program Info. 2 year
Instructors who no longer Work	CSD-OHCC-Container 2	2013-2015	1 year
Volunteer Applications	CSD-OHCC-Container 2 & 1	2009-2012	4 years
		2008 and 2010	5 years

Chris Brauch
 Department Head

7/27/16
 Date

[Signature]
 City Manager

8.23.2016
 Date

[Signature]
 City Attorney

8/23/16
 Date

[Signature]
 City Clerk for Council

8.23.2016
 Date


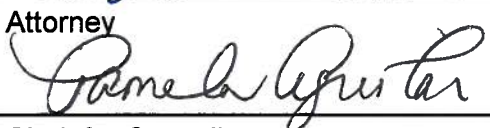
OFFICE USE ONLY:
 Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel Street, Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Date: 7/13/16		Page: 1 of 1	
Department: Community Services/ MCC			
Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
Sign In/Out Sheets	MCC-1	January-March, 2014	2 years
Sign In/Out Sheets	MCC-1	April-June, 2014	2 years
Sign In/Out Sheets	MCC-1	July-September, 2014	2 years
Sign In/Out Sheets	MCC-1	October-December, 2014	2 years
Family Files	MCC-1	2011	5 years
Family Files	MCC-1	2008	5 years
Family Files	MCC-1	2009	5 years
Family Files	MCC-1	2010	5 years


 Department Head _____ Date 7/25/16
David S. Sargent on behalf of George Brande
 _____ Date 8.23.2016
 City Manager
 _____ Date 8/23/16
 City Attorney

 City Clerk for Council _____ Date 8.23.2016

OFFICE USE ONLY:

Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____

EXHIBIT C

HUMAN RESOURCES DEPARTMENT

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
701 Laurel Street, Menlo Park, CA 94025
tel 650-330-6620 fax 650-328-7935



Date: July 20, 2016 Page: 1 of 4			
Department: Human Resources			
Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule established by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
504-02 Combined Health Insurance Report 1/99-12/99	0701-02-214	Dec-99	15
504-02 Health Insurance Report for Pers Health Pla	0701-02-214	Jan-00	15
506-02 Ed/Child Care/Rec Reimb POA FY 99/00	0701-02-214	Jun-00	15
508-03 Special Pay Detail Report 1/3/98-12/4/99	0701-02-215	Dec-99	15
508-03 Dependent Care Assistant Prog Control Repor	0701-02-215	Dec-99	15
508-03 Life Insurance & Disability Coverage Report	0701-02-216	Dec-99	15
508-03 Listing of Active Temporary Employees 1/2/99-12/4/99	0701-02-216	Dec-99	15
501-04 Personnel File Terminated - Van Dera, Joseph VT 2/18/00	0701-02-217	Feb-00	15
501-04 Personnel File Terminated - Vento, Deborah VT 4/19/00	0701-02-217	Apr-00	15

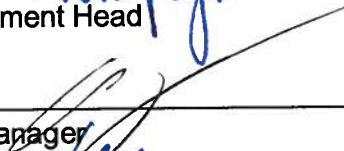
504-11 CAFETERIA - PMA PLAN YEAR ENDING DECEMBER 31, 2000	0701-02-219	Dec-00	15
503-02 RECRUITMENT CLOSED POSITION FILE - ENRICO DANIEL SCIAKY	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - TROY EUGENE COLEMAN	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - KIM J SAGASTY	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - MARK DAVID THOMSEN	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - PATRICIA AN MATNEY	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - JOHN THOMAS WOHLER	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - WILLIAM ARTHUR LADLEY	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - CLARK CLIFTON	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSITION FILE - RACHEL LOUISE BLENCOWE	0701-02-221	Feb-01	15

503-02 RECRUITMENT CLOSED POSITION FILE - NICHOLAS S RODRIGUEZ	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSTING - RESERVE POLICE OFFICER	0701-02-221	Feb-01	15
503-02 RECRUITMENT CLOSED POSTING - COMMUNICATIONS OFFICER	0701-02-221	Feb-01	15
501-02 BACKGROUND FOR MICHAEL MIELKE 08/15/2000	0701-02-221	Aug-00	15
504-09 CAFETERIA SEIU/AFSCME PLAN YEAR ENDING DECEMBER 31, 2000	0701-02-225	Dec-00	15
504-03 DENTAL CLAIMS - POA 1/6/2000	0701-02-225	Jan-00	15
504-03 DENTAL CLAIMS - PMA 1/6/00	0701-02-225	Jan-00	15
502-07 CHECK REQUISITIONS - A-F - F/Y 1999/00	0701-02-225	Jun-00	15
502-07 CHECK REQUISITIONS - G-L - F/Y 1999/00	0701-02-225	Jun-00	15
502-07 CHECK REQUISITIONS - M-R - F/Y 1999/00	0701-02-225	Jun-00	15
504-03 DENTAL CLAIMS - CITY ATTORNEY, CFDL, COUNCIL MEMBERS F/Y 1999/00	0701-02-225	Jun-00	15
504-03 DENTAL CLAIMS SEIU/AFSCME 12/7/00-7/27/00	0701-02-225	Jul-00	15
503-02 Recruitment Closed Position File	0701-240	Dec-00	15
Payroll Journal 2000	0701-253	Jan-00	15
Miscellaneous	0701-256	Jan-01	15
Miscellaneous	0701-257	Jan-01	15

501-04 Personnel File Terminated	0701-265	Aug-00	15
501-04 Personnel File Terminated	0701-296	Dec-00	15
Transportation Allowance Program	0701-308	Mar-00	15
504-07 Vacation Awards	701-00315	Jun-00	15
Payroll Reports	701-00360	Dec-09	5
Payroll Journal	701-00365	Dec-04	10
2006 RECRUITMENTS	701-00443	Jan-06	10
UNION PAYROLL 2010-2013	701-00446	Dec-13	2
2011 recruitments box 2 of 2	701-00568	Jan-11	10
2011 recruitments box 1 of 2	701-00568	Jan-11	5
2010 recruitments	701-00570	Jan-10	5


 Department Head

7/27/16
 Date


 City Manager

8.23.2016
 Date


 City Attorney

8/23/16
 Date


 City Clerk for Council

8.23.2016
 Date

OFFICE USE ONLY:

Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____

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EXHIBIT D

POLICE DEPARTMENT

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel Street, Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Date: July 26, 2016		Page: 1 of 1	
Department: Police			
Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
Internal Admin. Files	IA Locked Filing Cabinet	Prior to July 26, 2014	2 years
IA Investigation 08-008	IA Locked Filing Cabinet	November 16, 2008	6 years
IA Investigation 09-001	IA Locked Filing Cabinet	September 3, 2009	6 years
IA Investigation 09-002	IA Locked Filing Cabinet	August 24, 2009	6 years
IA Investigation 09-003	IA Locked Filing Cabinet	March 10, 2010	6 years
IA Investigation 10-001	IA Locked Filing Cabinet	July 21, 2010	6 years
Supervisor Reports	IA Locked Filing Cabinet	Prior to July 26, 2014	2 years

Department Head	7/26/16 Date
City Manager	8.23.2016 Date
City Attorney	8/23/16 Date
City Clerk for Council	8.23.2016 Date

OFFICE USE ONLY:

Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____

EXHIBIT E

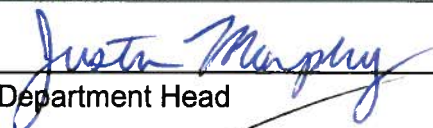



PUBLIC WORKS DEPARTMENT

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel Street, Menlo Park, CA 94025
 tel 650-330-6620 fax 650-328-7935



Date: 8/15/16		Page: 1 of 1	
Department: Public Works			
Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by Council Resolution and in accordance with Government Code Section 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
Maint. /Fleet – Equipment Service Requests	1	2011 - 2016	When no longer needed
Maint. / Fleet – Work orders	3	2009 & Prior	Life + Four years
Engineering - Encroachment Permits (temporary; construction openings, sidewalk ramps, Debris Boxes, Temporarily lane closures, etc.)	3	Aug 2011 – Aug 2013	3 years

 Department Head	<u>8/16/16</u> Date
 City Manager	<u>8.23.2016</u> Date
 City Attorney	<u>8/23/16</u> Date
 City Clerk for Council	<u>8.23.2016</u> Date

OFFICE USE ONLY:
 Date Approved by Council: _____ Resolution #: _____ Date Destroyed: _____



STAFF REPORT

City Council

Meeting Date:

8/30/2016

Staff Report Number:

16-153-CC

Consent Calendar:

Waive second reading and adopt an Ordinance amending Menlo Park Municipal Code Section 8.28.130(5) including drones and unmanned aircraft in the list of prohibited park activities excepting Emergency Services drones and amending Section 1.12.010(b) to provide that a violation of Section 8.28.130(5) shall be treated as an infraction

Recommendation

Staff recommends that City Council approve an amendment to Menlo Park Municipal Code Section 8.28.130 to prohibit takeoff and landing of drones and other unmanned aircraft systems (UAS) in City parks, except for those in use by emergency services providers, and an amendment to Section 1.12.010(b) to provide that a violation of Section 8.28.130(5) shall be treated as an infraction, and direct the City Manager take the necessary actions to enforce this prohibition.

Policy Issues

After lengthy consideration, including extensive community input at Parks and Recreation Commission and City Council meetings, Council determined at their August 23, 2016 meeting that drones and UAS are incompatible with the passive recreation focus at Bedwell-Bayfront Park and may also pose a risk to wildlife and manned aircraft in the area. This amendment clarifies that drones and UAS are considered “motor-driven vehicles or models” as already described in the ordinance and will be prohibited in all parks except when in use by emergency services. The proposed ordinance is included as Attachment B.

Background

The City Council and Parks and Recreation Commission have grappled with the issue of drones and UAS in parks, especially Bedwell Bayfront Park, for the last three years. Commission staff reports outlining this history are attached (Attachment A). During their meeting on August 23, 2016 the Council received feedback from RC model aircraft enthusiasts, members of the Friends of Bedwell-Bayfront Park, pilots from San Carlos and Palo Alto Airports, Sequoia Audubon Society, representatives from National Wildlife Refuge and the South Bay Salt Pond Restoration Project, and other park users regarding the impact of drones in the Park, including:

In support of drones and RC Aircraft:

- Regulate and require permits to fly in the park rather than a ban
- RC aircraft hobbyists report that they currently comply with FAA guidelines and AMA requirements for flying below 400 ft. and notifying local airports when they fly
- Pilots are self-regulating

- RC aircraft hobbyists are just one of the many park user groups and have been using the park for many years
- Flying RC aircraft and drones is a passive recreation activity that is consistent with the intended use of the park which also allows for biking, kite flying and similar activities

In opposition of drones and RC Aircraft:

- Park users have expressed concern over noise and the disturbance to their enjoyment of the park
- There is concern with the compatibility of drones and RC aircraft with other park uses
- Residents expressed concern over fire danger at the park
- Concern over wildlife habitat impacts in and around the park
- Drones are not consistent with the intended “passive” use for the park
- Pilots at San Carlos and Palo Alto airports report near misses and other dangers
- Other users report that drone users do not comply with Federal Aviation Administration (FAA) guidelines

Analysis

At the City Council meeting of August 23, 2016, Council considered not only the impact of drones and UAS on Local Airports and National Airspace System (NAS) -- current guidelines require recreational drone users to notify the FAA prior to flying within 5 nautical miles of an airport – they also considered environmental concerns such as impacts to the Don Edwards National Wildlife Refuge and, the incompatibility of drones with the intended passive use at Bedwell-Bayfront Park. Other safety concerns were also considered, such as “fly aways” or loss of control of devices and battery failure which could result in a device drops out of the sky near people enjoying the park.

Following a request from the Menlo Park Fire Protection District to exempt their drones from the ordinance when in use during an emergency, Council directed staff to include that exception in the ordinance amendment.

City Council also directed that Section 1.12.010(b) be amended so that violations of Section 8.28.130(5) be treated as infractions.

The master planning process for Bedwell-Bayfront Park approved by Council at their meeting on June 21, 2016 is anticipated to begin in the winter 2016-17 and can help provide a long-term vision and general development guide for the park and its facilities. The process is anticipated to result in methods for protecting park resources, providing quality visitor experiences, managing visitor use and planning for future park development. The plan will also identify infrastructure needs related to the methane gas and leachate collection systems and other issues associated with managing the closed landfill. The master plan process will include an extensive community engagement process and is the appropriate setting to address concerns over current and future park uses. If the master plan process determines that use of drones or other UAS is appropriate, the prohibition can be changed by the City Council through a subsequent ordinance.

Impact on City Resources

If City Council approves an amendment to the Municipal Code to prohibit UAS use at City parks, the fiscal impact is expected to be minimal. There may be a spike in calls for service to the Menlo Park Police, but after citations are given to individuals who do not comply with the prohibition initially, enforcement efforts are expected to reduce over time. The expense of new signage at the park and other communications regarding the ban is expected to be minimal. Additional calls for service are anticipated as early as October 1, 2016 which would be the effective date of the ordinance - 30 days after adoption.

Environmental Review

This subject is not deemed a project under 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. Parks and Recreation Commission Staff Reports
- B. Ordinance Amendment

Report prepared by:
Derek Schweigart
Assistant Community Services Director

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STAFF REPORT

Parks and Recreation Commission

Meeting Date: 1/27/2016
Staff Report Number: 16-001-PRC

Regular Business: Review and consider options for regulating drone and RC Aircraft use at Bedwell-Bayfront Park before making a recommendation to City Council

Recommendation

Staff recommends that the Parks and Recreation Commission review and consider options for regulating drone and RC Aircraft use at Bedwell-Bayfront Park before making a recommendation to City Council.

Policy Issues

Any recommended change to current regulations on drone and RC Aircraft at City parks will require action by City Council to modify existing Municipal Code.

Background

The issue of drones and Radio Controlled (RC) aircraft otherwise referred to as Unmanned Aircraft Systems (UAS) at Bedwell-Bayfront Park came to the attention of the City Council on November 9, 2013, when the Council received a letter from a concerned citizen about the risks to park users from model airplane fliers. Since this time, the Parks and Recreation Commission addressed this topic at three of their regular meetings including meetings held on January 22, 2014, May 27, 2015 and, most recently, on September 23, 2015 when the Commission conducted a study session on the topic. During this study session Commission received information concerning the Bedwell-Bayfront Master Plan, City Municipal Code, Bay Area Unmanned Aircraft Systems (UAS) field locations, environmental impacts, complaint history of drones and RC aircraft at the park, and legal concerns. The Commission also received feedback from RC model aircraft enthusiasts, members from the Friends of Bedwell-Bayfront Park, pilots from San Carlos and Palo Alto Airports, Sequoia Audubon Society, representatives from National Wildlife Refuge and the South Bay Salt Pond Restoration Project, and other park users. Commission heard the following from the various park users and stakeholders:

In support of drones and RC Aircraft:

- Do not ban drones and RC aircraft but provide more pilot education
- Regulate and require permit to fly in the park rather than a ban
- RC aircraft hobbyists report that they currently comply with FAA guidelines and AMA requirements for flying below 400 ft. and notifying local airports when they fly
- Pilots are self-regulating
- Pilots are interested in working with the City to regulate use and reduce impacts on other park users
- RC aircraft hobbyists are just one of the many park user groups and have been using the park for many years
- Flying RC aircraft and drones is a passive recreation activity that is consistent with the intended use of the park which also allows for biking, kite flying and similar activities

In opposition of drones and RC Aircraft:

- Park users have expressed concern over noise and the disturbance to their enjoyment of the park
- There is concern with the compatibility of drones and RC aircraft with other park uses
- Residents expressed concern over fire danger at the park which they cited from an instance in another park
- Concern over wildlife habitat impacts in and around the park
- Those in opposition argue that this usage is not consistent with the intended “passive” use for the park
- We have heard concerns from pilots at San Carlos and Palo Alto airports regarding near misses and other dangers resulting from drone usage in altitudes greater than 500 feet
- Other users report that drone users do not comply with FAA guidelines for their use which requires that they fly no higher than 400 feet and not within 5 miles of any airport without notifying the airport of their use

During the study session the Commission discussed their desire to balance the competing interests of all park users including those in the drone and RC aircraft community, deliberated on whether drones and RC aircraft pose any more or less danger to other park users and wildlife than do bikes and off leash dogs and considered a proposal from fellow Commissioner Tucker Stanwood which accommodates for this type of use in the park but strictly regulates the usage more than is currently done.

Analysis

Staff is recommending that the Commission review and consider the following options and approve a recommendation that will be presented to the City Council. It is further recommended that the Commission select the option that they most agree with and, through further discussion, come to a consensus on a proposal that the majority of the Commission would want to present to the Council. The proposals are as follows:

- A. It is recommended that the Commission take no action on this topic at this time.
- B. It is recommended that the Commission approve a recommendation to the City Council which would ban all use of drones and RC aircraft at Bedwell-Bayfront Park.
- C. It is recommended that the Commission approve a recommendation to the City Council which would allow restricted use of drones and RC aircraft at Bedwell-Bayfront Park and would include the following types of restrictions:

Operators of electric powered Drones and R/C Aircraft have limited access to the Park including (a) a maximum number of operators permitted at any one time, (b) specified times and specified days of permitted operation and (c) an exclusive designated area of the Park for take-off, landing and flight. No craft may leave the designated area of the Park while in flight. All FAA Regulations must be complied with. During the specified times, all other park visitors would be barred from entering the designated area. Operators would avoid wildlife as much as possible. Other restrictions would be imposed as designated by Staff and approved by Commission. The Commission would receive and review evidence and public comment on the experience of the Regulations in 12 months.

If the Commission chooses Option C to approve restricted use of drones and RC aircraft at the park, staff would recommend that the Commission appoint a sub-committee to work with City staff on refining the specifics of the proposal before a formal recommendation is made to the City Council. It would also be necessary to work with staff from various City departments that would be involved in the implementation of the proposed changes.

Impact on City Resources

If Council approves changes to current UAS regulation at City parks, it is recommended that the Council approve a budget allocation that will provide for sufficient enforcement of the new regulations.

Environmental Review

This subject is not deemed a project under 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. January 22, 2014 PRC Staff Report – Radio Controlled (RC) flying aircraft at Bedwell-Bayfront Park
- B. May 27, 2015 PRC Staff Report – Drones at Bedwell-Bayfront Park
- C. September 23, 2015 PRC Study Session – Drone and RC Aircraft Use at Bedwell-Bayfront Park

Report prepared by:
Derek Schweigart
Community Services Manager

Memo

To: Parks and Recreation Commission
From: Derek Schweigart, Assistant Director Community Services
Date: January 22, 2014
Re: Radio Controlled (RC) flying aircraft at Bedwell-Bayfront Park

OVERVIEW

Recently the City Council received a complaint from a park user at Bedwell-Bayfront Park regarding Radio Controlled (RC) helicopters and planes in City parks. The following are letters the City Council received:

November 9, 2013

Dear City Council members,

I am hoping you will look into the issue of risks to park users of Bayfront Bedwell park at end of Marsh Rd. There is no problem with most of the model airplane fliers. However there are a few irresponsible model helicopter fliers who insist on flying right along the walking path even when requested to move to the center of the field. The attached article described the accidental death of a New York teen in a park 2 months ago, whose head was sliced partially off by an out of control toy helicopter. Though rare, this is not the first, in US or Europe.

The article describes the danger of these model choppers when any slight thing goes wrong. It also states the overall organization of model fliers has a major principle of safe flying. Which means at a distance from the public.

Not necessary to prohibit them, but please consider making such 'safe distance' (maybe 50 yds?) an ordinance so it can be enforced if necessary. (If they are "not breaking any laws" they ignore passerby's requests to move away from the path.) If this url does not directly connect, you can google teen model helicopter death. It occurred Sept this year.

<http://abcnews.go.com/m/story?id=20182547>

Kathryn Sobieski MD
kasobie@bresnan.net
(307) 200-1825

Dear Counselors,

Happy Holidays to all. I hope you are on vacation and have a great new year.

I am just now waiting for the helicopter battery to run out so that I can proceed without worry as it swoops above the pathways and am thus prompted to jot this note. I know you are investigating the issue. I do hope a designated flying area (with over flight boundaries as well) can be chosen and posted. I understand there is a model flying club across the Dumbarton in Freemont which uses closed to public space for safety. They may have some info. No one wants an accident to be the instigating factor that creates safety for the pedestrians. Certainly chance of accident is small but consequence potentially horrific.

Please put this on your agenda for 2014.

Sincerely,
Kathryn Sobieski MD
Menlo Park

The ABC News story that the park user sited was regarding a New York teen that was fatally injured while piloting his remote-controlled helicopter that experienced a mechanical failure leading to the fatal crash. Many believe the crash was the result of reckless flying of the helicopter. It was also noted in the article that it was the second such death as a result of a remote-controlled helicopter in the United States. The full story can be found here:

<http://abcnews.go.com/m/story?id=20182547>

http://www.nytimes.com/2013/09/06/nyregion/remote-controlled-copter-fatally-strikes-pilot-at-park.html?_r=0

The sport of Radio Controlled (RC) flying aircraft is governed by the [Academy of Model Aeronautics National Model Aircraft Safety Code](#). Hobbyists participating in the activity are supposed to follow guidelines describing the manner in which the aircraft must be operated and include restrictions for locations where model aircraft activities are prohibited. In addition, there are a number of RC clubs throughout the San Francisco Bay Area which require that their members meet certain qualifications and follow additional regulations in flying their aircraft. There are several links to many of these RC clubs and organizations provided in this report for the Commission's consideration.

The City of Menlo Park is not aware of any reported injuries as a result of Radio-Controlled aircraft in City parks and there have not been other complaints or concerns expressed by park users regarding their use. Given the recent concern expressed by one City park user as well as the recent incident in New York, the Parks and Recreation Commission is being asked to consider the issue of Radio Controlled Aircraft (helicopters and planes) in City parks and to advise staff on how to proceed with the issue.

In addressing the issue at Bedwell-Bayfront Park, City staff has determined there are a few options to consider, all of which have their own pros and cons. There may

be other options and considerations and this is only a partial list for the purposes of this initial discussion.

Options	Pros	Cons
1. City ordinance to ban RC aircraft at Bedwell-Bayfront Park and other City parks.	This potentially eliminates the RC aircraft activity in the park.	<p>Difficult to enforce ordinance without the existence of a park ranger and limited capacity by the Menlo Park PD.</p> <p>Eliminates positive recreational experience by hobbyists.</p> <p>This action may not be warranted given the limited reporting of the activity in the park.</p>
2. City designates space at Bedwell-Bayfront Park for RC aircraft activity.	<p>Would reduce potential impact to other park users.</p> <p>Would provide rules and guidelines to RC aircraft hobbyists with the posting of pertinent information to promote safe use of the park.</p>	<p>Potential for Bedwell-Bayfront Park to become a destination for RC aircraft hobbyists which may have a negative impact on other park users.</p> <p>Potential liability exposure for the City to dedicate park space for activity.</p>
3. City takes no action.	No immediate financial impact to the City.	May not be an option since City is aware of the activity in one of its parks.

The following questions will help guide the discussion:

1. Given the pros/cons presented, what strategy should the City take in addressing the issue of RC aircraft, which may include providing designated space for the recreation activity, banning the activity in public parks by a City ordinance or taking no action?

2. What other information does the Commission require to move forward with a decision on the issue?
3. Does this issue require a public meeting, study session or park user survey?
4. What role would the Commission like to play in this issue moving forward?

The following are useful links to the sport of Radio Controlled (RC) flying aircraft which include the Academy of Model Aeronautics National Model Aircraft Safety Code and links to local RC clubs:

<http://www.modelaircraft.org/files/105.PDF>

<http://www.rc-airplane-world.com/california-rc-airplane-clubs.html>

<http://www.sacrc.org/>

<http://www.sccmas.org/>

<http://www.baysidercclub.com/>

<http://www.baysidercclub.com/club-info/field-rules/>

<http://wavemastersrc.org/>

<http://www.dvrc.org/>

ATTACHMENTS

[A. Academy of Model Aeronautics National Model Aircraft Safety Code](#)



PUBLIC WORKS DEPARTMENT

Council Meeting Date: May 27, 2015

Staff Report #: xx-xxx

REGULAR BUSINESS: **Review and consider the usage of drones at Bedwell-Bayfront Park with a recommendation to City Council to prohibit such use**

RECOMMENDATION

Staff recommends the Parks and Recreation Commission to support a ban on drones at Bedwell Bayfront Park and recommend the ban to the City Council.

BACKGROUND

One of the roles and responsibilities of the Parks and Recreation Commission is to promote safety in all facilities and programs. In March, 2015 a safety concern was brought to the Department of Public Works.

On March 11, 2015 The Department of Public Works was contacted by the San Carlos Airport Association (SCAA). The SCAA representative stated that pilots were concerned about the increase in recreational drone activity at Bedwell-Bayfront Park and reported a “near miss” between a drone and full-scale aircraft.

An article published in PC World described Bedwell-Bayfront Park as “a popular weekend location for Silicon Valley drone enthusiasts despite its proximity to both Palo Alto and San Carlos airports” (Attachment A). Bedwell-Bayfront Park is located between the San Carlos Airport (SQL) and the Palo Alto Airport (PAO) (Attachment B). The location is near the landing path for SQL and the take-off path for PAO, the critical phases of flight for pilots. A YouTube search on May 18, 2015 revealed multiple videos of drones flying much higher than recommended, including one drone flying above 3,400 feet (Attachment C).

On April 23, 2015 Menlo Park staff met with staff from the FAA and the Palo Alto airport. The use of remote controlled devices including planes and quadcopters is banned at the City of Palo Alto’s Baylands Nature Preserve near PAO. FAA staff stated that stricter regulations were being developed to ban drones within 5 nautical miles of an airport, but it was unclear when the new regulation would be instated. Current guidelines require recreational drone users to notify the FAA prior to flying within 5 nautical miles of an airport. The FAA staff have never received notification from drone users at Bedwell-Bayfront Park and echoed safety concerns with recreational drone use at the Park.

ANALYSIS

Recreational drones flown at Bedwell-Bayfront Park are “aircraft” and subject to regulation by the FAA (Attachment D). They are categorized as “Model Aircraft” because they are:

- (1) Capable of sustained flight in the atmosphere;
- (2) Flown within visual line of sight of the person operating the aircraft; and
- (3) Flown for hobby or recreational purposes.

The FAA strongly encourages individuals flying for hobby to follow the safety guidelines below.

- Fly below 400 feet and remain clear of surrounding obstacles
- Keep the aircraft within visual line of sight at all times
- Remain well clear of and do not interfere with manned aircraft operations
- Don't fly within 5 miles of an airport unless you contact the airport and control tower before flying
- Don't fly near people or stadiums
- Don't fly an aircraft that weighs more than 55 lbs
- Don't be careless or reckless with your unmanned aircraft – you could be fined for endangering people or other aircraft

Currently, these safety measures are guidelines.

In April 2015, The Menlo Park Police Department began to regularly check drone activity at the Park. Officers on the assignment did not witness any users violating the FAA guidelines. When users were approached, they all seemed aware of the rules and nearby airports.

The FAA safety guidelines are recommendations. The 5 mile regulation under development by the FAA would eliminate drones within the majority of Menlo Park city limits, but it is not clear when the new regulations will be established (Attachment E). In order to address this pressing safety issue, staff recommends the proactive ban of drones at Bedwell-Bayfront Park. The ban will not impact flying kites at the Park. The ban will apply to unpiloted, remote controlled, aerial vehicles.

PUBLIC NOTICE

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

ATTACHMENTS

- A. PC World Article
- B. Aviation Map of the Area
- C. Screenshot of YouTube Search
- D. Law Enforcement Guidance for Suspected Unauthorized UAS Operations
- E. Map of FFA Five Mile Zones

Report prepared by:

Brian Henry

Public Works Superintendent



[Home \(/\)](#) / [Legal \(/Category/Legal/\)](#)

Facebook's impressive aerial photo highlights confusion over drone regulations

[Martyn Williams \(/author/Martyn-Williams/\)](#)

IDG News Service

Apr 24, 2015 1:40 PM

When Facebook expanded into a new campus in late March, the company released a stunning aerial photo of the site captured from a drone. In taking the picture, Facebook almost certainly broke two FAA regulations governing drone use.

The social network isn't alone in its carelessness. Drone use has taken off quickly among both businesses and individuals, and many people—even sophisticated technology companies—apparently are not fully aware of the rules.

The Facebook image was captured by a DJI drone at what appears to be several hundred feet above a corner of its new campus in Menlo Park, California. The building sits about 2 miles from Palo Alto Airport—easily within the 5-mile zone in which drone operators must obtain permission from an airport before conducting a flight.

Palo Alto Airport's air traffic control tower said it received no such request or notification of the flight.

Even if it had, current FAA regulations also prohibit any commercial use of drones unless a company has obtained a waiver, and Facebook isn't among the handful of companies that have.

Asked about the image, Facebook said “the photos were taken for non-commercial use on our property.” But the FAA is clear that only flights conducted for “purely hobby” purposes are permitted without a waiver. Whether the flight is over public or private land is irrelevant.

“There's a lot of confusion over the rules,” said Patrick Egan, who runs [sUAS News](http://www.suasnews.com/) (<http://www.suasnews.com/>), a website specializing in drone news.

There's confusion around the use of drones to shoot video as well. The FAA recently said it won't go after people who post drone flights on YouTube and collect advertising money from the site. Some had worried that would constitute commercial use.

But conversely, flights conducted by businesses aren't non-commercial just because no money changes hands.

A lawyer specializing in drone rules said she advises clients to be extremely conservative about how they conduct flights while the FAA is considering new, longer-term rules.

Perhaps as a result of the confusion, the list of illicit drone flights is getting longer by the week.

In December, fans attending a San Francisco Giants NFL game [flew a drone over Levi's Stadium](http://www.nbcbayarea.com/news/local/Drone-Operators-Get-Warning-After-Flying-Unmanned-Aircraft-Over-Levis-Stadium-286619331.html) (<http://www.nbcbayarea.com/news/local/Drone-Operators-Get-Warning-After-Flying-Unmanned-Aircraft-Over-Levis-Stadium-286619331.html>) in nearby Santa Clara. The airspace above most major sporting events is off limits to drones.

In January, a drunk federal worker [flew and crashed a drone](http://www.nytimes.com/2015/01/28/us/white-house-drone.html?_r=0) (http://www.nytimes.com/2015/01/28/us/white-house-drone.html?_r=0) into the White House lawn. The entire airspace of Washington, D.C., is federally restricted.

In March, a drone was [spotted flying at about 1,500 feet above a TV news helicopter](http://www.kirotv.com/news/news/faa-investigating-drone-flying-near-news-helicopter/nkYk7/) (<http://www.kirotv.com/news/news/faa-investigating-drone-flying-near-news-helicopter/nkYk7/>) in Seattle, and well above the allowed 400 feet maximum altitude.

For every flight that is noticed, it's likely that many take place that don't attract attention.

Indeed, Bedwell Bayfront Park near Facebook's campus is a popular weekend location for Silicon Valley drone enthusiasts despite its proximity to both Palo Alto and San Carlos airports. Some YouTube videos show drones flying from the park to over 3,000 feet—much higher than permitted and close to the altitude of jets on approach paths to nearby San Francisco International Airport.

The FAA has [proposed a new set of regulations](https://www.faa.gov/uas/hprm/) (<https://www.faa.gov/uas/hprm/>) that would allow companies to fly drones, but they are not expected to be enacted until late 2016 or early 2017. A public comment period on the proposal [ends on Friday](http://www.pcworld.com/article/2914892/friday-is-your-last-chance-to-comment-on-the-faas-drone-regulations.html) (<http://www.pcworld.com/article/2914892/friday-is-your-last-chance-to-comment-on-the-faas-drone-regulations.html>).

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Martyn Williams covers mobile telecoms, security, Silicon Valley, and general technology breaking news for the IDG News Service, and is based in San Francisco.

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9:35

FPV 3,432ft Above Bedwell BayFront Park - Not Anot...

Jim Russell

1 year ago · 992 views



1:08

Aerial Footage of Bedwell Bayfront Park - Menlo Park, CA

Peter Dinh

1 week ago · 62 views



5:00

Flying at Marsh Rd Bedwell Bayfront Park # 2

mike Ponce de Leon

5 months ago · 60 views



1:46

Bedwell Bayfront Park Menlo Park

Brandon Vaccaro

3 months ago · 16 views



19:22

FPV Over Bedwell Bayfront Park

Jim Russell

1 year ago · 100 views



Radian FPV At Bedwell Bayfront





LAW ENFORCEMENT GUIDANCE FOR SUSPECTED UNAUTHORIZED UAS OPERATIONS

Issue

There is evidence of a considerable increase in the unauthorized use of small, inexpensive Unmanned Aircraft Systems (UAS) by individuals and organizations, including companies. The FAA retains the responsibility for enforcing Federal Aviation Regulations, including those applicable to the use of UAS. The agency recognizes though that State and local Law Enforcement Agencies (LEA) are often in the best position to deter, detect, immediately investigate,¹ and, as appropriate,² pursue enforcement actions to stop unauthorized or unsafe UAS operations. The information provided below is intended to support the partnership between the FAA and LEAs in addressing these activities.

Discussion

The general public, a wide variety of organizations, including private sector (e.g., commercial companies), non-governmental (e.g., volunteer organizations), and governmental entities (e.g., local agencies) continue to demonstrate significant interest in UAS. The benefits offered by this type of aircraft are substantial and the FAA is committed to integrating UAS into the National Airspace System (NAS). This introduction, however, must address important safety and security considerations. The increasing number of cases of unauthorized use of UAS is a serious concern for the FAA and, in terms of safety and security challenges, many of its interagency partners.

This document is intended to assist LEAs in understanding the legal framework that serves as the basis for FAA legal enforcement action against UAS operators for unauthorized and/or unsafe UAS operations (Section 1) and to provide guidance regarding the role of LEAs in deterring, detecting, and investigating unauthorized and/or unsafe UAS operations (Section 2).

SECTION 1.

Basic Legal Mandates

The FAA's safety mandate under 49 U.S.C. § 40103 requires it to regulate aircraft operations conducted in the NAS,³ which include UAS operations, to protect persons and property on the

¹ At least in terms of initial contact with the suspected offender.

² Applying any laws falling within the enforcement authority of the LEA in question.

³ The NAS is "the common network of U.S. airspace; air navigation facilities, equipment and services, airports or landing areas Included are system components shared jointly with the military." See FAA Pilot/Controller Glossary (Apr. 3, 2014), available at http://www.faa.gov/air_traffic/publications/media/pcg_4-03-14.pdf.

ground, and to prevent collisions between aircraft and other aircraft or objects. In addition, 49 U.S.C. § 44701(a) requires the agency to promote safe flight of civil aircraft in air commerce by prescribing, among other things, regulations and minimum standards for other practices, methods, and procedures the Administrator finds necessary for safety in air commerce and national security.⁴

A UAS is an Aircraft that Must Comply with Safety Requirements

A UAS is an “aircraft” as defined in the FAA’s authorizing statutes and is therefore subject to regulation by the FAA. 49 U.S.C. § 40102(a)(6) defines an “aircraft” as “any contrivance invented, used, or designed to navigate or fly in the air.” The FAA’s regulations (14 C.F.R. § 1.1) similarly define an “aircraft” as “a device that is used or intended to be used for flight in the air.” Because an unmanned aircraft is a contrivance/device that is invented, used, and designed to fly in the air, it meets the definition of “aircraft.” The FAA has promulgated regulations that apply to the operation of all aircraft, whether manned or unmanned, and irrespective of the altitude at which the aircraft is operating. For example, 14 C.F.R. § 91.13 prohibits any person from operating an aircraft in a careless or reckless manner so as to endanger the life or property of another.

Model Aircraft Operations

An important distinction to be aware of is whether the UAS is being operated for hobby or recreational purposes or for some other purpose. This distinction is important because there are specific requirements in the FAA Modernization and Reform Act of 2012, Public Law 112-95, (the Act) that pertain to “Model Aircraft” operations, which are conducted solely for hobby or recreational purposes. While flying model aircraft for hobby or recreational purposes does not require FAA approval, all model aircraft operators must operate safely and in accordance with the law. The FAA provides guidance and information to individual UAS operators about how they can operate safely under current regulations and laws. Guidance may be found at: http://www.faa.gov/uas/publications/model_aircraft_operators/

Section 336(c) of the Act defines “Model Aircraft” as an unmanned aircraft that is –

- (1) Capable of sustained flight in the atmosphere;
- (2) Flown within visual line of sight of the person operating the aircraft; and
- (3) Flown for hobby or recreational purposes.

Each element of this definition must be met for a UAS to be considered a Model Aircraft under the Act. Under Section 336(a) of the Act the FAA is restricted from conducting further rulemaking specific to Model Aircraft as defined in section 336(c) so long as the Model Aircraft operations are conducted in accordance with the requirements of section 336(a). Section 336(a) requires that—

⁴ FAA action on these security concerns support and are informed by the national defense, homeland security, and law enforcement statutory responsibilities and authorities of our interagency partners.

- (1) The aircraft is flown strictly for hobby or recreational use;
- (2) The aircraft is operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization;
- (3) The aircraft is limited to not more than 55 pounds unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;
- (4) The aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft; and
- (5) When flown within 5 miles of an airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation (model aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually-agreed upon operating procedure with the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport)).

Model Aircraft that Operate in a Careless or Reckless Manner

Section 336(b) of the Act, however, makes clear that the FAA has the authority under its existing regulations to pursue legal enforcement action against persons operating Model Aircraft when the operations endanger the safety of the NAS, even if they are operating in accordance with section 336(a) and 336(c). So, for example, a Model Aircraft operation conducted in accordance with section 336(a) and (c) may be subject to an enforcement action for violation of 14 C.F.R. § 91.13 if the operation is conducted in a careless or reckless manner so as to endanger the life or property of another.

UAS Operations that are not Model Aircraft Operations

Operations of UAS that are not Model Aircraft operations as defined in section 336(c) of the Act and conducted in accordance with section 336(a) of the Act may only be operated with specific authorization from the FAA. The FAA currently authorizes non-hobby or recreational UAS operations through one of three avenues:

- (1) The issuance of a Certificate of Waiver or Authorization, generally to a governmental entity operating a public aircraft;
- (2) The issuance of an airworthiness certificate in conjunction with the issuance of a Certificate of Waiver or Authorization; or
- (3) The issuance of an exemption under part 11 of title 14, Code of Federal Regulations that relies on section 333 (Special Rules for Certain Unmanned Aircraft Systems) of the Act for relief from the airworthiness certificate requirement, also in conjunction with the issuance of a Certificate of Waiver or Authorization.

It is important to understand that all UAS operations that are not operated as Model Aircraft under section 336 of the Act are subject to current and future FAA regulation. At a minimum, any such flights are currently required under the FAA's regulations to be operated with an

authorized aircraft (certificated or exempted), with a valid registration number (“N-number”), with a certificated pilot, and with specific FAA authorization (Certificate of Waiver or Authorization).

Regardless of the type of UAS operation, the FAA’s statutes and the Federal Aviation Regulations prohibit any conduct that endangers individuals and property on the surface, other aircraft, or otherwise endangers the safe operation of other aircraft in the NAS. In addition, States and local governments are enacting their own laws regarding the operation of UAS, which may mean that UAS operations may also violate state and local laws specific to UAS operations, as well as broadly applicable laws such as assault, criminal trespass, or injury to persons or property.

UAS Compliance with Airspace Security Requirements

As an aircraft, UAS operations (including those involving Model Aircraft) must be conducted in accordance with the airspace-centric security requirements prescribed by the FAA’s regulations and various implementation tools used by the FAA, specifically including airspace with special flight rules and Notices to Airmen (NOTAM) that define Temporary Flight Restrictions (TFR). It is important that UAS operators and LEAs be familiar with the airspace restrictions respectively relevant to their operations and their enforcement area of responsibility.

Flight restrictions are used to protect, but are not limited to, special security events, sensitive operations (e.g., select law enforcement activity, space flight operations, etc.), and Presidential movement. The most up-to-date list of TFRs is available at <http://tfr.faa.gov/tfr2/list.html>.

See Attachment A for reference resources.⁵

SECTION 2.

The Role of Law Enforcement

The FAA promotes voluntary compliance by educating individual UAS operators about how they can operate safely under current regulations and laws. The FAA also has a number of enforcement tools available including warning notices, letters of correction, and civil penalties. The FAA may take enforcement action against anyone who conducts an unauthorized UAS operation or operates a UAS in a way that endangers the safety of the national airspace system. This authority is designed to protect users of the airspace as well as people and property on the ground.

However, as noted above, State and local Law Enforcement Agencies (LEA) are often in the best position to deter, detect, immediately investigate,⁶ and, as appropriate,⁷ pursue

⁵ Attachment A also includes a NOTAM concerning avoidance (including no loitering) over power plants, dams, refineries, industrial complexes, and military facilities. Although not a restriction, this TFR urges aircraft operators to avoid these locations.

⁶ At least in terms of initial contact with the suspected offender.

⁷ Applying any laws falling within the enforcement authority of the LEA in question.

enforcement actions to stop unauthorized UAS operations. Although the FAA retains the responsibility for enforcing FAA's regulations, FAA aviation safety inspectors, who are the agency's principal field elements responsible for following up on these unauthorized and/or unsafe activities, will often be unable to immediately travel to the location of an incident.

While the FAA must exercise caution not to mix criminal law enforcement with the FAA's administrative safety enforcement function, the public interest is best served by coordination and fostering mutual understanding and cooperation between governmental entities with law enforcement responsibilities. Although there are Federal criminal statutes that may be implicated by some UAS operations (see 49 U.S.C. § 44711), most violations of the FAA's regulations may be addressed through administrative enforcement measures. As with any other civil or criminal adjudication, successful enforcement will depend on development of a complete and accurate factual report contemporaneous with the event.

Although certainly not an exhaustive list, law enforcement officials, first responders and others can provide invaluable assistance to the FAA by taking the actions outlined below:

- (1) **Witness Identification and Interviews.** Local law enforcement is in the best position to identify potential witnesses and conduct initial interviews, documenting what they observed while the event is still fresh in their minds. In addition, local law enforcement is in an optimum position to secure all information necessary for our safety inspectors to contact these witnesses in any subsequent FAA investigation. Administrative proceedings often involve very technical issues; therefore, we expect our own safety inspectors will need to re-interview most witnesses. We are mindful that in many jurisdictions, state law may prohibit the transmission of witness statements to third parties, including the FAA. In those circumstances it is extremely important that the FAA be able to locate and conduct independent interviews of these individuals.
- (2) **Identification of Operators.** Law enforcement is in the best position to contact the suspected operators of the aircraft, and any participants or support personnel accompanying the operators. Our challenges in locating violators are marked in that very few of these systems are registered in any federal database and rarely will they have identifiable markings such as used for conventional manned aircraft. Likewise, information on few of the UAS operators will be archived in a pilot data base. Many operators advertise openly on the internet. However, in our enforcement proceedings, we bear the burden of proof, and showing who actually is operating the unmanned aircraft is critical. Therefore, evidentiary thresholds must be met even when using data or video acquired via the internet. Likewise, the purpose for the operation (such as in support of a commercial venture, to further some business interest, or to secure compensation for their services) may become an important element in determining what regulations, if any, may have been violated by the operation. Identification and interview of suspected operators early on will help immeasurably to advance enforcement efforts.
- (3) **Viewing and Recording the Location of the Event.** Pictures taken in close proximity to the event are often helpful in describing light and weather conditions, any damage or injuries, and the number and density of people on the surface,

particularly at public events or in densely populated areas. During any witness interviews, use of fixed landmarks that may be depicted on maps, diagrams or photographs immeasurably help in fixing the position of the aircraft, and such landmarks also should be used as a way to describe lateral distances and altitude above the ground, structures or people (e.g. below the third floor of Building X, below the top of the oak tree located Y, anything that gives reference points for lay witnesses).

- (4) **Identifying Sensitive Locations, Events, or Activities.** The FAA maintains a variety of security-driven airspace restrictions around the country to help protect sensitive locations, events, and activities through Temporary Flight Restrictions (TFR), Prohibited Areas, and other mechanisms such as the Washington, DC Flight Restricted Zone (DC FRZ). UAS operations, including Model Aircraft flights, are generally prohibited within these defined volumes of airspace. LEAs should become familiar with the steady-state airspace restrictions active within their area of responsibility, along with as-needed TFRs, which could be instituted to help protect sensitive events (e.g., major gatherings of elected officials) and activities (e.g., Presidential movements). If there is any question as to whether a TFR has been established in a given location, contact the nearest air traffic facility or flight service station for further information or visit <http://tfr.faa.gov/tfr2/list.html> for a graphic representation of TFRs locatable by state and effective dates.
- (5) **Notification.** Immediate notification of an incident, accident or other suspected violation to one of the FAA Regional Operation Centers (ROC) located around the country is valuable to the timely initiation of the FAA's investigation. These centers are manned 24 hours a day, 7 days a week with personnel who are trained in how to contact appropriate duty personnel during non-business hours when there has been an incident, accident or other matter that requires timely response by FAA employees. A list of these centers and telephone numbers is included as Attachment B to this letter.
- (6) **Evidence Collection.** Identifying and preserving any public or private security systems that may provide photographic or other visual evidence of UAS operations, including video or still picture security systems can provide essential evidence to the FAA. Many times these systems do not permanently store information but erase it as the system recycles at a given interval. Local law enforcement is in the best position to inquire and make initial requests to identify and preserve this form of evidence or obtain legal process for securing this evidence in the context of an investigation of a possible violation of state criminal law. In addition, some UAS may be marked with identification numbers ("N-numbers") signifying FAA registration. The presence or lack of these identification numbers may be significant in an FAA investigation. For example, an operator may state that he or she is conducting an approved commercial activity, which usually requires registered aircraft. However, the absence of registration markings on the UAS may indicate that the aircraft is not registered, meaning the operation may not be authorized. Note that identification numbers may not be conspicuous from a distance because of the size and non-traditional configuration of some UAS. The registered owners

of UAS bearing identification numbers can be found by searching for the N-number on the FAA's website: www.faa.gov.

Virtually all of the items listed above are already in the tool box for law enforcement officers. Other investigative methods also may prove useful, such as consensual examination of the UAS, equipment trailers and the like. However, other law enforcement processes, such as arrest and detention or non-consensual searches almost always fall outside of the allowable methods to pursue administrative enforcement actions by the FAA unless they are truly a by-product of a state criminal investigation. We do not mean to discourage use of these methods and procedures where there is an independent basis for them under state or local law. We simply wish to emphasize that work products intended for FAA use generally should involve conventional administrative measures such as witness interviews, "stop and talk" sessions with suspected violators, consensual examination of vehicles and equipment, and other methods that do not involve court orders or the potential use of force by law enforcement personnel.

It is extremely difficult to provide a "one size fits all" guide to cooperative investigation of unauthorized UAS operations considering the myriad jurisdictions and the associated statutory and constitutional restraints and requirements. State and local officials are always urged to use their governmental unit's legal resources and their own management chain to develop acceptable protocols for dealing with these instances. In some situations, there may be legal bars to the sharing of some information or the use of databases designed for conventional law enforcement. However, with appropriate data collection during first responses and early reporting to the FAA, Federal, State and local agencies will be in the best position to both collect and share information that may be of interest to each jurisdiction. FAA aviation safety inspectors are adept at coordination with our own legal resources to ensure unauthorized operators are properly accountable for the potential risk they create to both people and property. In addition, we have specially trained inspectors within the FAA UAS Integration office who can provide expertise in this area.

If you have any questions or your agency would like to pursue advance planning on how to address these situations, please feel free to contact your local FAA Law Enforcement Assistance Special Agent or the FAA's Law Enforcement Assistance Program Office at (202) 267-4641 or (202) 267-9411.

Attachment A.

Excerpts**Presidential
Movements**

FDC 4/7607 ZBW RI..AIRSPACE PROVIDENCE, RHODE ISLAND..TEMPORARY FLIGHT RESTRICTIONS. OCTOBER 16, 2014 LOCAL. THIS NOTAM REPLACES NOTAM 4/7600 DUE TO SCHEDULE CHANGE. PURSUANT TO 49 USC 40103(B THE FEDERAL AVIATION ADMINISTRATION (FAA) CLASSIFIES THE AIRSPACE DEFINED IN THIS NOTAM AS 'NATIONAL DEFENSE AIRSPACE'. PILOTS WHO DO NOT ADHERE TO THE FOLLOWING PROCEDURES MAY BE INTERCEPTED DETAINED AND INTERVIEWED BY LAW ENFORCEMENT/SECURITY PERSONNEL. ANY OF THE FOLLOWING ADDITIONAL ACTIONS MAY ALSO BE TAKEN AGAINST A PILOT WHO DOES NOT COMPLY WITH THE REQUIREMENTS OR ANY SPECIAL INSTRUCTIONS OR PROCEDURES ANNOUNCED IN THIS NOTAM:

A) THE FAA MAY TAKE ADMINISTRATIVE ACTION, INCLUDING IMPOSING CIVIL PENALTIES AND THE SUSPENSION OR REVOCATION OF AIRMEN CERTIFICATES; OR

B) THE UNITED STATES GOVERNMENT MAY PURSUE CRIMINAL CHARGES, INCLUDING CHARGES UNDER TITLE 49 OF THE UNITED STATES CODE, SECTION 46307; OR

C) THE UNITED STATES GOVERNMENT MAY USE DEADLY FORCE AGAINST THE AIRBORNE AIRCRAFT, IF IT IS DETERMINED THAT THE AIRCRAFT POSE AN IMMINENT SECURITY THREAT.

...

C. THE FOLLOWING OPERATIONS ARE NOT AUTHORIZED WITHIN THIS TFR: FLIGHT TRAINING, PRACTICE INSTRUMENT APPROACHES, AEROBATIC FLIGHT, GLIDER OPERATIONS, SEAPLANE OPERATIONS, PARACHUTE OPERATIONS, ULTRALIGHT, HANG GLIDING, BALLOON OPERATIONS, AGRICULTURE/CROP DUSTING, ANIMAL POPULATION CONTROL FLIGHT OPERATIONS, BANNER TOWING OPERATIONS, SIGHTSEEING OPERATIONS, MAINTENANCE TEST FLIGHTS, **MODEL AIRCRAFT OPERATIONS, MODEL ROCKETRY, UNMANNED AIRCRAFT SYSTEMS (UAS),** AND UTILITY AND PIPELINE SURVEY OPERATIONS.

DC FRZ

FDC 0/8326 ZDC PART 1 OF 10 FLIGHT RESTRICTIONS, WASHINGTON, DC, EFFECTIVE 1012010401 UTC UNTIL FURTHER NOTICE. THIS NOTICE WILL REPLACE NOTAM 0/9477 DUE TO A CHANGE IN RESTRICTIONS. THIS NOTAM AND A NOTAM FOR THE LEESBURG MANEUVERING AREA SUPPLEMENT SUBPART V, 14 CFR PART 93 FOR THE WASHINGTON, D.C. SPECIAL FLIGHT RULES AREA (DC SFRA). PURSUANT TO 49 USC 40103(B), THE FAA HAS ESTABLISHED THE DC SFRA AREA AS 'NATIONAL DEFENSE AIRSPACE. ANY PERSON WHO DOES NOT COMPLY WITH THE REQUIREMENTS APPLICABLE TO THE DC SFRA MAY BE INTERCEPTED, DETAINED AND INTERVIEWED BY LAW ENFORCEMENT/SECURITY PERSONNEL. ANY OF THE FOLLOWING ADDITIONAL ACTIONS MAY ALSO BE TAKEN AGAINST A PILOT WHO DOES NOT COMPLY WITH THE REQUIREMENTS OR ANY SPECIAL INSTRUCTIONS OR PROCEDURES ANNOUNCED IN THIS NOTAM: A) THE FAA MAY TAKE ADMINISTRATIVE ACTION, INCLUDING IMPOSING CIVIL PENALTIES AND THE SUSPENSION OR REVOCATION OF AIRMEN CERTIFICATES; B) THE UNITED STATES GOVERNMENT MAY PURSUE CRIMINAL CHARGES, INCLUDING CHARGES UNDER TITLE 49 OF THE UNITED STATES CODE, SECTION 46307; C) THE UNITED STATES GOVERNMENT MAY USE DEADLY FORCE AGAINST THE AIRBORNE AIRCRAFT, IF IT IS DETERMINED THAT THE AIRCRAFT POSE AN IMMINENT SECURITY THREAT.

...

A. THE FOLLOWING OPERATIONS ARE NOT AUTHORIZED WITHIN THE DC FRZ: FLIGHT TRAINING, AEROBATIC FLIGHT, PRACTICE INSTRUMENT APPROACHES, GLIDER OPERATIONS, PARACHUTE OPERATIONS, ULTRA LIGHT, HANG GLIDING, BALLOON OPERATIONS, TETHERED BALLOONS, AGRICULTURE/CROP DUSTING, ANIMAL POPULATION CONTROL FLIGHT OPERATIONS, BANNER TOWING OPERATIONS, MAINTENANCE TEST FLIGHTS, **MODEL AIRCRAFT OPERATIONS, MODEL ROCKETRY, FLOAT PLANE OPERATIONS, UNMANNED AIRCRAFT SYSTEMS (UAS)** AND AIRCRAFT/HELICOPTERS OPERATING FROM A SHIP OR PRIVATE/CORPORATE YACHT. B. IT IS HIGHLY RECOMMENDED THAT A PILOT CONTINUOUSLY MONITOR VHF FREQUENCY 121.5 OR UHF FREQUENCY 243.0 FOR EMERGENCY INSTRUCTIONS WHEN OPERATING AN AIRCRAFT IN THE DC FRZ, EITHER IN AN AIRCRAFT THAT IS SUITABLY EQUIPPED, OR BY USE OF PORTABLE EQUIPMENT.

Avoidance of Power Plans Etc. *(Applied to all Aircraft, including UAS)*

FDC 4/0811 SPECIAL NOTICE. THIS IS A RESTATEMENT OF A PREVIOUSLY ISSUED ADVISORY NOTICE. IN THE INTEREST OF NATIONAL SECURITY AND TO THE EXTENT PRACTICABLE, PILOTS ARE STRONGLY ADVISED TO AVOID THE AIRSPACE ABOVE, OR IN PROXIMITY TO SUCH SITES AS POWER PLANTS (NUCLEAR, HYDRO-ELECTRIC, OR COAL), DAMS, REFINERIES, INDUSTRIAL COMPLEXES, MILITARY FACILITIES AND OTHER SIMILAR FACILITIES. PILOTS SHOULD NOT CIRCLE AS TO LOITER IN THE VICINITY OVER THESE TYPES OF FACILITIES.

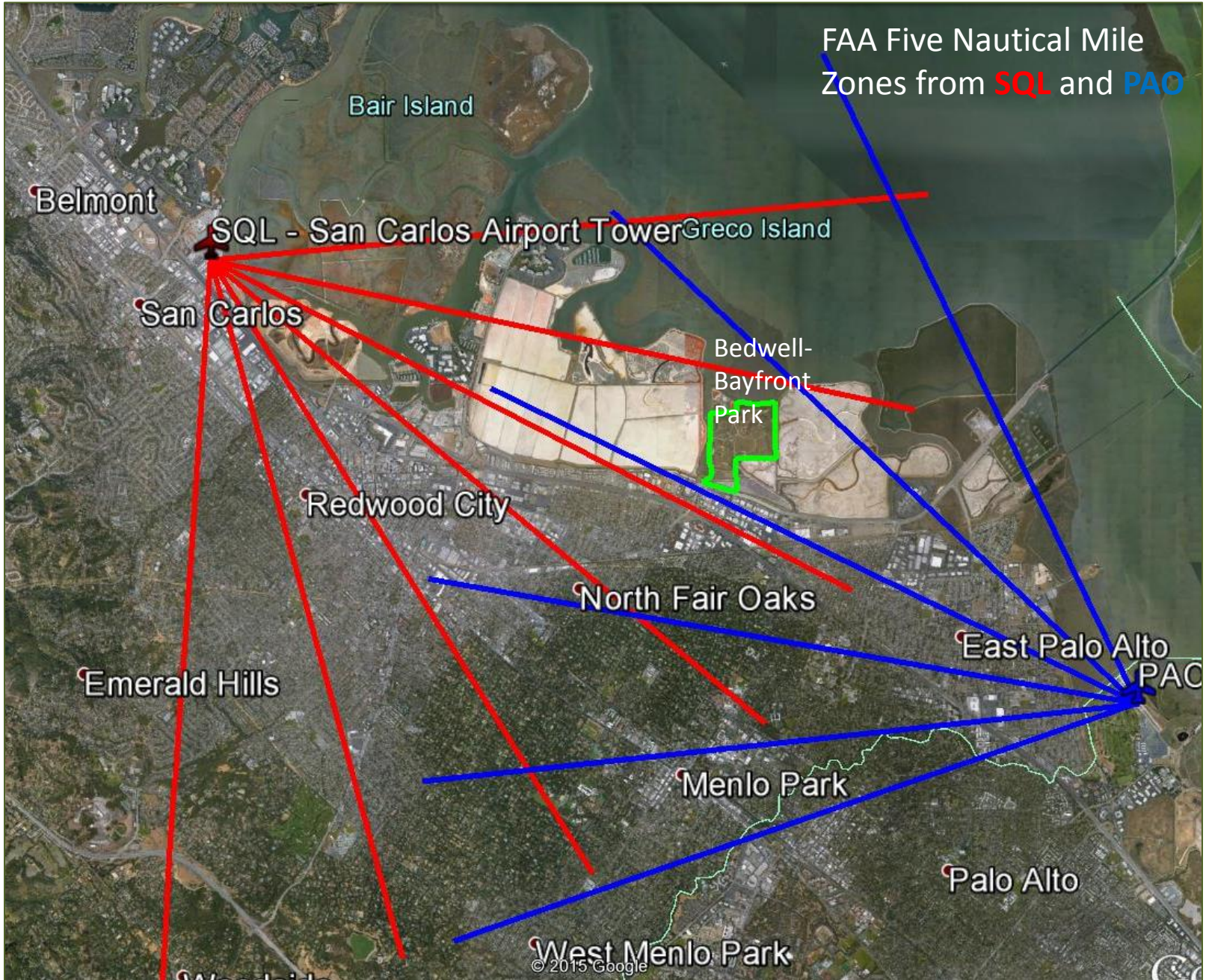
Select Sporting Events FDC 4/3621 FDC SPECIAL SECURITY NOTICE. SPORTING EVENTS. THIS NOTAM REPLACES FDC NOTAM 9/5151 TO REFLECT A TSA WEBSITE UPDATE AND ADDITIONAL INFORMATION CONCERNING AIRSPACE WAIVERS. FLIGHT RESTRICTIONS IN THIS NOTAM COMPLY WITH STATUTORY MANDATES DETAILED IN SECTION 352 OF PUBLIC LAW 108-7 AS AMENDED BY SECTION 521 OF PUBLIC LAW 108-199. PURSUANT TO 49 USC 40103(B), THE FEDERAL AVIATION ADMINISTRATION (FAA) CLASSIFIES THE AIRSPACE DEFINED IN THIS NOTAM AS 'NATIONAL DEFENSE AIRSPACE'. ANY PERSON WHO KNOWINGLY OR WILLFULLY VIOLATES THE RULES PERTAINING TO OPERATIONS IN THIS AIRSPACE MAY BE SUBJECT TO CERTAIN CRIMINAL PENALTIES UNDER 49 USC 46307. PILOTS WHO DO NOT ADHERE TO THE FOLLOWING PROCEDURES MAY BE INTERCEPTED, DETAINED AND INTERVIEWED BY LAW ENFORCEMENT/SECURITY PERSONNEL. PURSUANT TO 14 CFR SECTION 99.7, SPECIAL SECURITY INSTRUCTIONS, COMMENCING ONE HOUR BEFORE THE SCHEDULED TIME OF THE EVENT UNTIL ONE HOUR AFTER THE END OF THE EVENT. ALL AIRCRAFT OPERATIONS; INCLUDING PARACHUTE JUMPING, **UNMANNED AIRCRAFT AND REMOTE CONTROLLED AIRCRAFT**, ARE PROHIBITED WITHIN A 3 NMR UP TO AND INCLUDING 3000 F AGL OF ANY STADIUM HAVING A SEATING CAPACITY OF 30,000 OR MORE PEOPLE WHERE EITHER A REGULAR OR POST SEASON MAJOR LEAGUE BASEBALL, NATIONAL FOOTBALL LEAGUE, OR NCAA DIVISION ONE FOOTBALL GAME IS OCCURRING. THIS NOTAM ALSO APPLIES TO NASCAR SPRINT CUP, INDY CAR, AND CHAMP SERIES RACES EXCLUDING QUALIFYING AND PRE-RACE EVENTS. FLIGHTS CONDUCTED FOR OPERATIONAL PURPOSES OF ANY EVENT, STADIUM OR VENUE AND BROADCAST COVERAGE FOR THE BROADCAST RIGHTS HOLDER ARE AUTHORIZED WITH AN APPROVED AIRSPACE WAIVER. AN FAA AIRSPACE WAIVER DOES NOT RELIEVE OPERATORS FROM OBTAINING ALL OTHER NECESSARY AUTHORIZATIONS AND COMPLYING WITH ALL APPLICABLE FEDERAL AVIATION REGULATIONS. THE RESTRICTIONS DESCRIBED ABOVE DO NOT APPLY TO THOSE AIRCRAFT AUTHORIZED BY AND IN CONTACT WITH ATC FOR OPERATIONAL OR SAFETY OF FLIGHT PURPOSES, DEPARTMENT OF DEFENSE, LAW ENFORCEMENT, AND AIR AMBULANCE FLIGHT OPERATIONS. ALL PREVIOUSLY ISSUED WAIVERS TO FDC NOTAM 9/5151 REMAIN VALID UNTIL THE SPECIFIED END DATE BUT NOT TO EXCEED 90 DAYS FOLLOWING THE EFFECTIVE DATE OF THIS NOTAM. INFORMATION ABOUT AIRSPACE WAIVER APPLICATIONS AND TSA SECURITY AUTHORIZATIONS CAN BE FOUND AT [HTTP://WWW.TSA.GOV/STAKEHOLDERS/AIRSPACE-WAIVERS-0](http://www.tsa.gov/stakeholders/airspace-waivers-0) OR BY CALLING TSA AT 571-227-2071. SUBMIT REQUESTS FOR FAA AIRSPACE WAIVERS AT [HTTPS://WAIVERS.FAA.GOV](https://waivers.faa.gov)

Disney Theme Parks

FDC 4/XXXX ZZZ SECURITY SPECIAL NOTICE DISNEY WORLD THEME PARK ORLANDO FL THIS NOTAM REPLACES NOTAM 9/4985 TO REFLECT A TSA WEBSITE UPDATE AND ADDITIONAL INFORMATION CONCERNING AIRSPACE WAIVERS. FLIGHT RESTRICTIONS IN THIS NOTAM COMPLY WITH STATUTORY MANDATES DETAILED IN SECTION 352 OF PUBLIC LAW 108-7 AS AMENDED BY SECTION 521 OF PUBLIC LAW 108-199. PURSUANT TO 49 USC 40103(B), THE FEDERAL AVIATION ADMINISTRATION (FAA) CLASSIFIES THE AIRSPACE DEFINED IN THIS NOTAM AS 'NATIONAL DEFENSE AIRSPACE'. AN PERSON WHO KNOWINGLY OR WILLFULLY VIOLATES THE RULES PERTAINING TO OPERATIONS IN THIS AIRSPACE MAY BE SUBJECT TO CERTAIN CRIMINAL PENALTIES UNDER 49 USC 46307. PILOTS WHO DO NOT ADHERE TO THE FOLLOWING PROCEDURES MAY BE INTERCEPTED, DETAINED AND INTERVIEWED BY LAW ENFORCEMENT/SECURITY PERSONNEL. PURSUANT TO 14 CFR SECTION 99.7, SPECIAL SECURITY INSTRUCTIONS, **ALL AIRCRAFT FLIGHT OPERATIONS TO INCLUDE UNMANNED AND REMOTE CONTROLLED AIRCRAFT ARE PROHIBITED** WITHIN A 3 NMR OF 282445N/0813420W OR THE ORL238014.8 UP TO AND INCLUDING 3000 FT AGL. THE RESTRICTIONS DO NOT APPLY TO THOSE AIRCRAFT AUTHORIZED BY AND IN CONTACT WITH ATC FOR OPERATIONAL OR SAFETY OF FLIGHT PURPOSES, AND DEPARTMENT OF DEFENSE, LAW ENFORCEMENT, AND AIR AMBULANCE FLIGHT OPERATIONS. FLIGHTS CONDUCTED FOR OPERATIONAL PURPOSES OF ANY DISNEY WORLD EVENT AND VENUE ARE AUTHORIZED WITH AN APPROVED WAIVER. AN FAA AIRSPACE WAIVER DOES NOT RELIEVE OPERATORS FROM OBTAINING ALL OTHER NECESSARY AUTHORIZATIONS AND COMPLYING WITH ALL APPLICABLE FEDERAL AVIATION REGULATIONS. ALL PREVIOUSLY ISSUED WAIVERS TO FDC NOTAM 4/4985 REMAIN VALID UNTIL THE SPECIFIED END DATE BUT NOT TO EXCEED 90 DAYS FOLLOWING THE EFFECTIVE DATE OF THIS NOTAM. INFORMATION ABOUT AIRSPACE WAIVER APPLICATIONS AND TSA SECURITY AUTHORIZATIONS CAN BE FOUND AT [HTTP://WWW.TSA.GOV/STAKEHOLDERS/AIRSPACE-WAIVERS-0](http://www.tsa.gov/stakeholders/airspace-waivers-0) OR BY CALLING TSA AT 571-227-2071. SUBMIT REQUESTS FOR FAA AIRSPACE WAIVERS AT [HTTPS://WAIVERS.FAA.GOV](https://waivers.faa.gov)

Attachment B.

Facility	States	Office	E-Mail
Western ROC	AK, AZ, CA, CO, HI, ID, MT, NV, OR, UT, WA and WY	425-227-1999	9-ANM-ROC@faa.gov
Central ROC	AR, IA, IL, IN, KS, LA, MI, MN, MO, ND, NE, NM, OH, OK, SD, TX and WI	817-222-5006	9-asw-operation-center@faa.gov
Southern ROC	AL, FL, GA, KY, MS, NC, PR, SC, TN and VI	404-305-5180	9-ASO-ROC@faa.gov
Eastern ROC	DC, DE, MD, NJ, NY, PA, VA and WV	718-553-3100	7-AEA-ROC@faa.gov
New England ROC	CT, MA, ME, NH, RI and VT	404-305-5156	7-ANE-OPSCTR@faa.gov
Washington WOC		202-267-3333	9-awa-ash-woc@faa.gov



FAA Five Nautical Mile
Zones from **SQL** and **PAO**

SQL - San Carlos Airport Tower

PAC

Belmont

San Carlos

Redwood City

North Fair Oaks

Emerald Hills

Menlo Park

West Menlo Park

Palo Alto

East Palo Alto

Bair Island

Greco Island

Bedwell-
Bayfront
Park

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STAFF REPORT

Parks and Recreation Commission

Meeting Date: 9/23/2015

Staff Report Number: 15-001-PRC

Study Session: Review and provide general direction to City staff on Drone and RC Aircraft Use at Bedwell-Bayfront Park

Recommendation

Staff recommends that the Commission review and consider Drone and RC Aircraft Use at Bedwell-Bayfront Park and provide staff feedback and general direction on possible next steps to address the issue.

Policy Issues

Any recommended change to current regulations on Drone and RC Aircraft at City parks will require action by City Council to modify existing Municipal Code.

Background

The issue of drones and Radio Controlled (RC) aircraft otherwise referred to as Unmanned Aircraft Systems (UAS) at Bedwell-Bayfront Park came to the attention of the City Council on November 9, 2013, when the Council received a letter from a concerned citizen about the risks to park users from model airplane fliers. The letter cited an article concerning the accidental death of a New York teen that was reported to have flown his model helicopter recklessly. The citizen expressed concern over the many UAS hobbyists flying models close to other park users and requested that the Council either prohibit them or require safe distances be enforced. The letter and article are contained in the Parks and Recreation Commission staff report for January 22, 2014 (Attachment A). After a lengthy discussion, the Commission took no action on this topic noting there have not been any documented complaints on the issue and any changes to existing City ordinances or park rules would require substantial enforcement for which capacity does not currently exist.

On March 11, 2015, the City's Department of Public Works was contacted by the San Carlos Airport Association (SCAA) which shared pilots' concerns about the increase in recreational drone activity at Bedwell-Bayfront Park and reported a "near miss" between a drone and a full-scale aircraft. It was learned that the park had become a hub for drone enthusiasts despite its proximity to the Palo Alto and San Carlos airports and their landing and take-off paths, both of which are critical flight phases. City staff met with representatives from the Federal Aeronautics Association (FAA) and the Palo Alto Airport and learned that the FAA is developing stricter regulations that would ban UAS within 5 nautical miles of an airport but representatives were unclear at that time about when new regulations would go into effect.

On May 27, 2015, the Parks and Recreation Commission received a staff presentation and public

comment on a proposal to ban UAS usage at Bedwell-Bayfront Park. Several members of the Radio Controlled (RC) aircraft hobbyist community were present and spoke in opposition to the ban, while members of the Friends of Bedwell-Bayfront Park urged the Commission to recommend it to the City Council. The Commission did not take action on this topic and requested staff provide additional information for their consideration at a future meeting. The staff report for this presentation is included as (Attachment B).

During this meeting, the Commission requested City staff provide the following:

1. Review original Bedwell-Bayfront Master Plan for its original design and purpose.
2. Review current City code and ordinances concerning UAS in City parks.
3. Provide information on locations around the bay area where UAS are allowed and what rules and restrictions govern their usage.
4. What impacts or concerns exist for wildlife at the park?
5. What is the history of complaints received by the Commission and the Menlo Park Police Department on this issue?
6. What are the legal concerns for the City regarding this issue?

Analysis

1. Bedwell-Bayfront Master Plan

In September 1974, the Bayfront Park Master Plan was prepared by Mr. Kaz Abey of Royston, Hanamoto, Alley and Abey, landscape architects. Although City staff was unable to locate the original Master Plan for Bedwell-Bayfront Park, there are documents that reference the master plan including the Environmental Impact Report and the Management Recommendations Report. According to these documents, "Bayfront Park will be a passive recreation area. There will not be any formal sports fields. It is designed for activities such as: bird watching, bicycling, hiking, kite-flying etc."

While identifying those activities that the park was meant to accommodate it was also necessary to determine what kinds of activities the City does not wish to occur at the park based on master plan assumptions. The first step was to review existing municipal code and determine if there were any revisions necessary. There are several sections in the municipal code pertinent to the operation of the Park but Title 8 was, and is, the most important for this discussion.

2. City Municipal Code

The Menlo Park Municipal Code is current through Ordinance 1000, passed June 11, 2013.

8.28.060 Sound Standard *In recognition of the rights of residents in the vicinity of parks to enjoy the comfort of their homes in normal peace and quiet, as well as the right of citizens to enjoy a reasonable peace and quiet in appropriately designed parks, the use of any radio receiving set, musical instrument, machine or device for producing or reproducing sound, or any device which produces noise in such a manner as to unreasonably disturb the peace, quiet, and comfort of persons is prohibited in all parks with the exception of Burgess and Kelly Parks. Use of said equipment in Burgess and Kelly Parks shall be subject to the following conditions: (1) No amplifiers with a power output exceeding thirty-five watts may be used; (2) Number, location, direction and hours of use of loudspeakers shall be subject to written approval*

of the director of recreation, as set forth in the permit hereafter referred to. (Ord. 685 § 1(a), 1983; Ord. 483 (part), 1969; Prior code § 18A.402).

8.28.130 Prohibited activity in parks or facilities

The following activities are prohibited in any park or recreational facility according to the Menlo Park Municipal Code Chapter 8.28 PARKS AND RECREATION Page 236/748:

(3) Commercial activities for private profit except by express written permit and on payment of appropriate fee;

(5) Motor-driven vehicles or models, except in designated areas;

(13) To ride, drive, lead or keep a saddle horse, pony, mule, or other such animal;

(15) To cause, create, encourage, or threaten to cause any disturbance which may reasonably result in injury or property damage, or disturb the peace, comfort and security of the park patrons or employees.

(Ord. 794 § 2, 1989; Ord. 685 § 1(b), 1983; Ord. 515 § 1, 1971; Ord. 483 (part), 1969; Prior code § 18A.7).

Although revisions are needed to update the current municipal code, the current regulations would apply to all of the City's parks, including Bedwell-Bayfront.

3. Bay Area UAS Field Locations

There are a number of UAS field locations in the Bay Area which can be found on RC aircraft club web sites and blogs (<http://bayrc.net/flying-sites>; <http://www.rcgroups.com/forums/index.php>), many of which appear to be self-regulated, including:

- Redwood Shores by Radio Road – Hiller Aviation Museum (special events only)
- San Mateo County Fairgrounds Parking Lot
- Bay Meadows Race Track
- Baylands Park, Sunnyvale

Two other locations have more formalized guidelines for UAS pilots:

- Santa Clara County Model Aircraft Skypark, Morgan Hill
- Rancho San Antonio Preserve, Cupertino

At Rancho San Antonio Preserve, for instance, UAS are welcome to fly in a designated area. The rules and conditions for flying model aircraft (listed below) were developed during a series of public meetings which included input from model flyers, adjacent neighbors and other park users such as hikers and equestrians.

1. Models must take off and land in designated areas only.
2. Pilots are required to stay within the designated area.
3. Models must stay within designated flight area, and maintain at least 100' vertical and horizontal clearance from parking lots, trails, structures, and visitors.
4. Maximum of 5 models flying at a time.
5. Maximum model weight - 5 lbs.
6. Maximum model speed - 50 mph.
7. Maximum model noise - 80 dB at 25' Front propeller models only.
8. Current Academy of Model Aeronautics (AMA) membership is required to fly.

9. Information is available at: <https://www.modelaircraft.org/joinrenew.aspx>
10. Gas powered models, rockets, and video piloting are prohibited.
11. Remote control helicopters are prohibited.

4. Environmental Impacts

One concern discussed at the May Commission meeting was the impact that UAS would have to park wildlife. Shortly after this meeting City staff received an email from Eileen McLaughlin of the Citizens Committee to Complete the Refuge (www.bayrefuge.org). Ms. McLaughlin reminded staff that Bedwell-Bayfront Park borders, on three sides, the Don Edwards National Wildlife Refuge and, on two sides, the Refuge lands that are part of the South Bay Salt Pond Restoration Project. The City of Menlo Park has been working in partnership with both the Refuge and the Project and this is expected to continue long into the future. Ms. McLaughlin pointed out that take-off and landing of UAS is prohibited on Refuge lands as they produce significant disturbance to wildlife, i.e. reacting to such craft as potential predators. This is true whether the disturbance occurs over to-be-restored ponds, the healthy marshes of Greco Island or within the Park. McLaughlin noted that there are wildlife in these areas year-round including the federally-endangered Ridgeway's Rail and the threatened Snowy Plover. The Refuge has the charge to protect wildlife if UAS fly over Refuge lands but would be jurisdictionally-constrained if the aircraft took off and landed within Bedwell-Bayfront Park. There are current regulations in place concerning the use of UAS over Refuge lands which are included in (Attachment C).

5. Complaint History

Concerns over UAS usage at the Park have recently come to the attention of City staff, likely due to the substantial increase of commercial and private drone usage being reported. In response to heightened concerns, the Menlo Park Police conducted periodic checks at the Park over a period of 4-5 weeks. During these checks there was no evidence of UAS activity outside of what is currently allowed. A number of users were approached and all appeared to be aware of nearby airport flight paths and were also aware of current FAA regulations governing drone usage. It was also evident that it is difficult to enforce maximum height regulations given current tools available to law enforcement.

6. Legal Concerns

Regarding legal concerns over UAS at the Park, there is existing California law providing some protection for the City from liability if a UAS or other remote control aircraft causes injury on the ground or the air. However, if the City prohibits their use, the City must take reasonable action to enforce its prohibition or this protection from liability is greatly reduced.

Concerning the City's jurisdiction and responsibility over land use and airspace of Bedwell-Bayfront Park, the City, through its land use regulatory authority, can: choose to ban take-off and landing of UAS from the Park; strictly regulate UAS; or take no action. However, any regulations the City adopts may be preempted by the FAA unless the City's regulations are more restrictive and the City cannot take action that conflicts with FAA regulations. Regulations around UAS are relatively new and are likely to change in the near future. Based on recent media statements emphasizing the FAA's responsibility over all civil airspace and its current and future oversight of UAS, it is likely any local regulation will be preempted by the FAA.

Discussion

Staff recommends the following questions to assist in guiding the Commission discussion:

1. Does the Commission have sufficient information to come to a decision on UAS usage at Bedwell-Bayfront Park? And, if not, what other questions or additional information does the Commission require?
2. What role would the Commission like to have if the issue continues to move forward?
3. How would the Commission like to proceed on the issue of UAS usage at Bedwell-Bayfront Park?
Some options may include:
 - Proposing a recommendation to the City Council on a ban of UAS at the Park with adequate regulation and enforcement of Municipal Code.
 - Proposing new regulations and restrictions to the City Council on UAS usage at the Park with adequate regulation and enforcement of Municipal Code.
 - Taking no action on this issue at this time.

Impact on City Resources

If Council approves changes to current UAS regulation at City parks, it is recommended that the Council approve a budget allocation that will provide for sufficient enforcement of the new regulations.

Environmental Review

This subject is not deemed a project under 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. January 22, 2014 PRC Staff Report - Radio Controlled (RC) flying aircraft at Bedwell-Bayfront Park
- B. May 27, 2015 PRC Staff Report – Drones at Bedwell-Bayfront Park
- C. Memo – Current unmanned aircraft regulations over refuges

Report prepared by:
Derek Schweigart, Community Services Manager

ORDINANCE _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING THE PROHIBITED ACTIVITIES IN PARKS TO INCLUDE DRONES OR UNMANNED AIRCRAFT SYSTEMS AND PROVIDING THAT A VIOLATION WILL BE TREATED AS AN INFRACTION

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

SECTION 1. FINDINGS AND DETERMINATIONS.

- A. There has been a recent surge in the use of drones and other unmanned aircraft systems (UAS) in the park. According to the FAA Aerospace Forecast the number of drones sold is estimated to reach 2.5 million in 2016 and growing to nearly 7 million by 2020.
- B. Menlo Park Municipal Code Section 8.28.130(5) currently includes a prohibition on motor-driven vehicles or models, which are similar to drones.
- C. The City Council of the City of Menlo Park finds and declares an amendment to Section 8.28.130 [Prohibited activity in parks or facilities] of Chapter 8.28 [Parks and Recreation] of Title 8 [Peace, Safety and Morals] to specifically include the prohibition on the operation of drones and unmanned aircraft systems (UAS) is necessary for the following reasons:
 - 1. The noise associated with drones and UAS is similar to motor-driven models and impacts the public's enjoyment of parks; and
 - 2. As with motor-driven models, there is concern with the compatibility of drones and UAS with other park uses and wildlife habitat impacts in and around the parks; and
 - 3. Hazards exist with drones and other UAS including "fly aways" or loss of control of these devices related to where drones may go and where they may end up. Technology exists to prevent such disasters but as the technology evolves there is still uncertainty.

SECTION 2. AMENDMENT OF CODE. Subsection (5) of Section 8.28.130 [Prohibited activity in parks or facilities] of Chapter 8.28 [Parks and Recreation] of Title 8 [Peace, Safety and Morals] is hereby amended to include drones and unmanned aircraft systems as follows:

"(5) Motor-driven vehicles or models, including drones and unmanned aircraft systems, except in designated areas, and except for the use of drones by public safety personnel for emergency operations;

SECTION 3. AMENDMENT OF CODE. Subsection (b) of Section 1.12.010 is amended to provide that "violations of Section 8.28.130 of Chapter 8.28 Parks and Recreation" shall be listed and treated as an infraction as provided therein.

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

INTRODUCED on the twenty-third day of August, 2016.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the thirtieth day of August, 2016, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

APPROVED:

Mayor

ATTEST:

Pamela Aguilar, City Clerk



STAFF REPORT

City Council

Meeting Date: 8/30/2016
Staff Report Number: 16-156-CC

Consent Calendar: **Waive the Reading and Adopt an Ordinance Correcting an Error in the Municipal Code text for the R-1-S (FG) Zoning District**

Recommendation

Staff recommends that the City Council waive the full reading and adopt an Ordinance to correct an inadvertent error in the Municipal Code text for the R-1-S (FG) [Single Family Suburban Residential District (Felton Gables)] zoning district. The draft Ordinance is included as Attachment A.

Policy Issues

The correction of this minor error would enable the R-1-S (FG) development regulations to be applied as previously adopted by the City Council, and would not raise any new policy issues.

Background

In 1989, the R-1-S (FG) zoning district was added to the Zoning Ordinance by the City Council to provide unique development regulations for the Felton Gables neighborhood, in particular changes to the daylight plane and floor area limit (FAL) standards, which were desired by property owners in the neighborhood in order to preserve the area's unique character. In 2005, the City Council made a number of changes to single-family residential development regulations, including the introduction of a unique R-1-S (FG) standard for building coverage, to align with that district's unique FAL limit. Staff understands that these building coverage and FAL limits have generally functioned as intended for the neighborhood.

Analysis

In 2014, the City Council amended the Zoning Ordinance to make clearer distinctions between secondary dwelling units and accessory buildings, which required changes to associated daylight plane regulations. During the course of the 2014 revisions to the R-1-S (FG) daylight plane regulations, staff inadvertently omitted that district's unique FAL and building coverage specifications, and this omission was subsequently codified in the Municipal Code.

At this time, staff wishes to correct this error through the City Council formally amending this section of the Zoning Ordinance to include the original R-1-S (FG) FAL and building coverage regulations. Per standard requirements for Ordinances, the draft Ordinance (Attachment A) was introduced at the August 23, 2016 City Council meeting. Since an Ordinance requires both a first and second reading, the proposed Ordinance is before the City Council again for the second reading and adoption.

Impact on City Resources

The correction of this type of Municipal Code error is a relatively minor task and can be accommodated within the existing budgets of the Planning Division and City Clerk.

Environmental Review

The correction of a typographical error is not a “project” as defined by the California Environmental Quality Act (CEQA), in that the correction would not have a potential for resulting in a 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. Draft Ordinance of the City Council of the City of Menlo Park, Amending Chapter 16.15 [R-1-S (FG) Single Family Suburban Residential District (Felton Gables) of Title 16 [Zoning] of the Menlo Park Municipal Code]

Report prepared by:
Thomas Rogers, Principal Planner

ORDINANCE NO. _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK,
AMENDING CHAPTER 16.15 [R-1-S (FG) SINGLE FAMILY SUBURBAN
RESIDENTIAL DISTRICT (FELTON GABLES)] OF TITLE 16 [ZONING]
OF THE MENLO PARK MUNICIPAL CODE**

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

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

- A. In 1989, the R-1-S (FG) zoning district was added to the Zoning Ordinance by the City Council to provide unique development regulations for the Felton Gables neighborhood, in particular changes to the daylight plane and floor area limit (FAL) standards that were desired by property owners in the neighborhood in order to preserve the area's unique character.
- B. In 2005, the City Council made a number of changes to single-family residential development regulations, including the introduction of a unique R-1-S (FG) standard for building coverage, to align with that district's unique FAL limit.
- C. In 2014, the City Council amended the Zoning Ordinance to make clearer distinctions between secondary dwelling units and accessory buildings, which required changes to associated daylight plane regulations.
- D. During the course of the 2014 revisions to the R-1-S (FG) daylight plane regulations, staff inadvertently omitted that district's unique FAL and building coverage specifications, and this typographical error was subsequently codified in the Municipal Code.
- E. The City wishes to correct this accidental error through the City Council formally correcting this section of the Zoning Ordinance to include the original R-1-S (FG) FAL and building coverage regulations.

SECTION 2. Section 16.15.030 [Development regulations] of Chapter 16.15 [R-1-S (FG) SINGLE FAMILY SUBURBAN RESIDENTIAL DISTRICT (FELTON GABLES)] of Title 16 [Zoning] of the Menlo Park Municipal Code is hereby amended to read as follows (with the added text shown in underline):

16.15.030 Development regulations. Development regulations in the R-1-S (FG) district shall be the same as those in the R-1-S district except for the following:

- (1) Maximum building coverage: 35 percent;
- (2) Maximum Floor Area Limit (FAL): 2,800 square feet plus 20 percent times (lot area minus 7,000 square feet);
- (3) Daylight plane: A daylight plane for the main dwelling unit shall begin at each side property line, shall extend directly upwards above the natural grade of each side property line for a distance of 20 feet minus the width of the adjacent required yard, and shall then slope inwards towards the interior of the lot at a 34-degree angle. As used in this section, the natural grade of a side property line is the average grade of the highest and lowest points of the natural grade of the lot at the side property line. No portion of the structure shall intrude beyond the daylight plane except for dormers and gables as provided below and chimneys, vents, antennae, flues, and solar collectors.

Gables and dormers may intrude into the daylight plane of a lot that is 10,000 square feet or less. The permitted intrusion shall decrease on an even gradient from 10 feet in the case of a 5 foot required side setback to no permitted intrusion in the case of an 8 foot required side setback. Thus the permitted intrusion will be 6 feet, 8 inches in the case of a 6 foot required side setback, 5 feet in the case of a 6.5 foot required side setback, and 3 feet, 4 inches in the case of a 7 foot required side setback. Calculations of the permitted intrusion shall include fractional computations when necessary to maintain the even gradient. Gables and dormers may intrude into the daylight plane on one side of a lot only. The gable or dormer must not extend beyond a triangle described as follows:

- (a) The base of the triangle is the line formed by the intersection of the building wall with the daylight plane;
- (b) The aggregate length of the bases of all triangles intruding into a daylight plane shall not exceed 30 feet; and
- (c) The triangle must be entirely within the maximum building height.

SECTION 3. The correction of a typographical error is not a “project” as defined by the California Environmental Quality Act (CEQA), in that the correction would not have a potential for resulting in a physical change to the environment.

SECTION 4. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 5. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the 23rd day of August, 2016.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of the City Council of the City of Menlo Park on the ___ day of ____, 2016 by the following vote:

AYES: TBD

NOES: TBD

ABSENT: TBD

ABSTAIN: TBD

ATTEST:

APPROVED:

Pamela Aguilar
City Clerk

Richard Cline
Mayor

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STAFF REPORT

City Council

Meeting Date:

8/30/2016

Staff Report Number:

16-137-CC

Regular Business:

Consideration of approval of the terms of an agreement between the City of Menlo Park and the Menlo Park Police Sergeants' Association, and a resolution to amend the citywide salary schedule effective September 4, 2016

Please note that Attachment C and Exhibit A to the Resolution were revised after the early release

Recommendation

Staff recommends that the City Council approve the terms of a collective bargaining agreement between the City of Menlo Park and the Menlo Park Police Sergeants Association; authorize the Acting Administrative Services Director to execute a Memorandum of Understanding (MOU) with a term of August 30, 2016 to June 30, 2017; and approve a Resolution to Amend the City's Salary Schedule effective September 4, 2016.

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. In accordance with the City personnel rules and regulations, the City Council is required to adopt changes to the City's Salary Schedule.

Background

The City of Menlo Park's Police Department includes eight Police Sergeants represented by the Menlo Park Police Sergeants Association (PSA). The City's and the PSA's negotiation teams commenced negotiations on March 7, 2016. The parties met on approximately five occasions and reached a Tentative Agreement (TA) on June 22, 2016. The PSA notified the City that the TA was ratified by the membership on July 21, 2016.

On January 25, 2016, in accordance with Council's Public Input and Outreach Regarding Labor Negotiations policy, a staff report was posted on the February 9, 2016 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, and personnel cost information. At the February 9, 2016 City Council meeting, there was no public comment.

Analysis

A complete copy of the Comprehensive Tentative Agreement is attached. The Tentative Agreement is on a full MOU, between the City and PSA. 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	August 30, 2016 (pending City Council approval) - June 30, 2017												
Pay Rates	During the term of this Agreement, the City shall maintain the same differential between POA and PSA classifications' base pay ("base pay" does not include premiums or other assignment-based pays) as existed on June 30, 2016. This equates to a 3% increase.												
One-time Payment	In recognition of the fact that the Parties reached total tentative agreement before June 30, 2016, each bargaining unit member shall receive a one-time accrual of 10 hours of special leave. Any special leave not utilized before October 31, 2016 will be automatically cashed out. This provides for sergeants to maintain the salary differential described above from the period of July 1 – September 3, 2016.												
Medical Benefits	<p>The City shall continue to make a contribution to the flexible benefits plan on behalf of each active employee as follows:</p> <table style="margin-left: 40px; border: none;"> <tr> <td style="padding-right: 20px;">\$2,085.56 per month</td> <td>Employee plus 2/more dependents</td> </tr> <tr> <td>\$1,604.28 per month</td> <td>Employee plus 1 dependent</td> </tr> <tr> <td>\$802.14 per month</td> <td>Employee only</td> </tr> </table> <p>The active employee will be responsible for any remaining premium in excess of the allocated amount. Employees who waive coverage will be entitled to \$349 per month.</p> <p>Effective January 1, 2017, the City shall make a contribution to the flexible benefits plan on behalf of each active employee as follows:</p> <table style="margin-left: 40px; border: none;"> <tr> <td style="padding-right: 20px;">\$2,128 per month</td> <td>Employee plus 2/more dependents</td> </tr> <tr> <td>\$1,647 per month</td> <td>Employee plus 1 dependent</td> </tr> <tr> <td>\$845 per month</td> <td>Employee only</td> </tr> </table> <p>The active employee will be responsible for any remaining premium in excess of the allocated amount. Employees who waive coverage will be entitled to \$391 per month.</p> <p>The 2017 increase represents \$42 per month increase for all bargaining unit members in recognition of the elimination of the Management Benefit Package, which will be discontinued on December 31, 2016.</p>	\$2,085.56 per month	Employee plus 2/more dependents	\$1,604.28 per month	Employee plus 1 dependent	\$802.14 per month	Employee only	\$2,128 per month	Employee plus 2/more dependents	\$1,647 per month	Employee plus 1 dependent	\$845 per month	Employee only
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\$2,128 per month	Employee plus 2/more dependents												
\$1,647 per month	Employee plus 1 dependent												
\$845 per month	Employee only												
Patrol Work Schedule	Reverts patrol sergeant 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>												

Impact on City Resources

This Tentative Agreement results in a fiscal impact for the life of the agreement of approximately \$50,600. The total cost is within the adopted budget for 2016-17.

Environmental Review

No environmental review is 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. Comprehensive Tentative Agreement between the City and PSA
- B. Proposed MOU between the City and PSA
- C. Citywide Salary Schedule
- D. Resolution to Amend Citywide Salary Schedule

Report prepared by:

Lenka Diaz

Human Resources Manager

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City of Menlo Park/PSA Negotiations | 2016

COMPREHENSIVE TENTATIVE AGREEMENT

JUNE 22, 2016

Summary of Terms

1. **Term/Expiration** - June 30, 2017 (1 year)
2. **Compensation**
 - COLA's
 - Effective first full pay period following ratification by City Council - Maintain current (June 30, 2016) differential between POA and PSA classifications' base pay ("base pay" does not include premiums or other assignment-based pays)
 - Leaves
 - In recognition of the fact that the parties reached total tentative agreement before June 30, 2016, each bargaining unit member shall accrue ten (10) hours of special leave. Any special leave not utilized before October 31, 2016 will be automatically cashed out.
3. **Health & Welfare**
 - 1/1/17 – Increase City premium contributions to POA 2017 rates
 - 12/31/16 – Eliminate "Management Benefit Package"
 - Re-opener to address Flores v City of San Gabriel
 - Incorporate Vision benefits sideletter

TA's

- Art 4 – Sick Leave
- Art 7 – Holidays for Admin Sergeants
- Art 8 – PERS Cost Share
- Art 9 – Patrol Schedule

MOK 7-8-16

CDS 7/8/16

Tentative Agreement
Article 2: Pay Rates and Practices

ARTICLE 2: PAY RATES AND PRACTICES

Replace current sections 2.1 and 2.2 with the following:

2.1 Salary Schedule

The salary schedule for employees in the representation unit shall be as set forth in Appendix "A" to this Agreement.

During the term of this Agreement, the City shall maintain the same differential between POA and PSA classifications' base pay ("base pay" does not include premiums or other assignment-based pays) as existed on June 30, 2016.

2.2 One-time Payment

In recognition of the fact that the Parties reached total tentative agreement before June 30, 2016, each bargaining unit member shall receive a one-time accrual of 10 hours of special leave. Any special leave not utilized before October 31, 2016 will be automatically cashed out.

Add the following to the end of Section 2.6:

(j) Sunset Provision

Effective December 31, 2016, this fund shall be discontinued and Section 2.6 will be deleted from the MOU. Claims shall be submitted no later than January 15, 2017 to be eligible for reimbursement.

FOR CITY

FOR PSA.

 7/18/16
Charles Sakai Date
City of Menlo Park Chief Negotiator

 7-7-16
Mark O'Connell Date
PSA Chief Negotiator

City of Menlo Park
TA. Art 2 Pay Rates and Practices

Tentative Agreement
Article 6: Benefit Programs

ARTICLE 6: BENEFIT PROGRAMS

Replace Sections 6.1.2 and 6.1.3 with the following:

6.1.2 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 6.1.1 equals the following:

\$2,085.56 per month Employee plus 2/more dependents

\$1,604.28 per month Employee plus 1 dependent

\$802.14 per month Employee only

The active employee will be responsible for any remaining premium in excess of the allocated amount.

[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.

6.1.3 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 contribution in 6.1.1 equals the following:

\$2,128 per month Employee plus 2/more dependents

\$1,647 per month Employee plus 1 dependent

\$845 per month Employee only

City of Menlo Park/PSA Negotiations | 2016

The active employee will be responsible for any remaining premium in excess of the allocated amount.

[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.

Add the following:

6.1.6 Upon written request from the City, the parties agree to reopen this MOU and to meet and confer with the goal of replacing the Cafeteria Cash payment and Cash-In-Lieu of Medical Coverage options with a benefit of similar value which will not impact employees' regular rate of pay pursuant to the Flores v. City of San Gabriel case. Statutory impasse procedures shall apply to these negotiations.

Add the following:

6.3 Vision

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.

FOR CITY

FOR PSA.

 7/8/16

Charles Sakai Date
City of Menlo Park Chief Negotiator

 7-7-16

Mark O'Connell Date
PSA Chief Negotiator

Tentative Agreement

Article 7: Holidays


ARTICLE 7: HOLIDAYS

ADD THE FOLLOWING:


7.1.5 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 holidays).

FOR CITY:

FOR PSA:



Charles Sakai Date
City of Menlo Park Chief Negotiator



Mark O'Connell Date
PSA Chief Negotiator

Tentative Agreement
Article 4: General Leave Program

ARTICLE 4: GENERAL LEAVE PROGRAM

ADD THE FOLLOWING:

4.3 Transition to General Leave

Employees who promote into the PSA bargaining unit from a unit which accrues both sick leave and vacation will have their vacation balances converted to General Leave. Any remaining sick leave balance will be frozen and the employee may use sick leave for their own illness and injury or to care for an immediate family member who is ill or injured, as provided under state law and the City's Personnel Rules.

The City shall have the right and obligation to monitor the operation of sick leave and take appropriate action to insure that benefits are paid only for actual illness and injury.

[Delete last sentence in Paragraph 2 of Section 4.1.1 [~~There is no change in the current policy of retirement health insurance credits and "frozen sick leave."~~]

FOR CITY:

FOR PSA:


Charles Sakai Date
City of Menlo Park Chief Negotiator


Mark O'Connell Date
PSA Chief Negotiator

City Proposal
Article 8: Retirement Programs

ARTICLE 8: RETIREMENT PROGRAMS

Add the following:

8.4.3. 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 Contribution 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 8.3.2. The total member contribution for classic employees will be 12%.


8.4.4 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%).

8.4.4.1 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 (12%) toward 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%.

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

FOR CITY:

FOR PSA:



Charles Sakai Date
City of Menlo Park Chief Negotiator



Mark O'Connell Date
PSA Chief Negotiator

Tentative Agreement
Article 9: Working Conditions

ARTICLE 9: WORKING CONDITIONS

9.1 Alternative Work Schedules

The Chief of Police shall determine the appropriate regular or alternative work schedules of the Department and the various divisions, sections and details based upon the feasibility or operational needs. The Chief of Police may modify schedules to drop an alternative work schedule and revert to a regular eight (8) hour schedule except that any resulting schedule different from a five (5) days on, two (2) days off will be subject to the meet and confer process.

Alternative work schedules may be administered under the 7(k) work period provisions of the Fair Labor Standards Act.

9.1.1 4/10 Work Schedule

A 4/10 work schedule is defined as ten (10) hours per day worked, four (4) days per calendar week.

9.1.2 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. If utilized, the schedule is subject to the following:

9.1.2.1 The 4/12 schedule shall apply to police sergeants assigned to general patrol and shall not apply to detectives, traffic, code enforcement or special assignments without the approval of the Chief of Police.

9.1.3 In the event the City elects to change the scheduling of days off or starting times for the shifts, the City shall provide at least thirty (30) days' notice

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MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MENLO PARK POLICE SERGEANTS
ASSOCIATION
AND
THE CITY OF MENLO PARK



August 30, 2016 to June 30, 2017

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APPENDIX B:	ADMINISTRATION OF RETIREMENT HEALTH CREDITS FOR RETIREES	

PREAMBLE

This Memorandum of Understanding is reached between the City of Menlo Park (“City”) and the Menlo Park Police Sergeants’ Association (“PSA”), representing the classification of Sergeant within the City’s Police Department. The parties have reached this Memorandum of Understanding following meeting and conferring in good faith as required under Government Code Sections, 3500, et seq. Existing practices and/or benefits which are not referenced in this Memorandum and which are subject to the meet and confer process shall continue without change unless modified subject to the meet and confer process.

The parties agree as follows:

ARTICLE 1: TERM

The term of this Memorandum shall be August 30, 2016 to June 30, 2017.

ARTICLE 2: PAY RATES AND PRACTICES

2.1 Salary Schedule

The salary schedule for employees in the representation unit shall be as set forth in Appendix “A” to this Agreement.

During the term of this Agreement, the City shall maintain the same differential between POA and PSA classifications’ base pay (“base pay” does not include premiums or other assignment-based pays) as existed on June 30, 2016.

2.2 One-time Payment

In recognition of the fact that the Parties reached total tentative agreement before June 30, 2016, each bargaining unit member shall receive a one-time accrual of 10 hours of special leave. Any special leave not utilized before October 31, 2016 will be automatically cashed out.

2.3 POST Incentive

Unit members who possess a Peace Officer Standards and Training (POST) intermediate certificate shall receive a five percent (5%) premium in accordance with the current practice.

Unit members who possess a Peace Officer Standards and Training (POST) advanced certificate shall receive a ten percent (10%) premium in accordance with the current practice.

2.4 Overtime

Overtime will be applied in accordance with the Fair Labor Standards Act.

2.5 Call Back Pay

Employees who are called back after leaving work at the end of a normal shift shall be entitled to a minimum of four (4) hours pay at the rate of time and one-half (1-1/2); exception: court pay is three (3) hours minimum.

2.6 Management Benefit Package

Each represented member will be reimbursed up to Two Thousand Dollars (\$2,000.00) per fiscal year for the following:

- (a) Civic and professional association memberships and their related programs
- (b) Conference participation and travel expense
- (c) Professional subscriptions
- (d) Physical fitness programs as directed by a physician
- (e) Tuition reimbursement:

To qualify for educational reimbursement, the education must maintain or improve the employee's skills in performing his or her job, or be necessary to meet the express requirements of the City or the requirements of applicable law. The education to which reimbursement relates must not be part of a program qualifying employees for another trade or businesses; or be necessary to meet the minimum educational requirements for employment. Permissible educational expenses are refresher courses, courses dealing with current developments, academic or vocational courses as well as the travel expenses allocated with the course. To qualify for tuition reimbursement, coursework must be approved by the Chief of Police or his or her designee prior to the first day of class. Said approval shall be based only on the criteria in this paragraph. Course work intended to meet the entry level requirements for any positions in the City is not reimbursable. Graduate course work in the pursuit of related graduate professional programs and which enhance the skills of the employee are reimbursable as defined under the Internal Revenue Code.

- (f) Optical expenses not reimbursed by any other source

(g) Child Care expenses:

The annual amount submitted for reimbursement cannot exceed the income of the lower paid spouse. The reimbursement request must be for employment-related expenses for the care of one or more dependents who are under age 13 and entitled to a dependent deduction under Internal Revenue Code Section 151 (e) or a dependent who is physically or mentally incapable of caring for himself or herself.

(h) Employee and dependent excess coverage for medical, dental, optical and orthodontia

(i) City Recreation Programs:

The City will reimburse the unit members for fees paid for unit members and/or their dependents to participate in the City's Recreation Department programs.

Reimbursements for participation may be made if the reimbursements qualify as "no additional cost" services under Section 132 (b) of the Internal Revenue Code and that to qualify as "no additional cost" services the reimbursements must be only for classes in which the employees participate on a space available basis. Under Section 132 (f) (2) of the Code, spouses and dependent children may also participate in City-sponsored recreation programs and activities on a space available basis.

(j) General Provisions

Expenditures under (a), (b), (c), and (e) above must be job related and approved by the City.

Monies not spent while this document is in force may be rolled over into the following term for a period not to exceed twelve months. Excess funds may not be received in cash.

The City reserves the right to freely administer this Section and may disallow future claims that do not strictly conform to these sections, e.g., cellular phones or phone bills.

(k) Sunset Provision

Effective December 31, 2016, this fund shall be discontinued and Section 2.6 will be deleted from the MOU. Claims shall be submitted no later than January 15, 2017 to be eligible for reimbursement.

2.7 Uniform Allowance

All unit members shall receive the sum of One Thousand Forty Dollars (\$1,040.00) per year to be used for the purchase and maintenance of uniforms. Payment shall be made in the amount of Forty Dollars (\$40.00) per biweekly pay period. If an eligible employee is on unpaid leave for a period of one (1) full pay period or more, the employee will not receive uniform allowance pay for that period. The City will pay the initial cost of a class A uniform for all unit members.

2.8 General Leave Cashout

An employee may cash out General Leave in accordance with the General Leave Cashout Policy.

2.9 Compensatory Time

An employee may accumulate a maximum of three hundred (300) hours of compensatory time. Once an employee has reached the limits of compensatory time in this section he/she shall receive cash at the overtime rate for all overtime worked.

Any employee who has an excess of three hundred (300) hours of compensatory time on the books will not be allowed to accrue further compensatory time until the balance falls below the three hundred (300) hours maximum.

Compensatory time in excess of the maximum allowed in the Memorandum of Understanding shall be cashed out.

Upon termination, all unused compensatory time shall be paid off at the final rate of pay received by the employee.

2.10 Continuing Benefits

The City will pay the increased cost of existing benefits, except as specifically provided herein.

2.11 Bilingual Differential

2.11.1 Any position assigned to job duties requiring bilingual skills are eligible to receive Seventy-Five (\$75.00) each pay period for the use of bilingual skills in job duties arising during the normal course of work.

2.11.2 The Human Resources Department, on the basis of a proficiency test developed and administered by the City, shall determine eligibility for the bilingual pay differential.

2.11.3 Bilingual skills shall not be a condition of employment except for employees who are hired specifically with that requirement. If an employee is hired under this provision, that requirement shall be included in the initial employment letter.

2.11.4 The City retains the right to discontinue the bilingual differential, provided the City gives the exclusive representative ten (10) days written notice prior to such revocation, in order to allow the opportunity for the parties to meet and confer.

2.11.5 No employee shall be required to use bilingual skills that is not compensated under this section.

Any employee who is reassigned to another position within this bargaining unit, and was receiving the bilingual differential at the time of appointment, shall have their need for bilingual skills reviewed by the Chief of Police. If the Chief of Police determines that bilingual skills in the position are required, the differential shall continue, otherwise, the bilingual differential will be discontinued.

2.12 On-Call Pay

Sergeants assigned to the detective unit who are placed in an on-call status shall be compensated for each day or portion thereof on normal days off that she/he is on-call at the rate of fifty dollars (\$50.00) per twenty-four (24) hour period. Sergeants assigned to the detective unit who are on-call and fail to respond when called may be subject to disciplinary action.

2.13 Vehicle Allowance

Sergeants assigned to the detective unit, who are assigned to use their personally owned vehicle for City use, shall receive a monthly automobile allowance of five hundred dollars (\$500.00). The automobile allowance shall cover all costs of operating the vehicle for City use, including but not limited to, maintenance, insurance and fuel.

2.14 Night Shift Differential

For employees assigned to patrol, the City shall pay a shift differential of two percent (2.00%) for regular assignment to night shift. The shift differential shall not be paid on any regularly assigned schedule worked which includes day or swing shift.

Shift differential shall only be paid to employees assigned to a night shift, and shall not apply to employees filling open shifts or otherwise assigned to nights on a temporary basis. For the purposes of this section, a temporary assignment shall be defined as one consecutive pay period or less.

2.15 Longevity Pay

Employees who have achieved levels of continuous service in a full time sworn police position with the City of Menlo Park, and who have received annual performance reviews with overall ratings of “meets standards” or above shall be eligible to receive the following:

- 2.15.1 The first pay period after completing seven (7) years of service: two percent (2.00%) calculated upon base pay.
- 2.15.2 The first pay period after completing eleven (11) years of service: four percent (4.00%) calculated upon base pay.
- 2.15.3 The first pay period after completing fifteen (15) years of service: six percent (6.00%) calculated upon base pay.
- 2.15.4 The first pay period after completing twenty (20) years of service: eight percent (8.00%) calculated upon base pay.

The maximum longevity pay that may be received by an employee is eight percent (8.00%).

2.16 Working Out of Classification

Upon specific written assignment by the Police Chief or or his/her designated representative, an employee may be required to perform the duties of a position in a higher classification. Such assignments shall be made to existing authorized positions that are not actively occupied due to the temporary absence of the regularly appointed employee. Any Sergeant working out of classification shall be paid five percent (5%) above their current rate of pay. Such pay shall be paid for the hours the duties are actually assigned and performed in the higher classification.

ARTICLE 3: LEAVE PROVISIONS

3.1 Leave of Absence Without Pay

- 3.1.1 Leaves of absence without pay may be granted in cases of personal emergency or when such absences would not be contrary to the best interests of the City. Leaves denied in the best interests of the City shall be taken as soon as possible after the interests of the City are met. The member shall be notified of the effective date of the rescheduled leave.
- 3.1.2 Requests for leave of absence without pay must be submitted in written form to the Police Chief. The Chief may grant a unit member a leave of absence without

pay for a period not less than four weeks nor more than one (1) year, during which time no benefits and no seniority will accrue. Approval shall be in writing and a copy filed with the Human Resources Department.

3.1.3 Upon expiration of a regularly approved leave, or within five (5) working days after notice to return to duty, the employee shall be reinstated in the same or an equivalent position to that held at the time the leave was granted. Failure on the part of an employee to report promptly at the expiration of the leave, or within five (5) working days after notice to report for duty shall be treated as an automatic resignation from City service unless the Chief determines that extenuating circumstances exist to excuse that absence. However, any unapproved absence may be cause for disciplinary action.

3.1.5 Merit pay raises and performance review dates shall be extended by the amount of the leave without pay taken.

3.2 Long Term Disability

3.2.1 Should any non-work related illness or injury extend beyond thirty (30) working days, the City will ensure continued payment to the worker at 66.67 percent of salary, up to a maximum as provided in the long term disability policy. The amounts paid shall be less any payments received from either workers' compensation or retirement. During the first year of disability and so long as no retirement determination has been made by the City, the worker will be entitled to continued City paid health insurance, AD&D, and dental and life insurance benefits. At the end of 365 calendar days from the date of illness or injury or unless previously retired, should the worker not be able to return to work, the worker will be permitted to continue to participate in City paid health insurance, AD&D, and dental and life insurance benefits. However, the employee will be required to pay 100% of any premium.

3.3 Jury Duty and Subpoenas - Not Related to Official Duties

3.3.1 An employee required to report for jury duty or to answer a subpoena as a witness, provided the witness has no financial interest in the outcome of the case, shall be granted leave with pay from his/her assigned duties until released by the court, provided the employee remits to the City all fees received from such duties other than mileage or subsistence allowances within thirty (30) days from the termination of jury service.

3.3.2 When an employee returns to complete a regular shift following time served on jury duty or as a witness, such time falling within work shift shall be considered as time worked for purposes of shift completion and overtime computation. In determining whether or not an employee shall return to his/her regular shift

following performance of the duties above, reasonable consideration shall be given to such factors as travel time and a period of rest.

3.4 Military Leave

3.4.1 Military leave of absence shall be granted and compensated in accordance with Military and Veterans Code Sections 389 and 395 et seq. Employees entitled to military leave shall give the appointing power an opportunity, within the limits of military regulations, to determine when such leave shall be taken.

3.5 Bereavement Leave

3.5.1 An employee shall be allowed leave with pay for not more than three (3) working days when absent because a death has occurred in the immediate family. For purpose of bereavement leave, members of the immediate family shall be limited to mother, father, child, sibling, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandchild, grandmother, grandfather, spouse, domestic partner, or dependent of the employee. Employees may use General Leave for bereavement purposes for relations not included above provided such leave is approved in advance by the Chief of Police.

3.6 Workers' Compensation

3.6.1 Sworn personnel shall be granted leave with pay for a disability caused by illness or injury arising out of and in the course of his/her employment, in accordance with Section 4850 of the Labor Code of the State of California.

3.7 Training Offset Hours

3.7.1 Sergeants who work a patrol shift as part of a 4/12 work schedule shall be provided with a bank of twenty-four (24) hours for training offset, credited pay period one (1) of each payroll calendar year. The hours shall be used to fill in for the remainder of a shift where voluntary training was provided (e.g., if an employee attends an eight (8) hour day of training, the employee may use four (4) hours of training offset time to complete their twelve (12) hour shift. Eight (8) hours training plus four (4) hours training offset = twelve (12) hour shift).

These hours may only be used in conjunction with supplementing time off for voluntary training.

3.7.2 Training Offset Hours do not accrue. Any Training Offset Hours not used by the date of separation for employees separating during the year, or by the end of the last pay period in the payroll calendar year for other employees, shall not be paid out nor carried over to subsequent years. Training offset hours may not be cashed out or used for any purpose other than stated above.

ARTICLE 4: GENERAL LEAVE PROGRAM

4.1 General Leave Program

Accrual of General Leave is as follows:

1 - 5 years	216 hours
6 - 10 years	230 hours
11 - 15 years	256 hours
16 - 20 years	280 hours
20 + years	296 hours

Actual accrual is biweekly prorated from the above table. The maximum number of hours which may be accrued is One Thousand Four Hundred (1,400) hours of general leave.

4.1.1 Upon separation from City service accrued general leave up to the maximum may be converted to cash. The amount shall be calculated on the base hourly rate of the employee multiplied by the number of hours converted. Upon retirement from City employment an employee hired on or before June 30, 2004 may convert any accrued general leave not converted to cash to retirement health insurance credits at the rate of one (1) unit for every eight (8) hours of accumulated general leave with any remainder being rounded to the next higher credit.

Qualified employees hired on or before June 30, 2004 who have at least twenty (20) years of service with the City may elect to have their accrued general leave balance converted to retirement health credits at the rate of one (1) unit for every six (6) hours of accumulated sick leave with any remainder being rounded to the next higher credit. If this election is made, the retirement health credit calculated shall not exceed the highest HMO health plan premium as may be in effect at such time such credit is applied. Election shall be made at the time of retirement.

Reimbursement of premiums to retirees shall be in the same manner as currently done since 1990. The method of reimbursement is detailed in Appendix B.

- 4.1.2 Double Coverage. Workers who qualify for the retirement health credit conversion may elect double coverage at the rate of two (2) units for every month of paid health insurance.
- 4.1.3 Family Coverage. Workers who qualify for the retirement health credit conversion may elect family coverage at the rate of three (3) units for every month of paid health insurance.

4.2 Transfer of Leave for Catastrophic Illness

Transfer of leave for catastrophic illness is designed to assist employees who have exhausted leave due to a catastrophic illness, injury or condition of the worker. This policy allows other workers to make voluntary grants of time to that worker so that he/she can remain in a paid status for a longer period of time, thus partially ameliorating the financial impact of the illness, injury or condition.

A catastrophic illness is defined as an illness which has been diagnosed by a competent physician, requiring an extended period of treatment or recuperation, and which has a significant risk to life or life expectancy. Confirmation of the condition and prognosis by a health care provider chosen by the City may be required.

The Human Resources Department will discuss with the PSA or their designated representative an appropriate method of soliciting contributions from coworkers. The contributions shall be submitted to the Human Resources Department and Human the Resources Department will process the contribution list in the order established. Any officer shall be allowed to contribute a maximum of eighty (80) hours of leave from their accrued management leave balance to another full-time or permanent part-time worker in the City who is suffering from a catastrophic illness and has exhausted his or her own sick leave, provided, however, they have maintained a positive management leave balance of forty (40) hours or more following the donation. Once the contribution is made it cannot be rescinded.

Upon return to work, an employee may bank any remaining hours that have been contributed up to a maximum of forty (40) hours. If the contribution list has not been exhausted, the contributing workers will be notified that their contribution was not required and the balance restored.

4.3 Transition to General Leave

Employees who promote into the PSA bargaining unit from a unit which accrues both sick leave and vacation will have their vacation balances converted to General Leave. Any remaining sick leave balance will be frozen and the employee may use sick leave for their own illness and injury or to care for an immediate family member who is ill or injured, as provided under state law and the City's Personnel Rules.

The City shall have the right and obligation to monitor the operation of sick leave and take appropriate action to insure that benefits are paid only for actual illness and injury.

ARTICLE 5: NO SMOKING AREAS

City owned vehicles used by unit members shall be considered offices and designated as no smoking areas.

ARTICLE 6: BENEFIT PROGRAMS

6.1 Cafeteria Plan

6.1.1 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).

6.1.2 The City shall continue to 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 6.1.1 equals the following:

\$2,085.56 per month	Employee plus 2/more dependents
\$1,604.28 per month	Employee plus 1 dependent
\$802.14 per month	Employee only

The active employee will be responsible for any remaining premium in excess of the allocated amount.

[EXAMPLE: If the PEMHCA minimum contribution is \$122, then the City shall make a flexible benefits plan contribution of \$1,964.56 per month for family coverage.]

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

6.1.3 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 contribution in 6.1.1 equals the following:

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

The active employee will be responsible for any remaining premium in excess of the allocated amount.

[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.

- 6.1.4 Each active employee may use his/her allocated amount for any benefits permitted by law and provided for in the FSA plan document.
- 6.1.5 Each employee must enroll in an available PEMHCA health insurance plan or demonstrate that he/she has health insurance coverage equivalent to the PEMHCA plan in order to receive the amount identified as “no coverage.”
- 6.1.6 Upon written request from the City, the parties agree to reopen this MOU and to meet and confer with the goal of replacing the Cafeteria Cash payment and Cash-In-Lieu of Medical Coverage options with a benefit of similar value which will not impact employees’ regular rate of pay pursuant to the Flores v. City of San Gabriel case. Statutory impasse procedures shall apply to these negotiations.

6.2 Dental Insurance

The City shall provide dental insurance to employees and eligible dependents the month following an employee’s date of hire or promotion in accordance with the City’s Evidence of Coverage document.

6.3 Vision

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.

ARTICLE 7: HOLIDAYS

7.1 Except as otherwise provided, employees 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 Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Day	December 25

One full day either December 24 or December 31

- 7.1.1 Designation of which one full day on either December 24 or December 31 is taken off shall be made by the Police Chief, considering the needs of the service and the officer's desires.
- 7.1.2 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 falls 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 holiday.
- 7.1.3 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 or her holiday pay. Work on a fixed holiday beyond the number of hours in 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.] Holiday pay shall be reported in accordance with PERS requirements.
- 7.1.4 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.
- 7.1.5 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).

ARTICLE 8: RETIREMENT PROGRAMS

8.1 Retirement Plan

Retirement benefits for employees hired prior to November 20, 2011 shall be those established by the Public Employees' Retirement System (PERS) for Local Safety

Members 3% at age 50 Formula, highest single year.

For employees hired on or after November 20, 2011, who are not new members as defined by PERS, retirement benefits shall be those established by the Public Employees' Retirement System (PERS) for Local Safety Members 3% at age 55 formula, highest three years.

For new employees, as defined by the Public Employees' Retirement System (PERS), hired on or after January 1, 2013, retirement benefits shall be those established by the Public Employees' Retirement System (PERS) for Local Safety Members 2.7% at age 57 formula, highest three years.

8.2 Optional Provisions

8.2.1 1959 Survivor Allowance as set forth in Section 6 of Chapter 9 of the Public Employees' Retirement Law, commencing with Section 21570 of the Government Code, shall be provided.

8.2.2 Third Level of 1959 Survivor Benefits, as provided under Government Code Section 21573, shall be included.

8.3 City's Contribution to Retirement

8.3.1 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.

8.3.2 Classic employees shall contribute three percent (3.00%) toward the employer's contribution to the Public Employees' Retirement System (Employee Paid City Contribution).

8.3.3 To the extent permitted by law, the Employee Paid City Contribution shall be taken as a pre-tax deduction from the employees' paycheck each payroll period. The City and PSA agree that the three percent (3%) will continue past the expiration of the MOU. If for any reason the City is precluded from making the Employee Paid City Contribution 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.

8.3.4 The parties understand that the Employee Paid City Contribution is a payment towards the Normal Cost of Retirement Benefits pursuant to Government Code Section 20516.5.

8.4 Employee's Contribution to Retirement System

- 8.4.1 The full employees's contribution shall be deducted from the unit member's pay by the City and forwarded to the Public Employees' Retirement System in accordance with the rules and regulations governing such contributions.
- 8.4.2 New employees, as defined by the Public Employees' Retirement System (PERS), hired on or after January 1, 2013, shall make a member contribution of 50% of the Normal Cost of the benefit as a pre-tax deduction from the employees' paycheck each payroll period.

The City has implemented Employer Pick-up, Internal Revenue Code 414 (h) (2) on the employee's contribution to the Public Employees' Retirement System.

- 8.4.3. 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 Contribution 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 8.3.2. The total member contribution for classic employees will be 12%.
- 8.4.4 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%).
 - 8.4.4.1 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 (12%) toward 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%.
 - 8.4.4.2 Any additional employer contribution paid by PEPRA member shall be taken as a pre-tax deduction from the employees' paycheck each payroll period.

8.5 Honorary Retirement

- 8.5.1 Upon separation, an employee who leaves the service of the Menlo Park Police Department shall be considered retired provided the unit member has fifteen (15) years of service with the department and is in good standing at the time of departure.
- 8.5.2 An employee shall be given a retirement badge and identification card.

- 8.5.3 The same requirements for a concealed weapons permit shall apply as for any other applicant. A concealed weapons permit shall not be automatically approved.
- 8.5.4 Retirement under this section shall be honorary and shall not involve any payment or benefit to the unit member or liability on the part of the City.

ARTICLE 9: WORKING CONDITIONS

9.1 Work Schedules

The Chief of Police shall determine the appropriate regular or alternative work schedules of the Department and the various divisions, sections and details based upon the feasibility or operational needs. The Chief of Police may modify schedules to drop an alternative work schedule and revert to a regular eight (8) hour schedule except that any resulting schedule different from a five (5) days on, two (2) days off will be subject to the meet and confer process.

Alternative work schedules may be administered under the 7(k) work period provisions of the Fair Labor Standards Act.

9.1.1 4/10 Work Schedule

A 4/10 work schedule is defined as ten (10) hours per day worked, four (4) days per calendar week.

9.1.2 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. If utilized, the schedule is subject to the following:

9.1.2.1 The 4/12 schedule shall apply to police sergeants assigned to general patrol and shall not apply to special assignments without the approval of the Chief of Police.

9.1.3 In the event the City elects to change the scheduling of days off or starting times for the shifts, the City shall provide at least thirty (30) days' notice and an opportunity for the P.S.A. to meet and confer on such proposed changes.

9.1.4 The parties agree that provisions in the Personnel Rules and other City rules and regulations may be modified, expressly or implicitly, as they apply to those represented employees working the 4/10 or 4/12 schedule.

9.1.5 Nothing herein shall prevent the City from making temporary changes to address bona fide non-staffing emergencies that may arise during the term of this Agreement.

9.2 Adjustment to Schedule

Unit members regularly assigned to midnight shift may request an adjustment to their schedule provided the employee is required to conduct authorized department business following the employee's shift; there is no cost to the City; and permission is obtained in advance from the employee's supervisor.

9.3 Layoffs

Layoffs shall be made in reverse order of seniority. The employee with the least length of service shall be laid off first. For purposes of this Section, length of service shall include all time served in the Sergeant classification or any other classification equivalent to or higher than the rank of Sergeant.

9.4 Training

Officers who are normally assigned to an alternative work schedule shall revert to a five day, eight hour shift for any training that requires attendance at class for a consecutive five day period.

9.5 Donning and Doffing of Uniforms

It is acknowledged and understood by the City and the PSA that the donning and doffing of uniforms and related safety equipment may be performed at home or other locations outside of the Police Department.

ARTICLE 10: GRIEVANCE PROCEDURE

10.1 Definitions

10.1.1 A "grievance" is an alleged violation, misinterpretation or misapplication of the provisions of this Memorandum of Understanding or policy and/or procedure manuals affecting the working conditions of the unit members covered by this Agreement

10.1.2 A "Disciplinary appeal" is an appeal from a disciplinary action of a Letter of Reprimand or higher, against a unit member covered by this Memorandum of Understanding.

10.1.3 A “grievant” is any unit member adversely affected by an alleged violation of the specific provision of this Memorandum, or the Union.

10.1.4 A “day” is any day in which the administrative offices of the City of Menlo Park are open for regularly scheduled business.

10.2 General Provisions

10.2.1 Until final disposition of a grievance, the grievant shall comply with the directions of the grievant's immediate supervisor.

10.2.2 All documents dealing with the processing of a grievance shall be filed separately from the personnel files of the participants.

10.2.4 Time limits for appeal provided at any level of this procedure shall begin the first day following receipt of the written decision by the grievant and/or the PSA.

Failure of the grievant to adhere to the time deadlines shall mean that the grievant is satisfied with the previous decision and waives the right to further appeal. The grievant and the City may extend any time deadline by mutual agreement.

10.2.5 Every effort will be made to schedule meetings for the processing of grievances at time which will not interfere with the regular work schedule of the participants. If any grievance meeting or hearing must be scheduled during duty hours, any employee required by either party to participate as a witness or grievant in such meeting or hearing shall be released from regular duties without loss of pay for a reasonable amount of time.

10.2.6 Any employee may at any time present grievances to the City and have such grievances adjusted without the intervention of PSA, as long as the adjustment is reached prior to arbitration and the adjustment is not inconsistent with the terms of the Memorandum: provided that the City shall not agree to the resolution of the grievance until the Association has received a copy of the grievance and the proposed resolution and has been given the opportunity to file a response. Upon request of the grievant, the grievant may be represented at any stage of the grievance procedure by a representative of PSA.

10.2.7 As an alternative to the formal grievance procedure, the City and the PSA may mutually agree to meet and attempt to informally resolve issues involving contract interpretations and other matters affecting the relationship between the City and the PSA. A grievance must be presented within the timelines set forth in Article 10.3. However, once the parties mutually agree to informally resolve problems, the formal grievance timelines are tolled pending the informal resolution process. If, in an attempt to informally resolve issues, the parties discuss matters that are not otherwise subject to the grievance procedure, such matters shall not be eligible

to be grieved under the grievance provisions of this MOU. Either party may terminate the informal process at any time and the parties will revert to the formal grievance procedure.

10.3 Grievance Procedure (for grievances as defined in 10.1.1)

10.3.1 Level I - Immediate Supervisor

10.3.1.1 Any employee who believes he/she has a grievance which is an alleged violation of the specific provisions of this Memorandum of Understanding shall present the grievance orally to the immediate supervisor within ten (10) days after the grievant knew, or reasonably should have known, of the circumstances which form the basis for the grievance. Failure to do so will render the grievance null and void. The immediate supervisor shall hold discussions and attempt to resolve the matter within ten (10) days after the presentation of the grievance. It is the intent of this informal meeting that at least one personal conference be held between the aggrieved unit member and the immediate supervisor.

10.3.2 Level II - Chief of Police

10.3.2.1 If the grievance is not resolved at Level I and the grievant wishes to press the matter, the grievant shall present the grievance in writing on the appropriate form to the Chief of Police within ten (10) days after the oral decision of the immediate supervisor. The written information shall include: (a) A description of the specific grounds of the grievance, including names, dates, and places necessary for a complete understanding of the grievance; (b) A listing of the provisions of this agreement which are alleged to have been violated; (c) A listing of the reasons why the immediate supervisor's proposed resolution of the problem is unacceptable; and (d) A listing of specific actions requested of the City which will remedy the grievance.

10.3.2.2 The Chief of Police or designee shall communicate the decision to the grievant in writing within ten (10) days after receiving the grievance. If the Chief of Police or designee does not respond within the time limits, the grievant may appeal to the next level.

10.3.2.3 Within the above time limits either party may request a personal conference.

10.3.3 Level III - Appeal to City Manager

10.3.3.1 If the grievant is not satisfied with the decision at Level II, the grievant may within ten (10) days of the receipt of the decision at Level II appeal the decision on the appropriate form to the City Manager. This statement shall include a clear, concise statement of the reasons for the appeal. Evidence offered in support of a disciplinary grievance filed pursuant to Article 10.2.3 of this Agreement shall be submitted in the form of written declarations executed under penalty of perjury.

10.3.3.2 The City Manager or designee shall communicate the decision in writing to the grievant within ten (10) days. If the City Manager or designee does not respond within the time limits provided, the grievant may appeal to the next level.

10.3.4 Level IV - Binding Arbitration

10.3.4.1 If the grievant is not satisfied with the decision at Level III, the grievant may within ten (10) days of the receipt of the decision submit a request in writing to the PSA for arbitration of the dispute. Within twenty (20) days of the grievant's receipt of the decision at Level III, the PSA shall inform the City of its intent as to whether or not the grievance will be arbitrated. The PSA and the City shall attempt to agree upon an arbitrator. If no agreement can be reached, they shall request that the State Mediation and Conciliation Service supply a panel of five names of persons experienced in hearing grievances in cities and who are members of the National Academy of Arbitrators (NAA). Each party shall alternately strike a name until only one remains. The remaining panel member shall be the arbitrator. The order of the striking shall be determined by lot.

10.3.4.2 If either the City or the PSA so requests, a separate arbitrator shall be selected to hear the merits of any issues raised regarding the arbitrability of a grievance. No hearing on the merits of the grievance will be conducted until the issue of arbitrability has been decided. The process to be used in selecting an arbitrator shall be as set forth in 10.3.4.1.

10.3.4.3 The arbitrator shall conduct and complete the hearing on the grievance, within sixty (60) days of the date of PSA's request for arbitration. The parties may mutually agree to extend that timeline. The parties shall file their post-hearing briefs within thirty (30) days of the close of the hearing and the arbitrator shall render a decision on the issue or issues submitted within thirty (30) days of the submission of the briefs. If the parties cannot agree upon a submission agreement, the arbitrator shall

determine the issues by referring to the written grievance and the answers thereto at each step.

10.3.4.4 The City and PSA agree that the jurisdiction and authority of the arbitrator so selected and the opinions the arbitrator expresses will be confined exclusively to the interpretation of the express provision or provisions of this Agreement at issue between the parties. The arbitrator shall have no authority to add to, subtract from, alter, amend, or modify any provisions of this Agreement or the written ordinances, resolutions, rules, regulations and procedures of the City, nor shall he/she impose any limitations or obligations not specifically provided for under the terms of this Agreement. The Arbitrator shall be without power of authority to make any decision that requires the City or management to do an act prohibited by law.

10.3.4.5 The award of the arbitrator shall be final and binding.

10.3.4.6 The fees and expenses of the arbitrator (including the cost of any list of arbitrators requested pursuant to Section 10.3.4.1) shall be shared equally by the City and PSA.

All other expenses shall be borne by the party incurring them, and neither party shall be responsible for the expense of witnesses called by the other. Either party may request a certified court reporter to record the entire arbitration hearing. By mutual agreement, the cost of the services of such court reporter shall be shared equally by the parties. However, each party shall be responsible for the cost of transcripts that they order.

10.3.4.7 By filing a grievance and processing it beyond Level III, the grievant expressly waives any right to statutory remedies or to the exercise of any legal process other than as provided by this grievance/arbitration procedure. The processing of a grievance beyond Level III shall constitute an express election on the part of the grievant that the grievance/arbitration procedure is the chosen forum for resolving the issues contained in the grievance, and that the grievant will not resort to any other forum or procedure for resolution or review of the issues. The parties do not intend by the provisions of this paragraph to preclude the enforcement of any arbitration award in any court of competent jurisdiction.

10.4 Disciplinary Appeals

10.4.1 This procedure shall be the sole and exclusive procedure for processing appeals to disciplinary actions and shall satisfy all administrative appeal

rights afforded by the Public Safety Officers Procedural Bill of Rights Act, Government Code Sections 3300, et seq.

- 10.4.2 A “disciplinary appeal” is a formal written appeal of a Notice of Disciplinary Action (post-Skelly) of any punitive disciplinary action including dismissal, demotion, suspension, reduction in salary, letters of reprimand, or transfer for purposes of punishment. However, letters of reprimand are not subject to the arbitration provisions of this procedure. This procedure also shall not apply to the rejection or termination of at will employees, including those in probationary status. Any reduction in pay for change in assignment which occurs in the course of regular rotation and is not punitive shall not be subject to this procedure.
- 10.4.3 Persons on probationary status (entry-level or promotional) may not appeal under this agreement rejection on probation.
- 10.4.4 Letters of Reprimand may be appealed under this section only to the City Manager level (Section 10.4.6.)
- 10.4.5 Any appeal to any punitive disciplinary action (as defined in Section 10.1.2) shall be presented in writing to the City Manager within ten (10) days after receipt of the Notice of Disciplinary Action. Failure to do so will be deemed a waiver of any appeal. The City Manager or designee shall hold a meeting to hear the appeal within ten (10) days after the presentation of the appeal and shall issue a decision on the appeal within ten (10) days after the presentation of the appeal. For letters of reprimand, the City Manager’s decision shall be final. However the employee may write a response and have that response included in his or her personnel file.
- 10.4.6 For appeals from dismissal, demotion, suspension, reduction in salary, or transfers for purposes of punishment, if the employee is not satisfied with the decision of the City Manager, the employee may, within ten (10) days of the receipt of the decision, submit a request in writing to the PSA for arbitration of the dispute. Within twenty (20) days of the City Manager’s decision, the PSA shall inform the City of its intent as to whether or not the disciplinary matter will be arbitrated. The PSA must be the party taking the matter to arbitration.
- 10.4.7 The parties shall attempt to agree to the selection of an arbitrator and may agree to strike names from a list provided by an outside agency such as the State Mediation and Conciliation Service or JAMS. However, in the event that the City and the PSA cannot agree upon the selection of an arbitrator within twenty one (21) days from the date that the PSA has notified the City of its intent to proceed to Arbitration, either party may

request the Superior Court of the County of San Mateo to appoint an arbitrator who shall be a retired judge of the Superior Court.

10.4.8 The City and PSA agree that the arbitrator shall prepare a written decision containing findings of fact, determinations of issues and a disposition either affirming, modifying or overruling the disciplinary action being appealed. The parties expressly agree that the arbitrator may only order as remedies those personnel actions which the City may lawfully impose.

10.4.9 The fees and expenses of the arbitrator (including the cost of any list of arbitrators) shall be shared equally by the City and PSA. All other expenses shall be borne by the party incurring them, and neither party shall be responsible for the expense of witnesses called by the other. Either party may request a certified court reporter to record the entire arbitration hearing. By mutual agreement, the cost of the services of such court reporter shall be shared equally by the parties. However, each party shall be responsible for the cost of transcripts that they order.

10.4.10 Nothing herein constitutes a waiver of City or employee rights otherwise granted by law.

ARTICLE 11: RECOGNITION

The Menlo Park Police Sergeant's Association (PSA) is the exclusive recognized organization representing employees in the classification of Police Sergeant in their employer-employee relations with the City of Menlo Park, and PSA has been certified by the City of Menlo Park as the duly recognized employee organization of said employees. PSA requires proper and advance notification on all matters that fall into the meet and confer process.

ARTICLE 12: FULL UNDERSTANDING MODIFICATION AND WAIVER

12.1 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.

12.2 No practice or benefit provided by this Memorandum of Understanding shall be modified without the mutual agreement of the City and PSA.

ARTICLE 13: SEPARABILITY

13.1 If a court of competent jurisdiction finally determines that any provisions of this Memorandum is invalid and unenforceable, such provisions shall be separable, and the remaining provisions of the Memorandum shall remain in full force and effect.

ARTICLE 14: LABOR MANAGEMENT COMMITTEE

Effective for the term of this agreement, The City and PSA agree to the establishment of a Labor Management Committee (LMC) to serve as an advisory committee and to facilitate employee education and involvement in issues regarding CalPERS retirement benefits, including but not limited to, potential future costs increases and the impacts of said cost increases to the financial stability of the City.

The City and the PSA shall each select their own representatives and in equal number, with no more than three (3) on each side. Each side is encouraged to propose issues for discussion, and the committee will jointly set priorities. Decision making within this forum will be by consensus. The LMC will set up regular meetings to occur not less than once per quarter and a means for calling additional meetings to handle issues on an ad hoc basis.

The LMC is not authorized to meet and confer or create contractual obligations nor are they to change the MOU to authorize any practice in conflict with existing contracts or rules.

ARTICLE 15: EFFECT OF AGREEMENT

This Memorandum of Understanding sets forth the full and complete understanding between the parties hereto with respect to all subject matters addressed herein.

Dated _____

City of Menlo Park

Menlo Park Police Sergeants Association

Lenk Diaz
Acting Administrative Services Director

Sharon Kaufman
PSA President

Appendix A

Salary Schedule for Classified Police Sergeants
September 4, 2016 through June 30, 2017

Step	Annual	Monthly	Bi-Weekly	Hourly
A	\$111,390.90	\$9,282.57	\$4,284.27	\$53.5533
B	\$116,960.43	\$9,746.70	\$4,498.48	\$56.2310
C	\$122,808.46	\$10,234.04	\$4,723.40	\$59.0425
D	\$128,948.88	\$10,745.74	\$4,959.57	\$61.9947
E	\$135,396.32	\$11,283.03	\$5,207.55	\$65.0944

Appendix B

Administration of Retirement Health Credits for Retirees

Nothing herein shall be deemed a change to the current practice of reimbursing retirees for retiree health premiums. This Appendix is intended to detail the existing practice.

The intent of the retiree health insurance credit program is to reimburse employees for the cost of retiree health premiums up to the amount to which they are entitled. It is not to provide an additional cash benefit to retirees over and above the cost of the premium. Should the current procedures that are administered through PEMHCA health and the Public Employees' Retirement System change, the intent shall remain as stated above.

Current Practice

Upon retirement, eligible employees may choose to convert all or any portion of their general leave balance up to the maximum to retirement health insurance credits at the rate they are eligible to receive as specified in Section 4.1. Retirees may elect single coverage, double coverage or family coverage in accordance with Sections 4.5 and 4.6.

PERS will deduct the premium for the health insurance plan selected by the retiree through PEMHCA health from their monthly pension warrant, less the minimum employer contribution, which is billed separately to the City.

The City will reimburse the retiree for the amount they are eligible to receive. The amount they are eligible to receive does not include the minimum employer contribution because it is not deducted from the retiree's pension warrant. In no event will the amount reimbursed exceed the cost of the premium to the retiree less the minimum employer contribution.

All reimbursements made to the retiree are subject to Federal and State taxes and shall be reported as income as required by law.

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Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Accountant I	\$ 74,645	\$ 78,378	\$ 82,297	\$ 86,412	\$ 90,733
Accountant II	\$ 81,758	\$ 85,623	\$ 89,662	\$ 93,974	\$ 98,453
Accounting Assistant I	\$ 52,934	\$ 55,443	\$ 58,003	\$ 60,713	\$ 63,522
Accounting Assistant II	\$ 58,003	\$ 60,713	\$ 63,522	\$ 66,491	\$ 69,611
Administrative Assistant	\$ 58,177	\$ 60,895	\$ 63,713	\$ 66,691	\$ 69,820
Administrative Services Director	\$ 146,206	Open Range			\$ 182,756
Assistant City Manager	\$ 154,402	Open Range			\$ 203,616
Assistant Community Development Director	\$ 115,283	Open Range			\$ 150,619
Assistant Community Services Director	\$ 117,939	Open Range			\$ 147,424
Assistant Engineer	\$ 90,030	\$ 94,320	\$ 98,830	\$ 103,548	\$ 108,481
Assistant Library Services Director	\$ 117,939	Open Range			\$ 147,424
Assistant Planner	\$ 81,571	\$ 85,407	\$ 89,501	\$ 93,766	\$ 98,245
Assistant Public Works Director	\$ 128,099	Open Range			\$ 160,124
Assistant to the City Manager	\$ 100,848	Open Range			\$ 126,060
Associate Civil Engineer	\$ 101,021	\$ 105,857	\$ 110,903	\$ 116,261	\$ 121,893
Associate Engineer	\$ 95,465	\$ 100,035	\$ 104,804	\$ 109,867	\$ 115,189
Associate Planner	\$ 89,501	\$ 93,766	\$ 98,245	\$ 102,946	\$ 107,873
Associate Transportation Engineer	\$ 105,857	\$ 110,903	\$ 116,261	\$ 121,893	\$ 127,799
Branch Library Manager	\$ 86,019	\$ 90,118	\$ 94,427	\$ 98,936	\$ 103,648
Building Custodian	\$ 52,881	\$ 55,388	\$ 57,945	\$ 60,652	\$ 63,459
Building Inspector	\$ 86,717	\$ 90,887	\$ 95,219	\$ 99,771	\$ 104,535
Business Manager	\$ 89,498	\$ 93,802	\$ 98,273	\$ 102,972	\$ 107,888
Child Care Teacher I	\$ 47,317	\$ 49,463	\$ 51,703	\$ 54,059	\$ 56,616
Child Care Teacher II	\$ 52,881	\$ 55,388	\$ 57,945	\$ 60,652	\$ 63,459
Child Care Teacher's Aide	\$ 35,501	\$ 37,107	\$ 38,786	\$ 40,523	\$ 42,312
City Attorney	n/a	Set by contract			\$ 108,000
City Clerk	\$ 97,715	Open Range			\$ 122,143
City Manager	n/a	Set by contract			\$ 217,500
Code Enforcement Officer	\$ 74,597	\$ 78,123	\$ 81,808	\$ 85,743	\$ 89,829
Communications and Records Manager	\$ 103,648	\$ 108,678	\$ 113,898	\$ 119,390	\$ 125,132
Communications Dispatcher	\$ 75,641	\$ 79,217	\$ 82,954	\$ 86,943	\$ 91,087
Communications Training Dispatcher	\$ 79,217	\$ 82,954	\$ 86,943	\$ 91,087	\$ 95,442
Community Development Director	\$ 146,010	Open Range			\$ 182,511
Community Development Technician	\$ 63,442	\$ 66,379	\$ 69,481	\$ 72,741	\$ 76,159
Community Service Officer	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Community Services Director	\$ 148,007	Open Range			\$ 185,008
Construction Inspector	\$ 81,808	\$ 85,743	\$ 89,829	\$ 94,124	\$ 98,618
Contracts Specialist	\$ 65,504	\$ 68,584	\$ 71,760	\$ 75,166	\$ 78,774
Custodial Services Supervisor	\$ 60,848	\$ 63,664	\$ 66,639	\$ 69,766	\$ 73,044
Deputy City Clerk	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Engineering Services Manager	\$ 128,099	Open Range			\$ 160,124
Engineering Technician I	\$ 68,194	\$ 71,352	\$ 74,739	\$ 78,326	\$ 82,029
Engineering Technician II	\$ 76,449	\$ 80,046	\$ 83,810	\$ 87,828	\$ 92,013
Equipment Mechanic	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Executive Assistant	\$ 66,425	\$ 69,542	\$ 72,809	\$ 76,234	\$ 79,819
Executive Assistant to the City Mgr	\$ 70,764	Open Range			\$ 86,013
Facilities Maintenance Technician I	\$ 56,616	\$ 59,223	\$ 62,030	\$ 64,947	\$ 67,955
Facilities Maintenance Technician II	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Finance and Budget Manager	\$ 115,260	Open Range			\$ 145,860
Gymnastics Instructor	\$ 37,882	\$ 39,596	\$ 41,384	\$ 43,231	\$ 45,219
Housing & Economic Development Manager	\$ 110,963	Open Range			\$ 138,704
Human Resources Manager	\$ 115,260	Open Range			\$ 145,860
Human Resources Technician	\$ 61,465	\$ 64,373	\$ 67,247	\$ 70,528	\$ 73,845
Information Technology Manager	\$ 115,260	Open Range			\$ 145,860
Information Technology Specialist I	\$ 64,528	\$ 67,755	\$ 71,143	\$ 74,701	\$ 78,437
Information Technology Specialist II	\$ 71,697	\$ 75,066	\$ 78,597	\$ 82,293	\$ 86,239
Information Technology Supervisor	\$ 85,680	\$ 95,236	\$ 100,248	\$ 105,525	\$ 111,078
Junior Engineer	\$ 72,627	\$ 76,258	\$ 80,071	\$ 84,075	\$ 88,279
Librarian I	\$ 63,459	\$ 66,425	\$ 69,542	\$ 72,809	\$ 76,234
Librarian II	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808	\$ 85,743
Library Assistant I	\$ 49,463	\$ 51,703	\$ 54,059	\$ 56,616	\$ 59,223
Library Assistant II	\$ 54,059	\$ 56,616	\$ 59,144	\$ 62,030	\$ 64,947

City of Menlo Park
Salary Schedule effective September 4, 2016

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Library Assistant III	\$ 59,144	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,108
Library Clerk	\$ 34,674	\$ 36,242	\$ 37,882	\$ 39,596	\$ 41,384
Library Page	\$ 25,437	\$ 26,586	\$ 27,790	\$ 29,048	\$ 30,363
Library Services Director	\$ 142,396	Open Range			\$ 177,995
Literacy Program Manager	\$ 73,044	\$ 76,480	\$ 80,076	\$ 83,915	\$ 87,914
Maintenance Worker I	\$ 54,059	\$ 56,616	\$ 59,144	\$ 62,030	\$ 64,947
Maintenance Worker II	\$ 59,144	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180
Management Analyst I	\$ 78,311	\$ 82,227	\$ 86,339	\$ 90,656	\$ 95,189
Management Analyst II	\$ 89,498	\$ 93,802	\$ 98,273	\$ 102,972	\$ 107,888
Office Assistant	\$ 48,579	\$ 50,794	\$ 53,093	\$ 55,609	\$ 58,177
Parking Enforcement Officer	\$ 54,059	\$ 56,616	\$ 59,144	\$ 62,030	\$ 64,947
Permit Manager	\$ 101,804	\$ 106,675	\$ 111,781	\$ 117,109	\$ 122,767
Permit Technician	\$ 63,442	\$ 66,378	\$ 69,481	\$ 72,741	\$ 76,158
Plan Check Engineer	\$ 101,983	\$ 106,865	\$ 111,959	\$ 117,368	\$ 123,053
Planning Technician	\$ 72,741	\$ 76,158	\$ 79,741	\$ 83,491	\$ 87,494
Police Chief	\$ 157,760	Open Range			\$ 197,199
Police Commander	\$ 141,984	Open Range			\$ 177,480
Police Corporal	\$ 99,412	\$ 104,383	\$ 109,602	\$ 115,082	\$ 120,836
Police Officer	\$ 92,369	\$ 96,987	\$ 101,836	\$ 106,928	\$ 112,275
Police Records Specialist	\$ 59,144	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180
Police Recruit	n/a	Hourly Rate			\$ 35,9707
Police Sergeant	\$ 108,147	\$ 113,554	\$ 119,232	\$ 125,193	\$ 131,453
	\$ 111,391	\$ 116,960	\$ 122,808	\$ 128,949	\$ 135,396
Principal Planner	\$ 108,070	\$ 114,836	\$ 120,332	\$ 126,068	\$ 130,322
Program Aide/Driver	\$ 33,964	\$ 35,501	\$ 37,107	\$ 38,786	\$ 40,523
Program Assistant	\$ 48,386	\$ 50,592	\$ 52,881	\$ 55,388	\$ 57,945
Property and Court Specialist	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Public Works Director	\$ 149,976	Open Range			\$ 187,468
Public Works Superintendent	\$ 92,908	Open Range			\$ 116,134
Public Works Supervisor - City Arborist	\$ 90,006	\$ 94,321	\$ 98,815	\$ 103,536	\$ 108,490
Public Works Supervisor - Facilities	\$ 90,646	\$ 94,992	\$ 99,518	\$ 104,273	\$ 109,262
Public Works Supervisor - Fleet	\$ 92,088	\$ 96,503	\$ 101,101	\$ 105,931	\$ 110,999
Public Works Supervisor - Park	\$ 85,682	\$ 89,789	\$ 94,068	\$ 98,562	\$ 103,278
Public Works Supervisor - Streets	\$ 85,682	\$ 89,789	\$ 94,068	\$ 98,562	\$ 103,278
Recreation Aide	\$ 32,494	\$ 33,964	\$ 35,501	\$ 37,107	\$ 38,786
Recreation Coordinator	\$ 63,664	\$ 66,639	\$ 69,766	\$ 73,044	\$ 76,480
Recreation Leader	\$ 25,437	\$ 26,586	\$ 27,790	\$ 29,048	\$ 30,363
Recreation Supervisor	\$ 78,375	\$ 82,072	\$ 86,019	\$ 90,118	\$ 94,427
Red Light Photo Enforcement Specialist	\$ 69,542	\$ 72,809	\$ 76,234	\$ 79,819	\$ 83,646
Revenue and Claims Manager	\$ 89,498	\$ 93,802	\$ 98,273	\$ 102,972	\$ 107,888
Senior Building Inspector	\$ 97,327	\$ 101,983	\$ 106,865	\$ 111,959	\$ 117,368
Senior Civil Engineer	\$ 111,260	\$ 116,635	\$ 122,286	\$ 128,211	\$ 134,458
Senior Communications Dispatcher	\$ 82,954	\$ 86,943	\$ 91,087	\$ 95,442	\$ 99,998
Senior Engineering Technician	\$ 82,029	\$ 85,899	\$ 90,030	\$ 94,320	\$ 98,830
Senior Equipment Mechanic	\$ 74,759	\$ 78,406	\$ 82,094	\$ 85,896	\$ 89,972
Senior Facilities Maintenance Technician	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Senior Librarian	\$ 82,072	\$ 86,019	\$ 90,118	\$ 94,427	\$ 98,936
Senior Library Page	\$ 34,674	\$ 36,242	\$ 37,882	\$ 39,596	\$ 41,384
Senior Maintenance Worker	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Senior Management Analyst	\$ 100,685	Open Range			\$ 121,374
Senior Office Assistant	\$ 53,093	\$ 55,609	\$ 58,177	\$ 60,895	\$ 63,713
Senior Planner	\$ 98,245	\$ 102,946	\$ 107,873	\$ 113,015	\$ 118,475
Senior Police Records Specialist	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Senior Program Assistant	\$ 58,762	\$ 61,508	\$ 64,395	\$ 67,420	\$ 70,592
Senior Recreation Leader	\$ 30,363	\$ 31,736	\$ 33,173	\$ 34,674	\$ 36,242
Senior Sustainability Specialist	\$ 73,692	\$ 77,217	\$ 80,913	\$ 84,770	\$ 88,865
Senior Transportation Engineer	\$ 111,260	\$ 116,635	\$ 122,286	\$ 128,211	\$ 134,458
Senior Water System Operator	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Sustainability Manager	\$ 92,114	\$ 96,521	\$ 101,141	\$ 105,962	\$ 111,081
Sustainability Specialist	\$ 63,459	\$ 66,425	\$ 69,542	\$ 72,809	\$ 76,234
Transportation Demand Management Coordinator	\$ 83,646	\$ 87,631	\$ 91,818	\$ 96,211	\$ 100,816
Transportation Manager	\$ 128,099	Open Range			\$ 160,124

City of Menlo Park
Salary Schedule effective September 4, 2016

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Water Quality Specialist	\$ 72,809	\$ 76,234	\$ 79,819	\$ 83,646	\$ 87,631
Water System Operator II	\$ 63,381	\$ 66,315	\$ 69,414	\$ 72,671	\$ 76,085
Water System Supervisor	\$ 86,768	\$ 90,903	\$ 95,246	\$ 99,803	\$ 104,580

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RESOLUTION NO.

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

WHEREAS, pursuant to the Personnel System Rules, the City Manager prepared a Compensation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the following compensation provisions shall be established in accordance with the City's Personnel System rules.

BE IT FURTHER RESOLVED that any previous enacted compensation provisions contained in Resolution No. 6331 and subsequent amendments shall be superseded by this Resolution.

BE IT FURTHER RESOLVED that the changes contained herein shall be effective September 4, 2016.

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 thirtieth day of August 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Pamela Aguilar
City Clerk

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Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Accountant I	\$ 74,645	\$ 78,378	\$ 82,297	\$ 86,412	\$ 90,733
Accountant II	\$ 81,758	\$ 85,623	\$ 89,662	\$ 93,974	\$ 98,453
Accounting Assistant I	\$ 52,934	\$ 55,443	\$ 58,003	\$ 60,713	\$ 63,522
Accounting Assistant II	\$ 58,003	\$ 60,713	\$ 63,522	\$ 66,491	\$ 69,611
Administrative Assistant	\$ 58,177	\$ 60,895	\$ 63,713	\$ 66,691	\$ 69,820
Administrative Services Director	\$ 146,206	Open Range			\$ 182,756
Assistant City Manager	\$ 154,402	Open Range			\$ 203,616
Assistant Community Development Director	\$ 115,283	Open Range			\$ 150,619
Assistant Community Services Director	\$ 117,939	Open Range			\$ 147,424
Assistant Engineer	\$ 90,030	\$ 94,320	\$ 98,830	\$ 103,548	\$ 108,481
Assistant Library Services Director	\$ 117,939	Open Range			\$ 147,424
Assistant Planner	\$ 81,571	\$ 85,407	\$ 89,501	\$ 93,766	\$ 98,245
Assistant Public Works Director	\$ 128,099	Open Range			\$ 160,124
Assistant to the City Manager	\$ 100,848	Open Range			\$ 126,060
Associate Civil Engineer	\$ 101,021	\$ 105,857	\$ 110,903	\$ 116,261	\$ 121,893
Associate Engineer	\$ 95,465	\$ 100,035	\$ 104,804	\$ 109,867	\$ 115,189
Associate Planner	\$ 89,501	\$ 93,766	\$ 98,245	\$ 102,946	\$ 107,873
Associate Transportation Engineer	\$ 105,857	\$ 110,903	\$ 116,261	\$ 121,893	\$ 127,799
Branch Library Manager	\$ 86,019	\$ 90,118	\$ 94,427	\$ 98,936	\$ 103,648
Building Custodian	\$ 52,881	\$ 55,388	\$ 57,945	\$ 60,652	\$ 63,459
Building Inspector	\$ 86,717	\$ 90,887	\$ 95,219	\$ 99,771	\$ 104,535
Business Manager	\$ 89,498	\$ 93,802	\$ 98,273	\$ 102,972	\$ 107,888
Child Care Teacher I	\$ 47,317	\$ 49,463	\$ 51,703	\$ 54,059	\$ 56,616
Child Care Teacher II	\$ 52,881	\$ 55,388	\$ 57,945	\$ 60,652	\$ 63,459
Child Care Teacher's Aide	\$ 35,501	\$ 37,107	\$ 38,786	\$ 40,523	\$ 42,312
City Attorney	n/a	Set by contract			\$ 108,000
City Clerk	\$ 97,715	Open Range			\$ 122,143
City Manager	n/a	Set by contract			\$ 217,500
Code Enforcement Officer	\$ 74,597	\$ 78,123	\$ 81,808	\$ 85,743	\$ 89,829
Communications and Records Manager	\$ 103,648	\$ 108,678	\$ 113,898	\$ 119,390	\$ 125,132
Communications Dispatcher	\$ 75,641	\$ 79,217	\$ 82,954	\$ 86,943	\$ 91,087
Communications Training Dispatcher	\$ 79,217	\$ 82,954	\$ 86,943	\$ 91,087	\$ 95,442
Community Development Director	\$ 146,010	Open Range			\$ 182,511
Community Development Technician	\$ 63,442	\$ 66,379	\$ 69,481	\$ 72,741	\$ 76,159
Community Service Officer	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Community Services Director	\$ 148,007	Open Range			\$ 185,008
Construction Inspector	\$ 81,808	\$ 85,743	\$ 89,829	\$ 94,124	\$ 98,618
Contracts Specialist	\$ 65,504	\$ 68,584	\$ 71,760	\$ 75,166	\$ 78,774
Custodial Services Supervisor	\$ 60,848	\$ 63,664	\$ 66,639	\$ 69,766	\$ 73,044
Deputy City Clerk	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Engineering Services Manager	\$ 128,099	Open Range			\$ 160,124
Engineering Technician I	\$ 68,194	\$ 71,352	\$ 74,739	\$ 78,326	\$ 82,029
Engineering Technician II	\$ 76,449	\$ 80,046	\$ 83,810	\$ 87,828	\$ 92,013
Equipment Mechanic	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Executive Assistant	\$ 66,425	\$ 69,542	\$ 72,809	\$ 76,234	\$ 79,819
Executive Assistant to the City Mgr	\$ 70,764	Open Range			\$ 86,013
Facilities Maintenance Technician I	\$ 56,616	\$ 59,223	\$ 62,030	\$ 64,947	\$ 67,955
Facilities Maintenance Technician II	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Finance and Budget Manager	\$ 115,260	Open Range			\$ 145,860
Gymnastics Instructor	\$ 37,882	\$ 39,596	\$ 41,384	\$ 43,231	\$ 45,219
Housing & Economic Development Manager	\$ 110,963	Open Range			\$ 138,704
Human Resources Manager	\$ 115,260	Open Range			\$ 145,860
Human Resources Technician	\$ 61,465	\$ 64,373	\$ 67,247	\$ 70,528	\$ 73,845
Information Technology Manager	\$ 115,260	Open Range			\$ 145,860
Information Technology Specialist I	\$ 64,528	\$ 67,755	\$ 71,143	\$ 74,701	\$ 78,437
Information Technology Specialist II	\$ 71,697	\$ 75,066	\$ 78,597	\$ 82,293	\$ 86,239
Information Technology Supervisor	\$ 85,680	\$ 95,236	\$ 100,248	\$ 105,525	\$ 111,078
Junior Engineer	\$ 72,627	\$ 76,258	\$ 80,071	\$ 84,075	\$ 88,279
Librarian I	\$ 63,459	\$ 66,425	\$ 69,542	\$ 72,809	\$ 76,234
Librarian II	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808	\$ 85,743
Library Assistant I	\$ 49,463	\$ 51,703	\$ 54,059	\$ 56,616	\$ 59,223
Library Assistant II	\$ 54,059	\$ 56,616	\$ 59,144	\$ 62,030	\$ 64,947

City of Menlo Park
Salary Schedule effective September 4, 2016

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Library Assistant III	\$ 59,144	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,108
Library Clerk	\$ 34,674	\$ 36,242	\$ 37,882	\$ 39,596	\$ 41,384
Library Page	\$ 25,437	\$ 26,586	\$ 27,790	\$ 29,048	\$ 30,363
Library Services Director	\$ 142,396	Open Range			\$ 177,995
Literacy Program Manager	\$ 73,044	\$ 76,480	\$ 80,076	\$ 83,915	\$ 87,914
Maintenance Worker I	\$ 54,059	\$ 56,616	\$ 59,144	\$ 62,030	\$ 64,947
Maintenance Worker II	\$ 59,144	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180
Management Analyst I	\$ 78,311	\$ 82,227	\$ 86,339	\$ 90,656	\$ 95,189
Management Analyst II	\$ 89,498	\$ 93,802	\$ 98,273	\$ 102,972	\$ 107,888
Office Assistant	\$ 48,579	\$ 50,794	\$ 53,093	\$ 55,609	\$ 58,177
Parking Enforcement Officer	\$ 54,059	\$ 56,616	\$ 59,144	\$ 62,030	\$ 64,947
Permit Manager	\$ 101,804	\$ 106,675	\$ 111,781	\$ 117,109	\$ 122,767
Permit Technician	\$ 63,442	\$ 66,378	\$ 69,481	\$ 72,741	\$ 76,158
Plan Check Engineer	\$ 101,983	\$ 106,865	\$ 111,959	\$ 117,368	\$ 123,053
Planning Technician	\$ 72,741	\$ 76,158	\$ 79,741	\$ 83,491	\$ 87,494
Police Chief	\$ 157,760	Open Range			\$ 197,199
Police Commander	\$ 141,984	Open Range			\$ 177,480
Police Corporal	\$ 99,412	\$ 104,383	\$ 109,602	\$ 115,082	\$ 120,836
Police Officer	\$ 92,369	\$ 96,987	\$ 101,836	\$ 106,928	\$ 112,275
Police Records Specialist	\$ 59,144	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180
Police Recruit	n/a	Hourly Rate			\$ 35,9707
Police Sergeant	\$ 108,147	\$ 113,554	\$ 119,232	\$ 125,193	\$ 131,453
	\$ 111,391	\$ 116,960	\$ 122,808	\$ 128,949	\$ 135,396
Principal Planner	\$ 108,070	\$ 114,836	\$ 120,332	\$ 126,068	\$ 130,322
Program Aide/Driver	\$ 33,964	\$ 35,501	\$ 37,107	\$ 38,786	\$ 40,523
Program Assistant	\$ 48,386	\$ 50,592	\$ 52,881	\$ 55,388	\$ 57,945
Property and Court Specialist	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Public Works Director	\$ 149,976	Open Range			\$ 187,468
Public Works Superintendent	\$ 92,908	Open Range			\$ 116,134
Public Works Supervisor - City Arborist	\$ 90,006	\$ 94,321	\$ 98,815	\$ 103,536	\$ 108,490
Public Works Supervisor - Facilities	\$ 90,646	\$ 94,992	\$ 99,518	\$ 104,273	\$ 109,262
Public Works Supervisor - Fleet	\$ 92,088	\$ 96,503	\$ 101,101	\$ 105,931	\$ 110,999
Public Works Supervisor - Park	\$ 85,682	\$ 89,789	\$ 94,068	\$ 98,562	\$ 103,278
Public Works Supervisor - Streets	\$ 85,682	\$ 89,789	\$ 94,068	\$ 98,562	\$ 103,278
Recreation Aide	\$ 32,494	\$ 33,964	\$ 35,501	\$ 37,107	\$ 38,786
Recreation Coordinator	\$ 63,664	\$ 66,639	\$ 69,766	\$ 73,044	\$ 76,480
Recreation Leader	\$ 25,437	\$ 26,586	\$ 27,790	\$ 29,048	\$ 30,363
Recreation Supervisor	\$ 78,375	\$ 82,072	\$ 86,019	\$ 90,118	\$ 94,427
Red Light Photo Enforcement Specialist	\$ 69,542	\$ 72,809	\$ 76,234	\$ 79,819	\$ 83,646
Revenue and Claims Manager	\$ 89,498	\$ 93,802	\$ 98,273	\$ 102,972	\$ 107,888
Senior Building Inspector	\$ 97,327	\$ 101,983	\$ 106,865	\$ 111,959	\$ 117,368
Senior Civil Engineer	\$ 111,260	\$ 116,635	\$ 122,286	\$ 128,211	\$ 134,458
Senior Communications Dispatcher	\$ 82,954	\$ 86,943	\$ 91,087	\$ 95,442	\$ 99,998
Senior Engineering Technician	\$ 82,029	\$ 85,899	\$ 90,030	\$ 94,320	\$ 98,830
Senior Equipment Mechanic	\$ 74,759	\$ 78,406	\$ 82,094	\$ 85,896	\$ 89,972
Senior Facilities Maintenance Technician	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Senior Librarian	\$ 82,072	\$ 86,019	\$ 90,118	\$ 94,427	\$ 98,936
Senior Library Page	\$ 34,674	\$ 36,242	\$ 37,882	\$ 39,596	\$ 41,384
Senior Maintenance Worker	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Senior Management Analyst	\$ 100,685	Open Range			\$ 121,374
Senior Office Assistant	\$ 53,093	\$ 55,609	\$ 58,177	\$ 60,895	\$ 63,713
Senior Planner	\$ 98,245	\$ 102,946	\$ 107,873	\$ 113,015	\$ 118,475
Senior Police Records Specialist	\$ 62,030	\$ 64,947	\$ 67,955	\$ 71,180	\$ 74,597
Senior Program Assistant	\$ 58,762	\$ 61,508	\$ 64,395	\$ 67,420	\$ 70,592
Senior Recreation Leader	\$ 30,363	\$ 31,736	\$ 33,173	\$ 34,674	\$ 36,242
Senior Sustainability Specialist	\$ 73,692	\$ 77,217	\$ 80,913	\$ 84,770	\$ 88,865
Senior Transportation Engineer	\$ 111,260	\$ 116,635	\$ 122,286	\$ 128,211	\$ 134,458
Senior Water System Operator	\$ 67,947	\$ 71,180	\$ 74,597	\$ 78,123	\$ 81,808
Sustainability Manager	\$ 92,114	\$ 96,521	\$ 101,141	\$ 105,962	\$ 111,081
Sustainability Specialist	\$ 63,459	\$ 66,425	\$ 69,542	\$ 72,809	\$ 76,234
Transportation Demand Management Coordinator	\$ 83,646	\$ 87,631	\$ 91,818	\$ 96,211	\$ 100,816
Transportation Manager	\$ 128,099	Open Range			\$ 160,124

City of Menlo Park
Salary Schedule effective September 4, 2016

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Water Quality Specialist	\$ 72,809	\$ 76,234	\$ 79,819	\$ 83,646	\$ 87,631
Water System Operator II	\$ 63,381	\$ 66,315	\$ 69,414	\$ 72,671	\$ 76,085
Water System Supervisor	\$ 86,768	\$ 90,903	\$ 95,246	\$ 99,803	\$ 104,580

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STAFF REPORT

City Council

Meeting Date:

8/30/2016

Staff Report Number:

16-157-CC

Regular Business:

Update and potential discussion on Oak Court Vehicular Gate Access Restriction Agreement

Recommendation

Staff recommends that the City Council consider the update and if necessary discuss the Oak Court Vehicular Access Restriction Agreement for the Laurel School Upper campus.

Policy Issues

The agreement will be in accordance with City Council discussion and direction at the January 28, 2014 City Council meeting.

Background

In 2013-14, the Menlo Park City School District (the District) initiated the development of a new school to accommodate student enrollment growth. Currently, Laurel School located at 95 Edge Road serves students in grades K-4, and older students attend either Encinal or Oak Knoll Schools. However, starting in the 2016-17 school year, the District will convert the existing Laurel School to a Lower Campus to serve students in grades K-2 and create a new Upper School campus at the existing O'Connor site located at 275 Elliott Drive to serve students in grades 3-5. The Upper School is currently under construction.

On January 28, 2014, the District presented to the City Council a series of school related topics, one of which was the Oak Court vehicular gate (the Gate) and potential changes to its existing access restrictions of emergency vehicles only. The District indicated a potential new Project Description that could include new proposed access restrictions on the Gate. In response, the City Attorney indicated that any restrictions, after going through the proper environment clearance process, could be imposed as a condition of approval on an encroachment permit to reiterate restrictions on the gate's use as defined in the environmental document.

On September 9, 2014, in accordance to the California Environment Quality Act and its Guidelines, the District adopted the Initial Study/Negative Declaration (IS/ND) that included a Project Description that described the proposed operation and access of the Gate. The following are excerpts from the "Operation" and "Circulation and Parking" subheadings of the IS/ND Project Description:

Operation

Intended to be a neighborhood school, the majority of students are easily within walking and bicycling distance. The District does not plan to provide bus service to the new school. However, a shuttle bus service may potentially be established to reduce car trips for parents who have children at both the K-2 Laurel School and the grades 3-5 O'Connor School.

As part of its operations, the District would also be required to provide bus service for students from the

Ravenswood School District attendance area who attend MPCS District schools under a court-ordered desegregation program (Tinsley). Under this program, either the Sequoia Union High School District or the District would provide bus service, resulting in one bus in the morning and one in the afternoon at the new school.

In addition, regular “yellow” buses would also be used for occasional field trips, which would average four to six trips per month. On rare occasion, charter buses may also be used for field trips.

Circulation and Parking

Elliot Drive would provide the main ingress and egress for vehicles coming to and from the school. The existing entry and parking lot would be reconfigured to enhance internal circulation and parking.

The limited bus traffic to the school would enter from Oak Court through an automated sliding gate and use the outbound portion of the main parking lot loop road to exit the site at Elliot Drive. Emergency and service vehicles could also use the main entrance from Elliot Drive or Oak Court. The emergency gate off Falk Court would also be available for a third emergency access point.

At a District-led community meeting held on August 17, 2016, the District proposed the following bus services for the Upper School in accordance with the Project Description identified in the adopted IS/ND:

- A Tinsley bus to provide service for students from the Ravenswood School District attendance area
- A regular bus to provide service for parents who have children at both the Lower School (grades K-2) and the Upper School (grades 3-5)
- Regular bus services for occasional school field trips, an average of four to six trips per month

Analysis

The City and the District have exchanged versions of the agreement, but it has not yet been fully executed (i.e., signed by both parties). There are aspects of the draft agreement that need additional clarification and refinement in order for it to be signed by both parties, and staff will continue to work on reaching a mutually agreeable solution prior to the August 30th Council meeting. The agreement will be associated with the Encroachment Permit for the Oak Court Driveway.

Upon full execution of the agreement, the District will reiterate its commitment to the planned use of the driveway for pedestrians, bicyclist, school buses, emergency and service vehicles only. No students/parents, school employees (except for service vehicles), shall be allowed vehicular access to the Gate. The City will reserve the right to rescind the encroachment permit allowing access to Oak Court if the District is in violation of the Project Description and fails to take appropriate steps to comply with the agreement.

Impact on City Resources

The agreement can be executed with existing City resources.

Environmental Review

No environmental review 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.

Report prepared by:
Kevin Chen, Assistant Engineer

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

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STAFF REPORT

City Council Meeting Date: 8/30/2016
Staff Report Number: 16-141-CC

Informational Item: Biannual review of data captured by Automated License Plate Readers (ALPR) for the period beginning February 1, 2016 through July 31, 2016

Recommendation

This is an informational item and no action is required.

Policy Issues

This report is presented pursuant to Menlo Park Ordinance 1007.

Background

On September 24, 2013, the City Council approved the purchase and installation of mobile Automated License Plate Readers (ALPRs) mounted on three police vehicles.

At the May 13, 2014 City Council meeting, the Council approved Ordinance 1007 regarding the use of automated license plate readers.

It states, "Northern California Regional Information Center (NCRIC) will give a quarterly report to the Police Department which shall indicate the number of license plates captured by the ALPR in the City of Menlo Park, how many of those license plates were "hits" (on an active wanted list), the number of inquiries made by Menlo Park personnel along with the justifications for those inquiries, and information on any data retained beyond six months and the reasons for such retention."

On February 9, 2016, Council approved moving the ALPR reviews from quarterly to biannually.

Analysis

From February 1, 2016 through July 31, 2016, the Menlo Park Police ALPR system captured 261,370 license plates. The data captured resulted in 151 "hits" that a captured license plate was currently on an active wanted list. The vast majority of the hits were subsequently deemed to be a "false read" after further review by the ALPR operator. A "false read" is when a photograph of the license plate and the computer's interpretation of the number / letter combination from the photo do not match. For example, a photograph of a license plate with the number "8" could be digitally interpreted as a "B".

During this period, the ALPR system was responsible for the recovery of three stolen vehicles and the arrest of two suspected auto thieves. Also during this period, Menlo Park Police personnel made 102 inquiries into the database during the investigation of crimes occurring in Menlo Park or where a Menlo Park resident was

Staff Report #: 16-141-CC

known to have an active warrant for their arrest or was wanted as a named suspect in connection to criminal activity.

There were no captured license plate data retained beyond the six month limitation set forth in the municipal code.

Public Notice

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

Report prepared by:
Dave Bertini
Police Commander



STAFF REPORT

City Council
Meeting Date: 8/30/2016
Staff Report Number: 16-139-CC

Informational Item: Biannual review of Taser program for the period beginning January 1, 2016 and ending July 31, 2016

Recommendation

This is an informational item and no action is required.

Policy Issues

This informational report is being presented to comply with City Council direction requesting a biannual assessment of the Police Department's Taser program.

Background

On October 7, 2014, staff presented the one-year results of the Police Department Taser assessment. Following that review, Council approved the purchase and deployment of the Taser device department-wide and to continue a quarterly assessment of the Taser program. On February 9, 2016, Council approved moving the Taser reviews from quarterly to biannually.

Analysis

The Police Department has trained and issued the Taser device to 100% of the Department's officers, detectives and sergeants.

Between January 1, 2016 and July 31, 2016, the Department has had one active Taser use. In this case, a suspect on a bicycle refused to stop when ordered to by officers. The suspect fled on his bicycle prompting a foot and vehicle pursuit. The suspect was eventually cornered on a busy thoroughfare and refused lawful orders by officers to comply. The Taser device was deployed and the suspect was immediately incapacitated and taken into custody. The suspect and officers were uninjured. The suspect was booked on several felony and misdemeanor counts.

During the same time period a Taser was utilized on two occasions in a "display only" manner. In both of these situations, officers displayed their Taser device in an effort to control suspects who were disobeying lawful orders and actively resisting or threatening officers. In both cases, the suspects immediately complied when confronted by the Taser device. In one case, the suspect was deemed to be a danger to himself due to a mental illness and committed for psychiatric evaluation and in the other case, the suspect was arrested for several felony and misdemeanor counts.

Public Notice

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

Report prepared by:
Dave Bertini
Police Commander