



SPECIAL AND REGULAR MEETING AGENDA

Date: 9/12/2017
Time: 6:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

Councilmember Ray Mueller will be participating by phone from the following location:

Kimpton Mason & Rook Hotel, 1430 Rhode Island Ave., NW, Washington, DC 20005

6:00 p.m. Closed Session

Public comment on these items will be taken before adjourning to Closed Session.

- CL1.** Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding current labor negotiations with the Menlo Park Police Officers' Association (POA) and unrepresented management

Attendees: City Manager Alex McIntyre, City Attorney Bill McClure, Administrative Services Director Nick Pegueros, Human Resources Manager Lenka Diaz, Labor Counsel Charles Sakai

- CL2.** Closed session to meet with real property negotiators regarding terms and conditions of Lease for Burgess Pool facilities and Belle Have Pool facilities, with Team Sheeper, Inc./Tim Sheeper.

Attendees: City Manager Alex McIntyre, City Attorney Bill McClure, Director of Community Services Cherise Brandell, Director of Public Works Justin Murphy, Administrative Services Director Nick Pegueros, Assistant Director of Community Services Derek Schweigart

- CL3.** Closed session conference with legal counsel on anticipated litigation pursuant to Government Code §54956.9(d)(2) – one case

Attendees: City Manager Alex McIntyre, City Attorney Bill McClure

7:00 p.m. Regular Session

- A. Call To Order**
- B. Roll Call**
- C. Pledge of Allegiance**
- D. Report from Closed Session**

Report on action taken in Closed Session, if required, pursuant to Government Code §54957.1

- E. Presentations and Proclamations**

- E1.** Proclamation designating September 12, 2017, as San Mateo County Alert Day

F. Public Comment

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

G. Consent Calendar

- G1. Adopt a resolution authorizing the annual destruction of obsolete records (Staff Report# 17-210-CC)

- G2. Adopt a resolution approving the Final Map for Marquis Condominium project located at 133 Encinal Avenue; accepting dedication of Public Access Easements, Emergency Vehicle Access Easements and Public Service Easements; authorizing the City Clerk to sign the Final Map; and authorizing the City Manager to sign the Agreements required to implement the conditions of project approval (Staff Report# 17-205-CC)

- G3. Authorize the Public Works Director to accept the work performed by JJR Construction Inc. for the Santa Cruz Avenue Sidewalk Project (Staff Report# 17-215-CC)

- G4. Award contracts totaling \$259,904 to Towne Ford Sales for five (5) vehicles and Sonsray Machine, LLC., San Leandro for one tractor/loader (Staff Report# 17-195-CC)

- G5. Approve the response to the San Mateo County Civil Grand Jury Report “A Delicate Balance: Privacy vs. Protection” (Staff Report# 17-203-CC)

- G6. Approve the response to the San Mateo County Civil Grand Jury Report “English is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access to Outreach Programs?” (Staff Report# 17-207-CC)

- G7. Approve an Urban County Cooperation Agreement with the County of San Mateo to award federal funding and resolution authorizing the City Manager to execute the cooperation agreement (Staff Report# 17-214-CC)

H. Regular Business

- H1. Review and provide direction on new State of California recreational cannabis regulations and adopt 45-day interim urgency ordinance (Staff Report# 17-208-CC)

- H2. Review and discuss the proposed 2018-2020 solid waste rate changes, authorize initiation of a Proposition 218 notification process, and consider approving Community Zero Waste Plan (Staff Report# 17-206-CC)

- H3. Waive the full reading and adopt an ordinance authorizing an amendment to the CalPERS retirement contract (Staff Report #17-213-CC)

I. Informational Items

- I1. Update on bus shelter installation in Belle Haven (Staff Report# 17-211-CC)

I2. Update on the Willow Road and U.S. 101 interchange construction (Staff Report# 17-209-CC)

I3. Update on the Dumbarton Transportation Corridor Study (Staff Report# 17-212-CC)

J. City Manager's Report

Report on the Library subcommittee meeting

K. Councilmember Reports

L. Adjournment

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at www.menlopark.org and can receive e-mail notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 9/7/2017)

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

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

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the City Clerk's Office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours.

Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

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

Meeting Date: 9/12/2017
Staff Report Number: 17-210-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: Community Services, Administrative Services, Police and Public Works, as specified in Exhibits A-C 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 as amended 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 is no significant impact on City resources as part of this action.

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 through C

Report prepared by:

Clay J. Curtin, Assistant to the City Manager/Interim City Clerk

DRAFT – September 12, 2017

RESOLUTION NO. XXXX

**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 November 27, 2001, by City Council Resolution No. 5351 and amended November 15, 2011, by City Council Resolution No. 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 and C 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, Clay Curtin, Interim City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twelfth day of September, 2017, 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 twelfth day of September, 2017.

Clay J. Curtin
Interim City Clerk

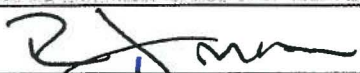
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OBSOLETE RECORDS DESTRUCTION REQUEST


City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620



Date: 08/02/2017		Page: 1 of 2	
Department: Police 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 established by City Council resolution and in accordance with Government Code § 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
07-002 Internal Investigation	Folder	02/17/2007	5 years
10-002	Folder	07/28/2010	5 years
10-003	Folder	08/10/2010	5 years
10-004	Folder	09/06/2010	5 years
10-005	Folder	07/28/2010	5 years
10-006	Folder	11/15/2010	5 years
11-001	Folder	02/18/2011	5 years
11-002	Folder	08/31/2010	5 years
13-339	Folder	02/02/2013	2 years
13-358	Folder	02/04/2013	2 years
13-846	Folder	03/20/2013	2 years
13-1160	Folder	04/18/2013	2 years
13-1217	Folder	04/23/2013	2 years
13-1403	Folder	05/11/2013	2 years
13-1777	Folder	06/04/2013	2 years



 Department Head


 City Manager


 City Attorney

 City Clerk for City Council

 Date 8/03/2017

 Date 9/6/17

 Date 9/6/17

 Date

 Date

OFFICE USE ONLY:
 Date approved by City Council: _____ Resolution No.: _____ Date destroyed: _____

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620



Date: 08/02/2017 Page: 2 of: 2

Department: Police 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 established by City Council resolution and in accordance with Government Code § 34090 and 34090.6.

Record Title	Container	Dates	Retention Period
13-2009 <i>Internal Investigations</i>	Folder	07/05/2013	2 years
13-2598	Folder	08/28/2013	2 years
13-2854	Folder	09/20/2013	2 years
13-3445	Folder	11/10/2013	2 years
13-3599	Folder	11/22/2013	2 years
14-219	Folder	01/23/2014	2 years
14-1747	Folder	06/04/2014	2 years
14-2226	Folder	07/17/2014	2 years

[Signature]
 Department Head

8/03/2017
 Date

City Manager
[Signature]

Date

City Attorney

9/6/17
 Date

City Clerk for City Council

Date


OFFICE USE ONLY:
 Date approved by City Council: _____ Resolution No.: _____ Date destroyed: _____




OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620


Date: August 9, 2017		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 established by City Council resolution and in accordance with Government Code § 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
Engineering – Encroachment Permits (temporary; construction street openings, sidewalk ramps, Debris Boxes, Temporarily closures, etc.)	1	September 2013 – July 2016	3 Years



 Department Head



 City Manager



 City Attorney

 City Clerk for City Council

8/10/2017

 Date

9/6/17

 Date

9/6/17

 Date

 Date

OFFICE USE ONLY:

Date approved by City Council: _____ Resolution No.: _____ Date destroyed: _____

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620



Date: July 27, 2017 Page: 1 of 3

Department: Community Services Department, Gymnastics

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

Record Title	Container	Dates	Retention Period
2002 Registration Forms	Box 1	01/01/2002-12/31/2002	5 years
2009 Registration Forms	Box 1	01//01/2009-12/31/2009	5 years
2010 Registration Forms	Box 1	01//01/2010-12/31/2010	5 years
2011 Registration Forms	Box 1	01//01/2011-12/31/2011	5 years
2012 Registration Forms	Box 1	01//01/2012-12/31/2012	5 years
2011 Party Waivers	Box 1	01//01/2011-12/31/2011	5 years
2011 class rosters	Box 1	01//01/2011-12/31/2011	5 years
2005 incident reports	Box 1	01//01/2005-12/31/2005	5 years
2011 incident reports	Box 1	01//01/2011-12/31/2011	5 years
2001 Purchase orders	Box 1	01/01/2001-12/31/2001	5 years
2001 check requisitions	Box 1	01/01/2001-12/31/2001	5 years
2001 vendor information	Box 1	01/01/2001-12/31/2001	5 years
2001 invoices	Box 1	01/01/2001-12/31/2001	5 years
2008 monthly reconciliation	Box 1	01/31/2008-12/31/2008	5 years
2009 monthly reconciliation	Box 1	01/31/2009-12/31/2009	5 years

Chris Brander
 Department Head

9/6/17
 Date

[Signature]
 City Manager

9/6/17
 Date

[Signature]
 City Attorney

9/6/17
 Date

City Clerk for City Council

Date

OFFICE USE ONLY:
 Date approved by City Council: _____ Resolution No.: _____ Date destroyed: _____

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620



Date: July 27, 2017 Page: 2 of 3

Department: Community Services Department, Gymnastics
 Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by City Council resolution and in accordance with Government Code § 34090 and 34090.6.

Record Title	Container	Dates	Retention Period
2010 monthly reconciliation	Box 1	01/31/2010-12/31/2010	5 years
2011 monthly reconciliation	Box 1	01/31/2011-12/31/2011	5 years
2012 Registration Forms	Box 2	01//01/2012-12/31/2012	5 years
2012 Party Waivers	Box 2	01//01/2012-12/31/2012	5 years
2012 class rosters	Box 2	01//01/2012-12/31/2012	5 years
2012 substitute forms	Box 2	01//01/2012-12/31/2012	5 years
2012 Time Cards	Box 2	01//01/2012-12/31/2012	5 years
2012 Medical History Forms	Box 2	01//01/2012-12/31/2012	5 years
2012 incident reports	Box 2	01//01/2012-12/31/2012	5 years
2012 Monthly reconciliation	Box 2	01/31/2012-12/31/2012	5 years
2012 Facility Rental contracts	Box 2	01/01/2012-12/31/2012	5 years
2012 Birthday Waivers	Box 3	01/01/2012-12/31/2012	5 years
2012 Incident reports	Box 3	01/01/2012-12/31/2012	5 years
2011 Registration forms	Box 3	01/31/2011-12/31/2011	5 years
2011 contract instructor contracts	Box 3	01/31/2011-12/31/2011	5 years

Christine Frank

 Department Head

9/6/17

 Date

[Signature]

 City Manager

9/6/17

 Date

[Signature]

 City Attorney

9/6/17

 Date

 City Clerk for City Council

 Date

OFFICE USE ONLY:
 Date approved by City Council: _____ Resolution No.: _____ Date destroyed: _____

OBSOLETE RECORDS DESTRUCTION REQUEST

City Clerk
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620



Date: July 27, 2017		Page: 3 of 3	
Department: Community Services Department, Gymnastics			
Current retention schedules show that the records listed below are now ready for destruction. Authorization by the parties listed below provides written consent to destroy these obsolete records in accordance with the retention schedule establish by City Council resolution and in accordance with Government Code § 34090 and 34090.6.			
Record Title	Container	Dates	Retention Period
2011 Insurance Forms	Box 3	01/31/2011-12/31/2011	5 years

[Signature]

Department Head

9/6/17

 Date

[Signature]

City Manager

9/6/17

 Date

[Signature]

City Attorney

9/6/17

 Date

 City Clerk for City Council

 Date

OFFICE USE ONLY:

Date approved by City Council: _____ Resolution No.: _____ Date destroyed: _____



STAFF REPORT

City Council Meeting Date: 9/12/2017
Staff Report Number: 17-205-CC

Consent Calendar: Adopt a resolution approving the Final Map for Marquis Condominium project located at 133 Encinal Avenue; accepting dedication of Public Access Easements, Emergency Vehicle Access Easements and Public Service Easements; authorizing the City Clerk to sign the Final Map; and authorizing the City Manager to sign the Agreements required to implement the conditions of project approval

Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) approving the Final Map for Marquis Condominium project located at 133 Encinal Avenue; accepting dedication of Public Access Easements (PAE), Emergency Vehicle Access Easements (EVAE) and Public Service Easements (PSE); authorizing the City Clerk to sign the Final Map; and authorizing the City Manager to sign the Agreements required to implement the conditions of project approval.

Policy Issues

City Council action is required to accept public easements dedication, and to approve Final Maps.

Background

On January 12, 2016, the City Council approved the architectural control and major subdivision for the property at 133 Encinal Avenue to create 24 residential condominium units, including approval of a tentative map for the property and dedication of PAE, EVAE and PSE.

This project consists of 24 residential condominium units and common areas on a 1.74-acre site.

Analysis

The applicant, Pulte Homes, has submitted a Final Map for the proposed subdivision. The Final Map (Attachment B) is in substantial compliance with the tentative map approved by the City Council on January 12, 2016 and all conditions required for approval of the Final Map have been met.

The proposed subdivision project is located in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. A ten-foot wide sidewalk along the project frontage is required for development projects in said district. The Final Map includes a 2.5 foot wide PAE along the property frontage to accommodate the full ten-foot clear walking zone. The Final Map also includes PSE for public service facilities and EVAE for the access of emergency vehicles.

The project plans have been approved by the Engineering Division. The applicant has entered into a Completion of Development Improvements Agreement (CDIA) with the City of Menlo Park (City) and provided a bond for the completion of the work subsequent to the recordation of the Final Map. The CDIA is a contract between the applicant and the City that guarantees the construction of all public street improvements and requires a completion bond as a financial guarantee that all work will be completed. The CDIA and bonds are shown in Attachment C. Staff recommends the City Council authorize the City Manager to sign the CDIA and other agreements required to implement the conditions of project approval.

Impact on City Resources

The staff time costs associated with review and acceptance of the easement dedications, and the review and approval of the SIA are fully recoverable through fees collected from the applicant.

Environmental Review

Environmental review is not required for this action.

Public Notice

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

Attachments

- A. Resolution
- B. Final Map
- C. Completion of Development Improvements Agreement and Bonds

Report prepared by:
Shaun Mao, Associate Civil Engineer

Report reviewed by:
Ebbby Sohrabi, Senior Civil Engineer

DRAFT – September 12, 2017

RESOLUTION NO. XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
APPROVING THE FINAL MAP FOR MARQUIS CONDOMINIUM
PROJECT LOCATED AT 133 ENCINAL AVENUE; ACCEPTING
DEDICATION OF PUBLIC ACCESS EASEMENTS, EMERGENCY
VEHICLE ACCESS EASEMENTS AND PUBLIC SERVICE EASEMENTS;
AUTHORIZING THE CITY CLERK TO SIGN THE FINAL MAP; AND
AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENTS
REQUIRED TO IMPLEMENT THE CONDITIONS OF PROJECT
APPROVAL**

WHEREAS, the Final Map for Marquis Condominium project located at 133 Encinal Avenue shows the dedication of Public Access Easements, Emergency Vehicle Access Easements and Public Service Easements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby approve the Final Map for Marquis Condominium project at 133 Encinal Avenue; and

BE IT FURTHER RESOLVED that said Council hereby accepts the required dedication of Public Access Easements, Emergency Vehicle Access Easements and Public Service Easements as shown on the Final Map; and

BE IT FURTHER RESOLVED that said Council authorizes the City Clerk to sign the Final Map and authorizes the City Manager to sign the Completion of Development Improvements Agreement to implement conditions of project approval.

I, Clay Curtin, Interim 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 this twelfth day of September, 2017, 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 twelfth day of September, 2017.

Clay Curtin
Interim City Clerk

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OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP; AND WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID REAL PROPERTY; AND WE HEREBY CONSENT TO THE MAKING AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE; AND DOES HEREBY JOIN IN AND CONSENT TO THE EXECUTION OF THE FOREGOING.

WE HEREBY DEDICATE THE FOLLOWING EASEMENTS FOR PUBLIC USE:

- (1) THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED AS "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT) AS SHOWN ON THIS MAP. SAID "EVAE" TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.
- (2) THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED AS "PAE" (PUBLIC ACCESS EASEMENT) AS SHOWN ON THIS MAP. SAID "PAE" TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.

(3) WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING POLES, WIRES, CONDUITS, GAS, WATER, HEAT MAINS AND ALL APPURTENANCES TO THE ABOVE, UNDER, UPON, OR OVER THOSE CERTAIN STRIPS OF LAND LYING BETWEEN THE FRONT AND/OR SIDE LINES OF LOTS AND THE DASHED LINES AND/OR THOSE CERTAIN AREAS LYING BETWEEN DASHED LINES EACH DESIGNATED AS "PSE" (PUBLIC SERVICE EASEMENT). THE ABOVE MENTIONED PUBLIC SERVICE EASEMENTS TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES THERETO, LAWFUL FENCES AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.

OWNER

PULTE HOME CORPORATION, A MICHIGAN CORPORATION

BY: _____ DATE: _____
NAME: _____
TITLE: _____

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF _____

ON _____, BEFORE ME, _____, A NOTARY PUBLIC,

PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL PLACE OF BUSINESS _____
MY COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

TRUSTEE

FIRST AMERICAN TITLE INSURANCE COMPANY PER DEED OF TRUST RECORDED MARCH 31, 2014 AS INSTRUMENT NO. 2014-026293 DOES HEREBY JOIN IN AND CONSENT TO THE EXECUTION OF THE FOREGOING "OWNERS STATEMENT".

BY: _____ DATE: _____
NAME: _____
TITLE: _____

TRUSTEE'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF _____

ON _____, BEFORE ME, _____, A NOTARY PUBLIC,

PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL PLACE OF BUSINESS _____
MY COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN ACCORDANCE WITH THE REQUIREMENTS OF THE "SUBDIVISION MAP ACT" AND LOCAL ORDINANCES AT THE REQUEST OF PULTE HOMES IN NOVEMBER, 2016; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN AND THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND SET MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

ANDREW TURNER
L.S. NO. 9104



DATE: _____

SOILS AND GEOLOGICAL REPORT

A SOILS REPORT AND/OR GEOLOGICAL REPORT ON THIS PROPERTY HAS BEEN PREPARED BY ADVANCE SOIL TECHNOLOGY, INC., 343 BAYWOOD AVENUE, SAN JOSE, CALIFORNIA, (408) 261-1588. SIGNED BY ALEX A. KASSAI P.E. 34882, DATED FEBRUARY 17, 2014, FILE NO. 13239-S.

**FINAL MAP
ENCINAL**

FOR CONDOMINIUM PURPOSES

BEING ALL OF PARCEL 2, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED "PARCEL MAP, BEING THAT PARCEL OF LAND DESIGNATED AS LAND OF WM. BARBER OF 'MAP OF VILLA LOTS AT FAIR OAKS' RECORDED IN BOOK C OF MAPS AT PAGE 31, AND COPIED INTO BOOK 1 OF MAPS AT PAGE 87, SAN MATEO COUNTY RECORDS", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON JANUARY 28TH, 1982 IN BOOK 52 OF PARCEL MAPS, AT PAGES 36 AND 37. CONSISTING OF THREE (3) SHEETS

CITY OF MENLO PARK, SAN MATEO COUNTY, CALIFORNIA

DATE: JUNE 2017



Civil Engineering Associates

Civil Engineers • Planners • Surveyors

2055 Gateway Place Suite 550
San Jose, CA 95110

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT THE MAP CONFORMS TO CHAPTER 2 OF THE SUBDIVISION MAP ACT; AND THAT THE MAP COMPLIES WITH LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

NICOLE H. NAGAYA, R.C.E. 76085
ASSISTANT PUBLIC WORKS DIRECTOR
CITY OF MENLO PARK



DATE: _____

CITY SURVEYOR'S STATEMENT

I, MICHAEL J. MIDDLETON, CITY SURVEYOR FOR THE CITY OF MENLO PARK, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND I AM SATISFIED THAT THE SURVEY DATA SHOWN THEREON IS TECHNICALLY CORRECT.

MICHAEL J. MIDDLETON, R.C.E. 29485
CITY SURVEYOR
CITY OF MENLO PARK



DATE: _____

CITY CLERK'S STATEMENT

I, _____, CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF MENLO PARK, STATE OF CALIFORNIA, HEREBY CERTIFY THAT SAID COUNCIL BY RESOLUTION ADOPTED AT A REGULAR MEETING ON THE _____ DAY OF _____, 20____ DID DULY APPROVE THE WITHIN MAP AND SUBDIVISION AND DID ACCEPT ON BEHALF OF THE PUBLIC, ALL PARCELS OF LAND AS OFFERED FOR DEDICATION FOR PUBLIC USE.

DATE: _____, CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF THE CITY OF MENLO PARK, CALIFORNIA

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20____, AT _____ M. IN BOOK _____ OF MAPS AT PAGES _____ AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

FILE NO. _____ FEE _____

MARK CHURCH, SAN MATEO COUNTY RECORDER

BY: _____
DEPUTY RECORDER

FINAL MAP ENCINAL

FOR CONDOMINIUM PURPOSES

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CITY OF MENLO PARK, SAN MATEO COUNTY, CALIFORNIA

SCALE: 1"=40'

DATE: JUNE 2017



Civil Engineering Associates

Civil Engineers • Planners • Surveyors

2055 Gateway Place Suite 550
San Jose, CA 95110

NOTES

1. ALL DISTANCES AND DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA WITHIN THE DISTINCTIVE BORDER IS 1.736 ACRES, MORE OR LESS.
3. THE DISTINCTIVE BORDER LINE DENOTES THE BOUNDARY OF THIS SUBDIVISION.
4. PARCEL 1 TO BE DEVELOPED WITH 24 CONDOMINIUM UNITS AND COMMON AREA.
5. ALL EASEMENTS ARE DEFINED ON SHEET 3.

BASIS OF BEARINGS

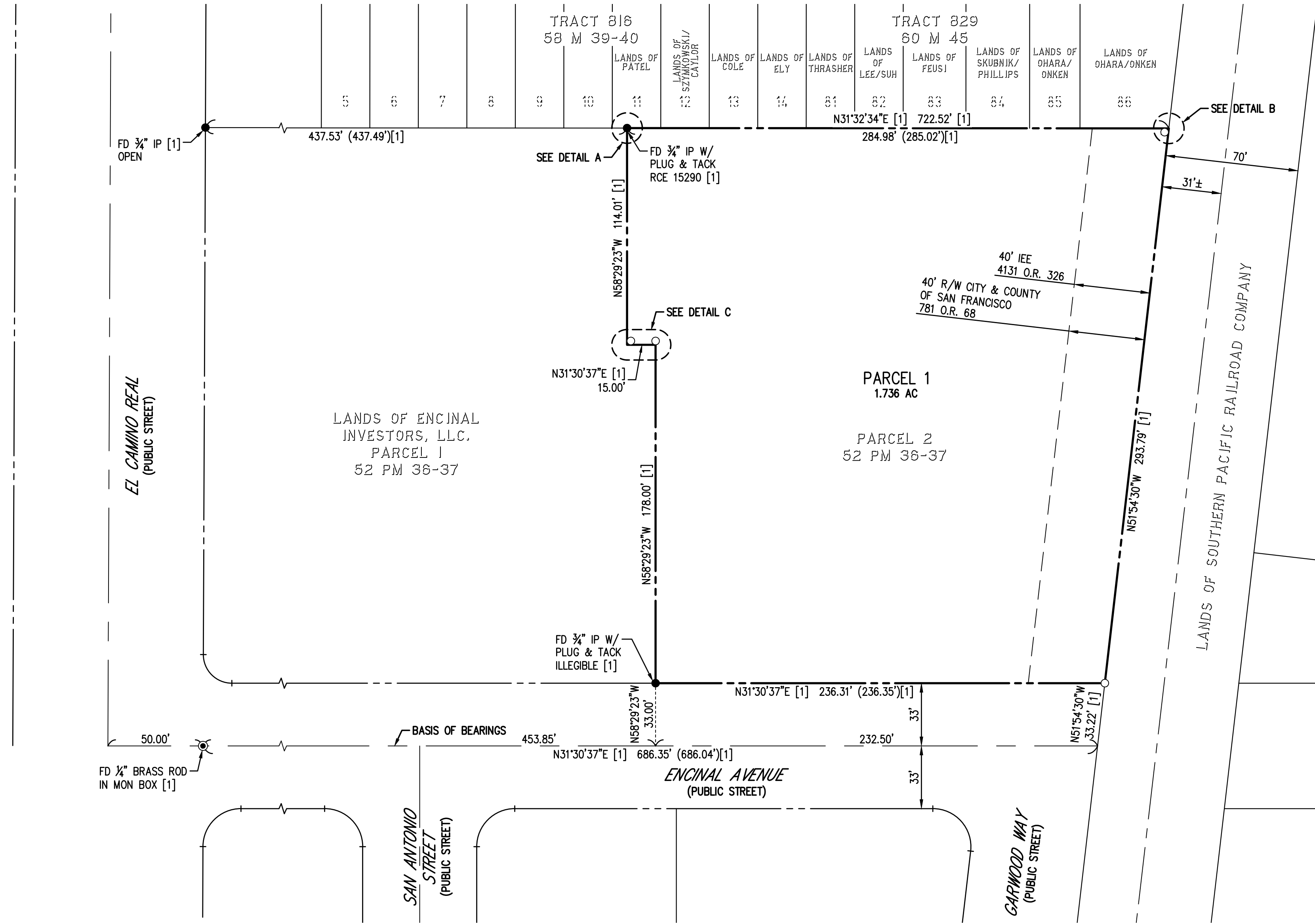
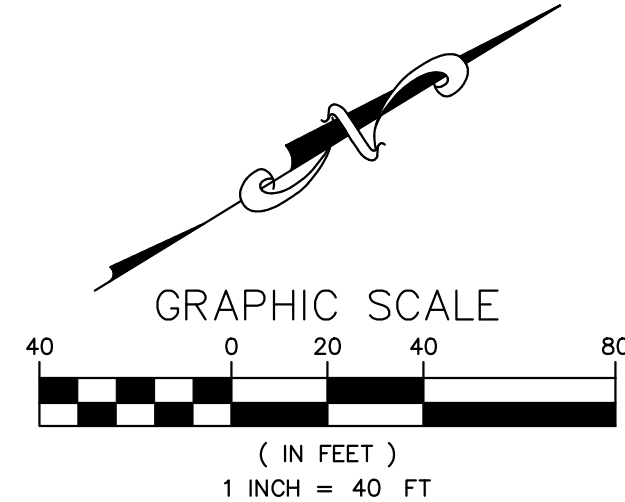
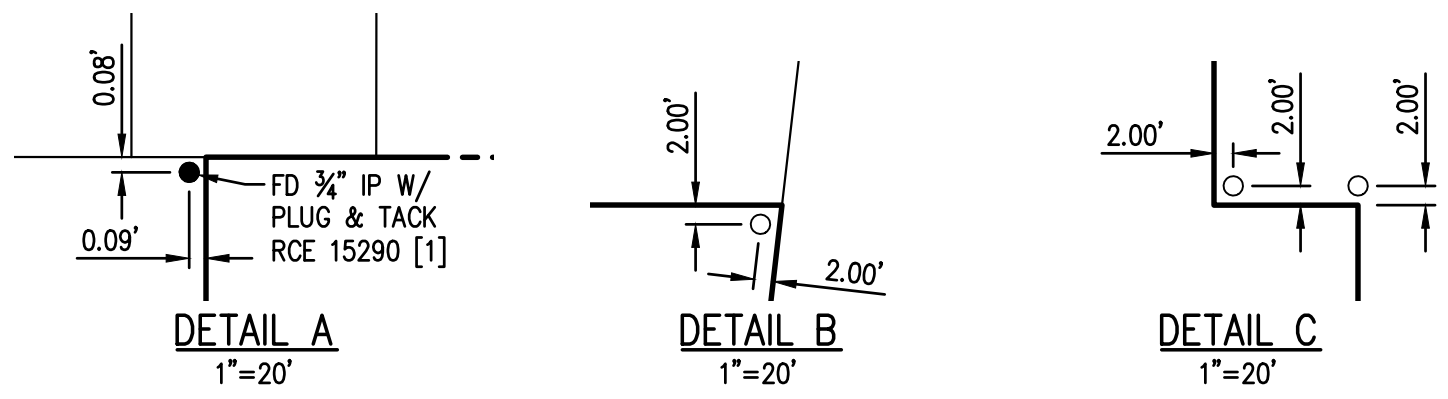
THE BEARING OF NORTH 31°30'37" EAST TAKEN ON THE CENTERLINE OF ENCINAL AVENUE AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON JANUARY 28, 1982 IN BOOK 52 OF PARCEL MAPS AT PAGES 36 & 37, SAN MATEO COUNTY RECORDS WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

LEGEND

	DISTINCTIVE BOUNDARY
	RIGHT OF WAY
	EXISTING PROPERTY LINE
	CENTER LINE
	EASEMENT LINE
	EXISTING EASEMENT LINE
	BOUNDARY TIE
	FOUND MONUMENT (AS NOTED)
	FOUND IRON PIPE (AS NOTED)
	SET 3/4" IRON PIPE OR NAIL & TAG, TAGGED LS 9104
	RECORD DATA
	EMERGENCY VEHICLE ACCESS EASEMENT
	INGRESS & EGRESS EASEMENT
	PUBLIC ACCESS EASEMENT
	PUBLIC SERVICE EASEMENT

REFERENCES

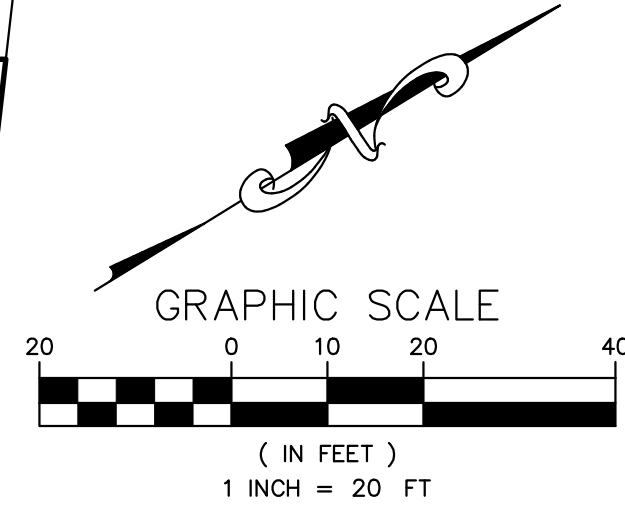
[1] 52 PM 36-37



FINAL MAP ENCINAL

FOR CONDOMINIUM PURPOSES

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CITY OF MENLO PARK, SAN MATEO COUNTY, CALIFORNIA



SCALE: 1"=20' DATE: JUNE 2017

Civil Engineering Associates
Civil Engineers • Planners • Surveyors
2055 Gateway Place Suite 550
San Jose, CA 95110

NOTES

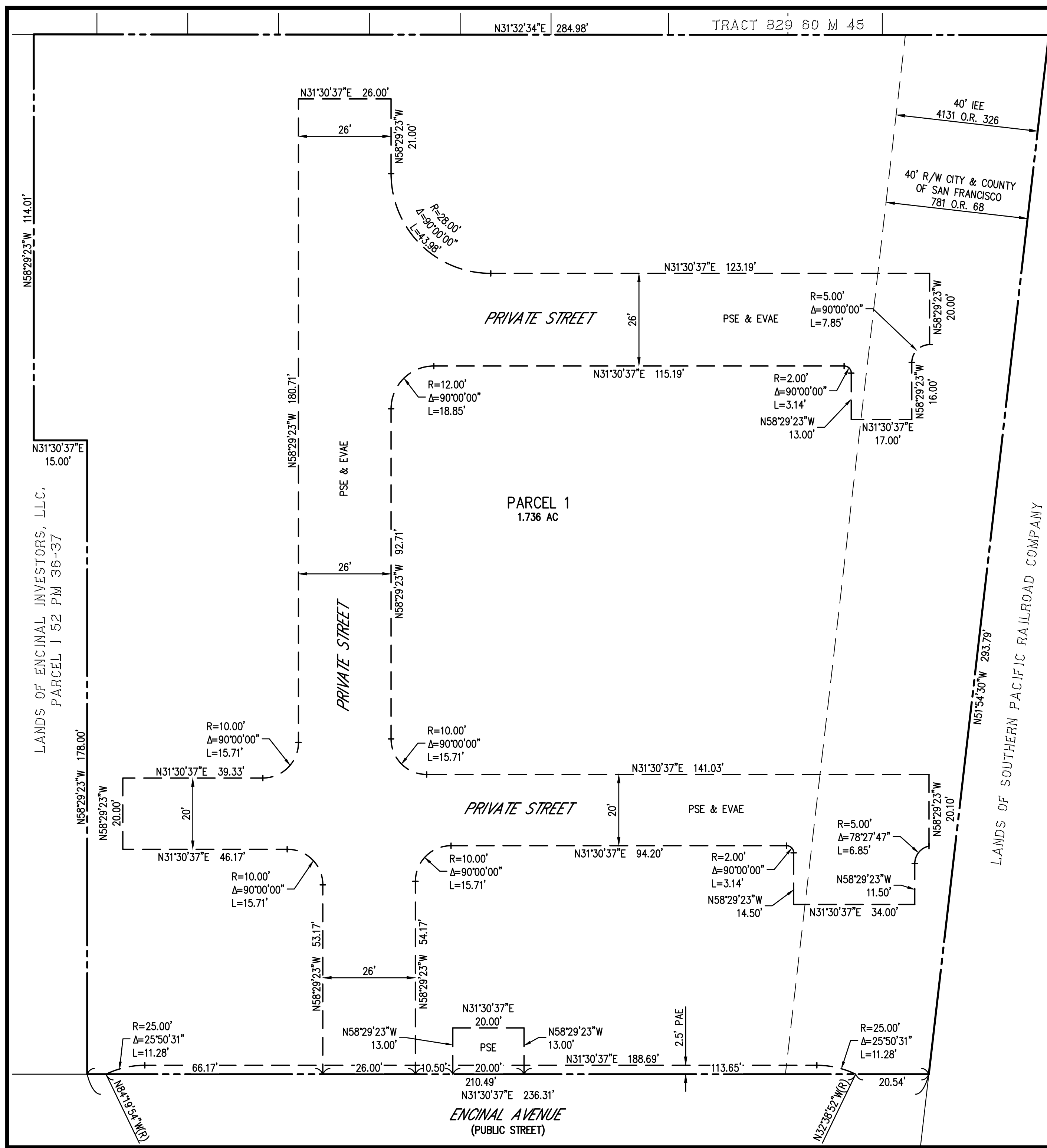
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	EVAE EMERGENCY VEHICLE ACCESS EASEMENT
	IEE INGRESS & EGRESS EASEMENT
	PAE PUBLIC ACCESS EASEMENT
	PSE PUBLIC SERVICE EASEMENT



LANDS OF ENCINAL INVESTORS, L.L.C.
PARCEL I 52 PM 36-37

LANDS OF SOUTHERN PACIFIC RAILROAD COMPANY

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COMPLETION OF DEVELOPMENT IMPROVEMENTS AGREEMENT

City Manager's Office
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620



Contract #:

THIS AGREEMENT FOR COMPLETION OF DEVELOPMENT IMPROVEMENTS (this "Agreement"), made and entered into, in duplicate, this 31st day of August, 2017, by and between Pulte Home Company, LLC, a Michigan Limited Liability Company, hereinafter referred to as "Applicant" and CITY OF MENLO PARK, a municipal corporation, situated in the County of San Mateo, State of California, hereinafter referred to as "City".

WITNESSETH

WHEREAS, on January 12, 2016, the City Council conditionally approved Applicant's request for a major subdivision located at 133 Encinal Avenue, Project Number: PLN2014-00054 (the "Project") and at the location shown on Exhibit A attached hereto and made a part hereof entitled, "Project Location Map"; and

WHEREAS, a condition of said approval was the installation of development improvements as shown in the approved project plans.

NOW, THEREFORE, IT IS AGREED as follows:

1. Applicant agrees to furnish at his/her own expense all the labor, material, equipment and inspection services necessary to complete, no later than the earlier to occur of: (a) thirty six (36) months from the date of this Agreement, or (b) the City's issuance of the first temporary certificate of occupancy for the Project, all Development Improvements as set forth and described in the Plans and Specifications prepared for said improvements, in compliance with City Standards and to the satisfaction of the City Engineer.
2. Applicant further agrees to install where required a domestic water supply and fire protection system, and a sanitary sewage system, in compliance with the regulations and requirements of the respective utility or agency.
3. Applicant further agrees, while engaged in the work provided for in this Agreement, to place and maintain suitable safeguards sufficient to prevent injury to any persons and to indemnify, defend and save harmless the City, its officers, representatives, and employees from and against any and all claims for loss, injury or damage (the "claims") resulting from the prosecution of said work except to the extent the Claim arises out of the negligence or willful misconduct of the City. Applicant agrees to maintain comprehensive commercial general liability and property damage insurance naming the City, its officers, agents, and employees as additional insured in a combined single limit of \$2,000,000 for the death and injury of any persons in any one occurrence; and for property damage in any one occurrence. A certificate of said insurance policy shall be filed with the City.
4. Applicant further agrees, contemporaneously with the execution of this Agreement, to file with the City a faithful performance surety bond or other guarantee as reasonably approved by the City, in a sum equal to the City Engineer's estimated value of the total cost of said improvements, including engineering and contingencies as set forth on Exhibit B attached hereto and made a part herein, entitled "Engineer's Cost Estimate". Said surety bond shall require the faithful performance of the terms and conditions of this Agreement; and shall be in a form satisfactory to the City Attorney.
5. Applicant further agrees to correct all defects in design, workmanship and material actually appearing during the warranty period, which period shall be one (1) year after the date of acceptance of the Development Improvements by the City Council, and to maintain said

performance bond for the warranty period or to file with the City, prior to consideration of acceptance, a surety bond for the warranty period in a sum equal to at least fifty percent (50%) of said Engineer's Cost Estimate.

- 6. Applicant further agrees that when defects in design, workmanship, and materials actually appear during the warranty period and have been corrected (the "corrections"), the warranty period and surety bond shall automatically be extended for an additional year with respect to the Corrections only, to guarantee that such defects have been effectively corrected.
- 7. Applicant further agrees that should it fail to construct or complete the construction of any or all of said Development Improvements as herein provided, the City may complete or cause to be completed said Development Improvements and Applicant agrees to reimburse the City for any and all services such as labor and materials used, for completing said work, and the bonds herein mentions shall be security therefor.
- 8. City reserves the right, without the prior consent of Applicant, Applicant's surety, or any subsequent purchaser of property underlying or adjacent to said Development Improvements to:
 - (a) Extend the period of time during which Applicant shall be required to construct all or any part of said Development Improvements;
 - (b) Eliminate any Development improvements no longer deemed necessary, and to transfer or re-convey to Applicant any interest in real property no longer needed therefor;
 - (c) Exonerate or release Applicant's surety from all or any portion of its bond;
 - (d) Accept a substitute surety bond (personal or corporate) in exchange for or in lieu of the surety bond originally deposited by Applicant herein.
- 9. If the City is compelled to file litigation to enforce the terms and provisions of this Agreement or to collect on the bond, the prevailing party in such litigation shall be entitled to recover its reasonable attorney's fees and costs, whether such litigation is resolved by settlement or judgment.

IN WITNESS WHEREOF, Applicant and City have executed these presents by their respective officers, thereunto duly authorized the day and year first herein about written.

APPLICANT

Signature

Daniel J. Carroll

Name

Date

Vice President of Land Acq.Dev

Title

APPROVED AS TO FORM:

William McClure, City Attorney

Date

CITY OF MENLO PARK:

Signature

Alex D. McIntyre

Name

Date

City Manager

Title



STAFF REPORT

City Council
Meeting Date: 9/12/2017
Staff Report Number: 17-215-CC

Consent Calendar: Authorize the Public Works Director to accept the work performed by JJR Construction Inc. for the Santa Cruz Avenue Sidewalk Project

Recommendation

Staff recommends that the City Council authorize the Public Works Director to accept the work performed by JJR Construction Inc. for the Santa Cruz Avenue Sidewalk Project.

Policy Issues

The acceptance of the project requires City Council action. The one-year construction warranty period starts upon the acceptance by the Public Works Director. Acceptance will be made once the remaining work items are addressed by the contractor and the total contract amount is finalized.

The current practice is to authorize the Public Works Director to accept construction projects on a project-by-project basis. As a policy matter, the Council could consider authorizing the Public Works Director to accept all projects or projects under a certain dollar amount or projects of certain types. Staff intends to present the Council with options to consider this in the coming months in an attempt to streamline the acceptance process.

Background

On September 13, 2016, the City Council authorized the City Manager to award a construction contract and all related services agreements for the Santa Cruz Avenue Sidewalk Project. On November 9, 2016, the City and JJR Construction Inc. entered into an agreement to perform the work. The project consisted of the installation of new sidewalks, driveways, handicap ramps, storm drains, bicycle lanes, and other incidentals along Santa Cruz Avenue between Johnson Street and Olive Street.

Analysis

The Project was substantially completed in August 2017, approximately one month ahead of schedule. The work has been completed in accordance with the plans and specifications, with the exception of one remaining task - the installation of speed limit, school zone, and parking restriction signs. Since the sign locations were marked in the field in late August, significant community interest in the use of signs versus red curb markings has been generated. The original plans included "No Stopping" signs approximately every 200 feet, or between 10 and 20 signs on each side of the street. Locations were chosen in the least obstructive possible areas (i.e., where the sidewalk is six feet wide, near property lines instead of in front of homes, etc.) and some signs would be mounted on poles with other signs (speed limit signs, etc.).

Sign installation was estimated to cost approximately \$7,500 and signs typically have a 10 year life before needing to be replaced. Red curb markings would cost approximately \$12,000 - \$15,000 for the initial installation; however, red curbs require significant additional maintenance, and need to be repainted every one to two years, at a cost of approximately \$10,000 to \$15,000 for each maintenance cycle. The difference in life cycle cost between signs and red curb markings is therefore estimated to be \$7,500 for signs versus approximately \$110,000 for red curb installation. This difference in cost does not assess the increased staff time needed for red curb maintenance.

In order to finish out this project, staff recommends the City Council authorize the Public Works Director to accept the completed project while staff continues to work with community members on how to implement parking restrictions in the coming weeks. Staff will have the City’s on-call signing and striping contractors perform the remaining work to complete the implementation of parking restrictions if need be. To account for the increased cost to the signing and striping on-call contract, staff anticipates adjusting the program budget in the mid-year budgeting process early in 2018.

A notice of completion for the Santa Cruz Sidewalks Project will be filed with the San Mateo County accordingly. The contract was completed within the approved construction budget.

Contractor: JJR Construction Inc.
 1120 Ninth Avenue
 San Mateo, CA 94402

Impact on City Resources

Acceptance of the work has no impact on the City’s resources. The cost of the change orders is being finalized. However, all change orders were within the City’s contingency amount.

Construction Contract Budget	
Construction contract amount	\$3,343,399
Contingency	\$500,000
Total Construction Contract Budget	\$3,843,399
Construction Expenditures	
Construction Contract	\$3,343,399
Change Orders	\$20,000*
Total Construction Expenditure	\$3,363,399

*Estimated amount

Environmental Review

The project is categorically exempt under Class 1 of the current State of California Environmental Quality Act Guidelines, which allows minor alterations and replacement of existing facilities.

Public Notice

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

Attachments

None

Report prepared by:
Sam Rohlfs, Associate Civil Engineer

Report reviewed by:
Michael Zimmermann, Senior Civil Engineer

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STAFF REPORT

City Council
Meeting Date: 9/12/2017
Staff Report Number: 17-195-CC

Consent Calendar: Award contracts totaling \$259,904 to Towne Ford Sales for five (5) vehicles and Sonsray Machine LLC, San Leandro for one tractor/loader

Recommendation

Staff recommends that the City Council:

- A. Award a contract to Towne Ford Sales in the amount of \$161,794 for the purchase of three (3) patrol vehicles for the Police Department and two (2) work trucks for the Public Works Department;
- B. Award a contract to Sonsray Machine LLS, San Leandro in the amount of \$93,110 for the purchase of one (1) tractor/loader; and
- C. Allow a contingency of \$5,000 to be used for any unforeseen costs associated with these vehicle purchases.

Policy Issues

The cost of the expenditures exceeds the City Manager's authority.

Background

Annually, staff recommends replacement of vehicles and equipment based on mileage, age, downtime for repairs and an assessment of all vehicles and equipment.

Analysis

On June 13, 2017, staff solicited bids for various vehicles through the formal Request for Bids (RFB) process. RFB was advertised on the City's website, and more than twelve vendors were notified via e-mail. Bids were due and opened on June 27, 2017. One completed bid was received for the automobile purchase.

The vehicles are all Fords, the City standard. The Police vehicles are Explorers, which continue the phased transition of the fleet from Crown Victorias, and the Public Works trucks are F-250s. Given the nature of the work, these particular Police and Public Works vehicles are gasoline powered. Staff is researching new technology options that could potentially enable the retrofit of existing trucks with electric motors to create hybrid vehicles, but this research and associated cost/benefit analysis is at a preliminary stage.

In addition to the vehicles proposed to be purchased as part of this contract, two (2) additional vehicles for Community Development inspectors are also needed later this year. The Community Development inspector vehicles are Ford Escapes. Ford does not currently offer a hybrid or electric version of Escapes, but other manufactures such as Toyota with its RAV4 does. The nature of work by inspectors visiting job sites could be conducive to electric crossover vehicles, but the City would need to invest in the electric

vehicle charging infrastructure first. The 5-Year Capital Improvement Plan budget includes a project in Fiscal Year 2018-19 to install the infrastructure to support electric vehicle charges at the City Council Chambers parking lot and the Corporation Yard.

On June 21, 2017, staff solicited informal bids from three regional dealerships for a replacement of a tractor/loader. All three dealerships returned completed bids. The current tractor/loader is over 17 years old, and is often out of service due to repairs. This is a multi-use piece of equipment which is utilized on a daily basis by the Water, Streets and Parks sections of the Maintenance Division.

City staff recommends that the City Council approve the purchase and signature authority for all five (5) vehicles and one (1) tractor.

A summary of all bids received is included as Attachment A.

Impact on City Resources

The resulting costs of the purchase of six (6) units are as follows:

Vendor	Description	Type	Quantity	Cost
Towne Ford Sales	Police Black and White Utility Interceptor	Ford Explorers	3	\$111,099
Towne Ford Sales	Public Works Work Truck	Ford F-250s	2	\$50,695
Sonsray Machine LLC	Public Works Tractor / Loader	Case 570N	1	\$93,110
Contingency	Additional needs or accessories if needed	N/A	N/A	\$5,000
TOTAL COST				\$259,904

The Vehicle Replacement Program Budget for Fiscal Year 2017-18 has adequate funds to cover these purchases, which total \$259,904. Staff will sell the replaced vehicles at a public auction and sales proceeds will be deposited into the Vehicle Replacement Fund.

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. Summary of Bids

Report prepared by:
Donald Weber, Fleet Supervisor

Report reviewed by:
Brian Henry, Public Works Superintendent

Vehicles Bids

	COMPANY	BID AMOUNT
1	Towne Ford Sales	\$161,794

Tractor/Loaders Bids

	COMPANY	BID AMOUNT
1	Sonsray Machinery LLC, San Leandro	\$93,110
2	Sonsray Machinery LLC, Sacramento	\$96,512
3	Sonsray Machinery LLC, Stockton	\$102,731

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STAFF REPORT

City Council

Meeting Date: 9/12/2017
Staff Report Number: 17-203-CC

Consent Calendar: Approve the response to the San Mateo County Civil Grand Jury Report “A Delicate Balance: Privacy vs. Protection”

Recommendation

Staff recommends that the City Council approve the attached response to the San Mateo County Civil Grand Jury report “A Delicate Balance: Privacy vs. Protection” dated July 12, 2017, for the Mayor’s signature.

Policy Issues

There are no policy implications as the City of Menlo Park has already enacted an ordinance recommended by the San Mateo County Civil Grand Jury.

Background

The San Mateo County Civil Grand Jury conducted an investigation on how local law enforcement agencies in San Mateo County balance their constituents’ desire for privacy with the agencies’ use of surveillance tools in their effort to protect the public. The Grand Jury conducted research into best practices by other counties, surveyed San Mateo County agency websites and also what privacy advocates, such as the ACLU, have opined regarding this issue. The Grand Jury also conducted several interviews with line level staff, supervisors, and managers at several police agencies within the County.

The Grand Jury filed a report on July 12, 2017 ([Attachment B](#)) which contained five findings and three recommendations. Comments responsive to the findings and recommendations are required to be submitted to the Honorable Judge Leland Davis III no later than October 10, 2017. The City’s response must be approved by the City Council at a public meeting.

Analysis

Staff reviewed and analyzed numerous reports and documents and files along with the police department website in regards to the question of readily available information for the public on surveillance tools. Staff also reviewed existing ordinances and municipal codes mentioned by the Grand Jury. The Menlo Park response includes the relevant findings and recommendations gleaned from this analysis.

Impact on City Resources

Approving and submitting a response to the Grand Jury report has no direct impact on City resources.

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. City of Menlo Park Response Letter
- B. Hyperlink to the San Mateo County Civil Grand Jury Report "A Delicate Balance: Privacy vs. Protection"
http://www.sanmateocourt.org/documents/grand_jury/2016/surveillance.pdf

Report prepared by:
Dave Bertini, Police Commander



September 12, 2017

The Honorable Leland Davis III
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA. 94063-1655

RE: Grand Jury Report – “A Delicate Balance: Privacy vs. Protection”

Dear Judge Davis:

The Menlo Park City Council received the above-referenced San Mateo County Civil Grand Jury Report in July of 2017. The report identifies certain findings and recommendations, and requests that the City Council respond in writing to those findings no later than October 10, 2017. On September 12, 2017, the Menlo Park City Council held a public meeting and approved this response.

Regarding the “findings” of the San Mateo County Civil Grand Jury, Council is requested to respond with one of the following:

1. Council agrees with the finding.
2. Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons thereafter.

Regarding the “recommendations” of the San Mateo County Civil Grand Jury, Council is requested to report one of the following actions:

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of the publication of the Grand Jury report.
4. The recommendation will not be implemented because it is not warranted or reasonable with an explanation therefore.

Findings:

F1. The County of Santa Clara passed an ordinance in 2016 requiring agencies to adopt policies related to any surveillance technology before such technology is acquired or activated. The ordinance also requires agencies to issue annual reports explaining how the technologies are used and what they discovered.

Response

The City of Menlo Park agrees with this finding.

F2. The County and cities in San Mateo County have not enacted any ordinances governing their acquisition and use of surveillance technology, or the accessibility, management, or retention of the information acquired.

Response

The City of Menlo Park disagrees wholly with this finding. On May 13, 2014, the Menlo Park City Council passed Ordinance #1007, which added Chapter 2.56 to Chapter 2 of the Menlo Park Municipal Code. This new chapter, entitled Public Safety Information, deals specifically with: Automated License Plate Reader (ALPR) Data Use, Prohibited Use of ALPR Data, ALPR Auditing and Reporting, Public Safety Camera System Data Use, Prohibited Use of Public Safety Camera System and Data, Public Safety Camera System Auditing and Reporting and Adoption of Department Policies. A copy of the ordinance is attached hereto.

This ordinance was enacted after the Menlo Park Police Department, at the urging of local residents dealing with ongoing gang violence, requested the purchase of this technology which included ALPR's for three police vehicles and neighborhood surveillance cameras mounted at four intersections, to combat crime. Although the purchase was approved in 2013, some council members expressed privacy concerns and wished to be involved in policy development for use and auditing of data collected by these devices. A council "privacy" subcommittee was formed and after several meetings both an ordinance and a resolution were created. These items came to the Council for consideration and there was a great deal of public comment and a very robust debate reading privacy issues. Untimely, the Council voted to enact the above-mentioned ordinance.

F3. The County and cities in San Mateo County do inform residents about the use of some surveillance tools (ALPRs and Body Worn Cameras) at public forums and city council meetings:

- **City or Town Council meeting or staff reports posted on website: Atherton, Burlingame, Daly City, East Palo Alto, Hillsborough, Menlo Park, Pacifica, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco**

- **Public meetings or Town Halls: East Palo Alto, Hillsborough, Menlo Park, Redwood City, San Carlos, Sheriff's Office**
- **The City of Menlo Park mentioned also having used social media for this purpose.**

Response

The City of Menlo Park agrees with this finding.

F4. With the exception of Burlingame, which borrowed ALPR technology, the cities and the San Mateo County Sheriff's Office have complied with the law requiring ALPR users to "conspicuously" post a link to the ALPR usage and privacy policy on their website.

Response

The City of Menlo Park agrees with this finding.

F5. With the exception of the City of San Mateo, the generic ALPR policies posted by cities and the Sheriff's Office do not provide specific information that is helpful to residents.

Response

The City of Menlo Park agrees with this finding.

Recommendations:

The Civil Grand Jury recommends to the City Councils of the Cities of San Mateo County that:

R1. In addition to providing a conspicuous link to usage and privacy policies on operator websites (as required by law for ALPRs), all law enforcement agencies in the County should create an easily accessible and simple written information webpage by December 31, 2017, which lists the types of surveillance tools (such as ALPRs) and investigative tools (such as ShotSpotter and body worn cameras) utilized by the agency. At a minimum, such a webpage shall include these details about each tool:

- **What is the use and purpose of the technology, such as assisting in ongoing criminal investigations, locating missing children, or locating stolen vehicles**
- **Who is authorized to collect or access the data collected**
- **How the system is monitored to ensure that the data are secure**
- **Who owns the surveillance technology**
- **What measures were taken to ensure the accuracy of the data**
- **How long the data will be retained**

Response

The recommendation has been implemented. As stated in the Civil Grand Jury Report, although this information is available on the City of Menlo Park Police website, a specific search must be done in order to locate all the ordinances, municipal codes, policies and privacy information regarding surveillance and investigative tools. The Menlo Park Police Department is also one of the only agencies in the region which provides a copy of its entire policy manual online; but as stated above, a specific search must be done in order to locate those policies dealing with surveillance and investigative tools.

The City of Menlo Park Police Department will complete the following changes and modifications to its website by December 31, 2017:

- A link titled “Surveillance and Investigative Tools and Privacy” will be added prominently to the home page of the City of Menlo Park Police webpage.
- This linked page will have a general description of the type of technology used by the police department and provide links to each of these diverse tools that are in use. These links will be for the following tools: ALPRs, Body Worn Cameras and Neighborhood Surveillance Cameras.
- Each linked page for the above tools will include a description of the tool and how it is used. All relevant ordinances, municipal codes, and policies will be available via links. These documents will address each of the above points of information in the recommendation along with a FAQ document about the specific tool.

R2. All law enforcement agencies in the County shall increase the number and types of opportunities for community members to voice support for or opposition to any proposed addition of new surveillance technologies including, but not limited to:

- **Surveying residents to better understand their concerns about law enforcement’s use of surveillance tools to address those concerns in public meetings, Town Halls, Neighborhood Watch sessions and other local gatherings.**
- **Using social media platforms such as Nextdoor to keep residents engaged and informed about surveillance technologies and its uses in your community.**

Response

This recommendation has already been implemented. As stated in the above response to Finding 2, when ALPRs and neighborhood surveillance cameras were purchased, a robust public debate occurred prior to implementation. This debate included numerous City Council meetings, town hall meetings, and social media notification along with a specific subcommittee formed by the City Council to address privacy issues. As a result of this vigorous debate, Menlo Park Ordinance 1007 was

adopted.

In 2011, City Council approved the purchase of body worn cameras for a period of “beta” testing. In 2012, City Council approved the purchase of Body Worn Cameras for the entire police department. At that time there was healthy public debate at numerous City Council meetings, town hall meetings, and social media notification regarding privacy, the use of the cameras and storage of data. City Council directed the police department to confer with community members along with the Police Chief’s Advisory Board in order to address these issues and create a police department policy. Several draft policies were created which were presented at several City Council meetings, where council members raised questions and concerns and requested changes to the policy. In 2015 a final and adopted policy on the use of body worn cameras was completed and presented to council.

While the City Council was satisfied with the policy overall as it dealt with privacy, a concern was raised about the retention period of the data collected by the cameras. Due to this concern, the Police Department created an “Audio/Video Recording Destruction Request and Waiver”. This new waiver and procedure allows a member of the public, under certain circumstances, to request a recording of a non-event to be destroyed after one year, prior to the 2.5 year retention period established by policy. This was yet another example of the serious consideration to privacy issues addressed by the City of Menlo Park.

The City of Menlo Park will follow the above example of public disclosure and discussion prior to the purchase and implementation of any new surveillance technology that is considered by the police department.

R3. Staff shall bring to the city or town council (in the case of a police department or police bureau) or the Board of Supervisors (in the case of the Sheriff’s Office) a policy or ordinance for consideration at a public meeting by December 31, 2017. Such ordinances or policies should require at a minimum:

- **Plans to acquire new surveillance technology be announced at public meetings and other forums to ensure the community is aware and engaged when new technology is under consideration.**
- **Any “use policies” related to surveillance technology be readily available and easy to access on the city or County websites.**
- **Oversight and accountability be supported by posting periodic reports on the effectiveness of the surveillance tools used in the community.**

Response

This recommendation has already been implemented. As stated above, each of the listed surveillance tools in use by the police department were completely vetted by the City Council and the public and each privacy issue was addressed. It should also be noted that in regard to point #3 above, Ordinance 1007 passed by City Council, requires the police department to provide bi-annual reports on the use of the ALPR

technology.

Sincerely,

Kirsten Keith
Mayor, City of Menlo Park

Enclosure

ORDINANCE NO. 1007

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MENLO PARK ADDING CHAPTER 2.56 [PUBLIC SAFETY
INFORMATION] TO TITLE 2 [ADMINISTRATION AND
PERSONNEL] OF THE MENLO PARK MUNICIPAL CODE**

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

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

- A. The Menlo Park Police Department has acquired Automated License Plate Readers to be installed on one or more Police Department vehicles to be used by the Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen and wanted vehicles, stolen license plates and missing persons, and to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.
- B. The City of Menlo Park plans to operate a Public Safety Camera System for the purpose of creating a safer environment for all those who live, work and visit the City, which cameras may be used for detecting and deterring crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.
- C. The City Council is concerned about protecting the privacy of its residents with respect to the retention and use of data obtained by Automated License Plate Readers and the Public Safety Camera System and desires to add Chapter 2.56 [Public Safety Information] to Title 2 [Administration and Personnel] of the Menlo Park Municipal Code to address the use and retention of this information.

SECTION 2. ADDITION OF CODE. Chapter 2.56 [Public Safety Information] is hereby added to Title 2 [Administration and Personnel] of the Menlo Park Municipal Code to read as follows:

Chapter 2.56

PUBLIC SAFETY INFORMATION

Sections:

- 2.56.010 Purpose
- 2.56.020 Definitions
- 2.56.030 Automated License Plate Reader Data Use
- 2.56.040 Prohibited Use of Automated License Plate Reader and Data
- 2.56.050 Automated License Plate Reader Auditing and Reporting
- 2.56.060 Public Safety Camera System Data Use
- 2.56.070 Prohibited Use of Public Safety Camera System and Data
- 2.56.080 Public Safety Camera System Auditing and Reporting
- 2.56.090 Adoption of Department Policies

2.56.010 Purpose

The purpose of this Chapter is to provide for the proper use of data and recordings gathered by the City through the use of Automated License Readers and the Public Safety Camera System.

2.56.020 Definitions

For the purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them in this Section:

- A. "Automated License Plate Reader" or "ALPR" means technology, also known as License Plate Recognition, which provides automated detection of license plates.
- B. "Data" means information gathered by the Automated License Plate Reader in the form of license plates and metadata (location and time license plate was viewed).
- C. "Public Safety Camera System" means cameras that record images only and not sound and that are placed in strategic fixed locations within the City at the direction of the Chief of Police and with the approval of the City Council for the purpose of detecting and deterring crime, to help emergency services personnel maintain public order, to help manage emergency response situations during natural and man-made disasters, to monitor pedestrian and vehicle traffic activity, to assist in the preparation of traffic reports, and to assist City officials in prosecuting and/or defending civil or administrative actions.
- D. "Recordings" means the recorded images, without sound, recorded by the Public Safety Camera System.

2.56.030 Automated License Plate Reader Data Use

- A. Data will be securely transmitted to the Northern California Regional Intelligence Center ("NCRIC") as part of a multi-jurisdictional public safety program created to assist local, state, federal and tribal public safety agencies and critical infrastructure locations with the collection, analysis, and dissemination of criminal threat information, provided NCRIC has executed an agreement with the City agreeing to comply with the retention/destruction provisions set forth in this section.
- B. Data transmitted to NCRIC from the Police Department shall be kept no more than six months, and then destroyed, unless retention of specific identified license plate data is necessary for an active criminal case or pursuant to a valid court order.
- C. Data may only be accessed by law enforcement personnel who are approved to access the data and who have undergone required NCRIC training for legitimate law enforcement purposes only, such as when the data relates to a specific criminal investigation or department-related civil or administrative action.
- D. Data may be accessed by other NCRIC agencies that have executed a Memorandum of Understanding with NCRIC, but only for legitimate law enforcement purposes and by authorized/trained personnel and only in compliance with all policies, procedures and reporting requirements of NCRIC.
- E. Data may be the released to other non-NCRIC authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes, with approval of the Chief of Police or Police Commander, provided any such official and/or agency has executed an agreement with the City agreeing to comply with the terms and provisions of Sections 2.56.030 and 2.56.040.
- F. All data and images gathered are for official use of the Police Department and because such data may contain confidential California Law Enforcement Telecommunications Systems ("CLETS") information, it is not open to public view or inspection.

2.56.040 Prohibited Use of Automated License Plate Reader and Data

- A. ALPR shall not be used to invade the privacy of individuals, to look into private areas or areas where the reasonable expectation of privacy exists, nor shall they be used to harass, intimidate or discriminate against any individual or group, nor for any purpose not specifically authorized by this Chapter.
- B. Unauthorized access, possession or release of data is a violation of Police Department policy and various federal and state criminal statutes. Any employee, who accesses, possesses or releases data, from the ALPR database without authorization or in violation of this Chapter and such additional policies established by the Police Department, may face department discipline up to and including termination, criminal prosecution and/or civil liability.

2.56.050 Automated License Plate Reader Auditing and Reporting

- A. 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 in compliance with Section 2.56.030B.
- B. Following receipt of the NCRIC report described in subsection A., above, the Police Department shall provide an information report to the City Council.
- C. ALPR system audits will be randomly conducted by the California Department of Justice and in conjunction with yearly CLETS audits.

2.56.060 Public Safety Camera System Data Use

- A. Public safety camera recordings may only be used for the purpose of criminal investigations, detecting and deterring crime, to help emergency services personnel maintain public order, to help manage emergency response situations during natural and man-made disasters, to monitor pedestrian and vehicle traffic activity, to assist in the preparation of traffic accident reports, and to assist City officials in prosecuting and/or defending civil or administrative actions.
- B. Recordings will be made in a professional, ethical and legal manner.

- C. All recordings will be stored by the Police Department in a secure area with access restricted to authorized persons, and shall not be accessible by third parties without express permission.
- D. Recordings not otherwise needed for reasons in subsection A. shall be retained for a period of up to 90 days and then erased or recorded over as limited by the storage capacity of the cameras.
- E. Any recordings needed as evidence in a criminal or civil case proceeding or for another reason specified in subsection A. shall be collected and booked in accordance with current Police Department evidence procedures.
- F. Recordings may only be released to other authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes as specified in subsection A. with approval of the Chief of Police or Police Commander, provided such official or agency executes an agreement with the City agreeing to comply with the terms and provisions of Sections 2.56.060 and 2.76.070, or with a valid court order.
- G. Except as required by a valid court order or other lawful process, recordings do not constitute public records and will not be disclosed to the public.
- H. Facial recognition and cognitive security software may only be used to review recordings from the Public Safety Camera System with the approval of the Chief of Police or Police Commander in specific criminal investigations or specific threats to public safety.

2.56.070 Prohibited Use of Public Safety Camera System and Data

The Public Safety Camera System will not be used to invade the privacy of individuals, to look into private areas or areas where the reasonable expectation of privacy exists. The Public Safety Camera System shall not be used to harass, intimidate or discriminate against any individual or group, nor for any purpose not authorized by this Chapter.

2.56.080 Public Safety Camera System Auditing and Reporting

- A. The Chief of Police or his/her designee will conduct an annual review of the Public Safety Camera System, its use, effectiveness and adherence to policy, including frequency and purpose for use of facial recognition or cognitive security software and frequency and purpose for retention of recordings beyond 90 days,

and will provide an annual information report to the City Council regarding such review.

2.56.90 Adoption of Department Policies

The Police Department is directed to adopt policies to be included in its policy manual consistent with the provisions of this Chapter, which policies may be more restrictive, but not less restrictive, than the policies set forth in this Chapter.

SECTION 3. 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 4. SEVERABILITY. 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. EFFECTIVE DATE AND PUBLISHING. This Ordinance shall become effective 30 days after the date of its adoption. Within 15 days of its adoption, the Ordinance shall be posted in three 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 the local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the 13th day of May, 2014.

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 3rd day of June, 2014, by the following vote:

AYES: Cline, Keith, Mueller

NOES: Carlton, Ohtaki

ABSENT: None

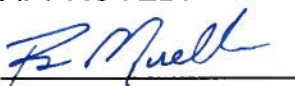
ABSTAIN: None

ATTEST:



Pamela Aguilar
City Clerk

APPROVED:



Ray Mueller
Mayor



STAFF REPORT

City Council

Meeting Date:

9/12/2017

Staff Report Number:

17-207-CC

Consent Calendar:

Approve the response to the San Mateo County Civil Grand Jury Report “English is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access to Outreach Programs?”

Recommendation

Staff recommends that the City Council approve the attached response to the San Mateo County Civil Grand Jury report “English is Not Our Only Language”, for the Mayor’s signature.

Policy Issues

There are no policy implications as a result of the City responding to the San Mateo County Civil Grand Jury.

Background

The San Mateo County Civil Grand Jury filed a report on June 29, 2017 ([Attachment B](#)) on local law enforcement agencies promoting programs and services through agency websites in multiple languages. The Grand Jury believes that including a multilingual feature to websites of law enforcement agencies in the County may increase awareness and participation by residents who speak English either as a second language or not at all.

The Grand Jury report contained eleven findings and two recommendations. Comments responsive to the findings and recommendations are required to be submitted to the Honorable Judge Leland Davis III no later than September 27, 2017. The City’s response must be approved by the City Council at a public meeting.

Analysis

The report examines local law enforcement agencies providing multilingual access to outreach programs being used by law enforcement services in San Mateo County. The report finds that in delivering these programs, outreach “has an educational role in that it raises the awareness of existing services. All residents should have access to these programs.”

The report has made two recommendations, Recommendation (R1) is directed to law enforcement agencies in San Mateo County, including the Menlo Park Police Department. Recommendation (R2) is only directed to the Atherton, Brisbane, Colma and Hillsborough Police Departments.

Recommendation 1 (R1): All law enforcement agencies in San Mateo County shall modify their websites by including multilingual translation capability to potentially increase access and participation in outreach programs by non-English speaking residents by December 31, 2017.

Response: The City of Menlo Park Police Department has already implemented the multilingual translation feature. The City's website, including the Police Department's webpage, features a selection dropdown list that allows for multilingual translation capability. In an effort to improve visibility, this feature is currently located at the top right corner of our website. Previously, the selection dropdown list was located on the bottom right corner. The City's website includes the same feature as the City of East Palo Alto's Police Department screenshots shown on page nine of the Report.

The City agrees with the Grand Jury report and was already using the multilingual translation feature.

Impact on City Resources

Approving and submitting a response to the Grand Jury report has no direct impact on City resources.

Environmental Review

No environmental assessment 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. City of Menlo Park Response Letter
- B. Hyperlink to the San Mateo County Civil Grand Jury Report "English Is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access To Outreach Programs?"
http://www.sanmateocourt.org/documents/grand_jury/2016/multilingual_access.pdf

Report prepared by:
Peter Ibrahim, Management Analyst II



September 12, 2017

The Honorable Leland Davis, III
Judge of the Superior Court
c/o Charlene Kresevich
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: Grand Jury Report – “English Is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access to Outreach Programs?”

Dear Judge Davis:

This letter is in response to the San Mateo County Civil Grand Jury report titled “English is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access to Outreach Programs?”

The City Council agrees with the finding and **Recommendation 1 (R1)**: All law enforcement agencies in San Mateo County shall modify their websites by including multilingual translation capability to potentially increase access and participation in outreach programs by non-English speaking residents by December 31, 2017.

The City’s website, including the Police Department’s webpage, features a selection dropdown list that allows for multilingual translation capability. In an effort to improve visibility, this feature is currently located at the top right corner of our website. Previously, the selection dropdown list was located on the bottom right corner. The City’s website includes the same feature as the City of East Palo Alto’s Police Department screenshots shown on page nine of the San Mateo County Civil Grand Jury report.

The City of Menlo Park Police Department demands the highest level of professionalism from its employees. Most importantly, we are committed to expanding our outreach and bridging any cultural barriers that exist.

Sincerely,

Kirsten Keith
Mayor, City of Menlo Park



STAFF REPORT

City Council
Meeting Date: 9/12/2017
Staff Report Number: 17-214-CC

Consent Calendar: **Approve an Urban County Cooperation Agreement with the County of San Mateo to award federal funding and resolution authorizing the City Manager to execute the cooperation agreement**

Recommendation

Staff recommends that the City Council approve a Cooperation Agreement with the County of San Mateo to award Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and Home funding to eligible public entities and authorize the City Manager to execute the Cooperation Agreement with San Mateo County.

Policy Issues

The City has been party to similar cooperation agreements since 1996 and has applied to the County for CDBG funding for various projects over the years.

Background

In August, the City was informed by the County of San Mateo that the United States Department of Housing and Urban Development (“HUD”), added language which must be included in the cooperation agreement in order for the County and cities of San Mateo County to continue to be eligible for federal funding as an Urban County. The City of Menlo Park, as many cities in San Mateo County, does not qualify as an eligible public agency and therefore has relied on a cooperation agreement with San Mateo County, which does qualify as an Urban County under the Housing and Community Development Act of 1974.

In recent years the City has been awarded funding for the following projects.

Table 1: Funded Projects		
Belle Haven CDC Remodel	\$40,000	FY 2016-17
Belle Haven Youth Center Outdoor Space (playground facility replacement)	\$25,000	FY 2014-15

Analysis

The City has utilized this program in the past to fund important improvement projects. Approval of the cooperation agreement and authorizing resolution will allow the City to maintain this cooperative relationship with San Mateo County and help protect the County's allocation of HUD funding. According to San Mateo County Staff, every other City in San Mateo County has or will have approved the cooperation agreement by the deadline of September 21, 2017.

Staff has reviewed the prior cooperation agreement (Attachment B) to the new cooperation agreement (Attachment A). The new language, which HUD is requiring is highlighted for Council review. Of particular interest to staff were references to 24 CFR § 91.225(a) and can be found in the third paragraph of subsection a. of section 3 "**County's Responsibilities as Applicant**", because it appears to commit both parties in the agreement to new relocation/anti-displacement and other requirements. However, this requirement is applied to awardees of housing funds. Typically, the City will not be subject to these requirements, because we are not the recipients of these funds. The funding is awarded directly to an affordable housing developer, most recently the City had to work closely with MidPen to help ensure that they were able to meet these requirements with the Sequoia Belle Haven project.

Other language changes reference Emergency Solutions Grant funds, a program not referenced in the prior cooperation agreement.

Impact on City Resources

Staff does not anticipate the need for additional resources as a result of this action.

Environmental Review

This action is not a project under CEQA.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 24 hours prior to the meeting.

Attachments

- A. Draft Cooperation Agreement
- B. Previous cooperation agreement
- C. Draft Resolution

Report prepared by:

Jim Cogan, Housing and Economic Development Manager

COOPERATION AGREEMENT

This Cooperation Agreement (the “Agreement”), entered into this ____ day of _____, 2017, between the COUNTY OF SAN MATEO, a political subdivision of the State of California (“County”), and the CITY OF Menlo Park, a duly incorporated City within the County of San Mateo (“City”).

WITNESSETH

WHEREAS, the Housing and Community Development Act of 1974, as amended (the “Act”), provides for the distribution of federal funds through the Community Development Block Grant (“CDBG”) program to eligible public entities; and

WHEREAS, those public entities which are eligible to receive said federal funds are cities with a population more than 50,000, “hold harmless” public entities, and urban counties; and

WHEREAS, public entities that do not otherwise come within the definition of an eligible public entity may cooperate and participate with an eligible public entity such as an Urban County; and

WHEREAS, since County has heretofore qualified as an “Urban County” under the Act, County again solicits the cooperation and co-participation of public entities such as City in its application for federal assistance under the Act for the **Federal Fiscal Years of 2018, 2019 and 2020** and subsequent three-year periods thereafter; and

WHEREAS, City, having a population of less than 50,000, desires to cooperate and co-participate with County in this venture; and

WHEREAS, this Agreement by and between City and County establishes the formal relationship to cooperate and co-participate and is specifically authorized under the provisions of California Government Code sections 6502 and 26227; and

WHEREAS, County has received a communication from the United States Department of Housing and Urban Development (“HUD”), regarding additional language which must be included in this Agreement; and

WHEREAS, the Agreement with this additional language must be executed by the parties and submitted to HUD by September 21, 2017; and

WHEREAS, City has previously, by an official act of pronouncement, expressed its intent and desire to jointly participate in the housing and community development programs of the Urban County and to submit a joint application to establish or re-establish the Urban County for the fiscal years 2018, 2019 and 2020 and subsequent three-year periods thereafter, as designated under Government Code Sections 6502 and 26227 as required by the U.S. Department of Housing and Urban Development; and

WHEREAS, City understands that in becoming part of the Urban County, City automatically participates in the HOME Investment Partnership (“HOME”) Program and the Emergency Solutions Grant (“ESG”) Program, which provide eligible local jurisdictions with federal funds for housing and community development activities; and

WHEREAS, City now desires to enter into this Agreement with County so that it may qualify, under applicable provisions of the Act and HUD regulations, as co-participant with County in eligible activities under the Act.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, the parties hereto agree as follows:

1. Purpose:

County and City agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; economic development, neighborhood facilities, housing rehabilitation, and other appropriate housing assistance to primarily benefit lower and moderate income people. This Agreement includes participation in the CDBG, HOME and ESG Programs.

2. Term:

The term of this Agreement shall be for the Federal Fiscal Years of 2018, 2019 and 2020, after which the term shall be automatically renewed unless action is taken by the City to terminate this Agreement. As provided by HUD rules and regulations, this Agreement shall automatically be renewed for participation in successive three-year qualification periods, unless County or City provides written notice electing not to participate in a new qualification period, provided however, that this Agreement shall remain in effect until CDBG, HOME and ESG funds and income received with respect to the three-year qualification period are expended and the funded activities are completed. County and City cannot terminate or withdraw from this Agreement while the Agreement remains in effect.

By the date specified in HUD’s Urban County Qualification Notice CPD – 17-03, and for a subsequent qualification period of three years, County will notify City in writing of its right not to participate. Should there be changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year Urban County qualification period, amendment(s) to this Agreement shall be executed between County and City and then submitted to HUD. Failure to do so will void the automatic renewal of such qualification period.

3. County’s Responsibilities as Applicant:

- a. County, as applicant, has ultimate responsibility for executing the housing and community development programs on behalf of the Urban County, following its Consolidated Plan, which provides for an analysis of housing and non-housing community development needs of the geographic area, and meeting the requirements of other applicable laws, including but not limited to the National Environmental Policy Act, the Uniform Relocation Act, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, and the Americans with Disabilities Act of 1990.

County is the lead agent for carrying out the Urban County CDBG Program and the **ESG Program**. The Urban County, as a CDBG entitlement jurisdiction, is qualified to receive its own allocation of federal HOME funds. However, to increase HOME funding access to County overall, County has formed the San Mateo County HOME Consortium, of which the Urban County is a member.

County is also the lead agent for the HOME Consortium. The HOME Consortium is technically responsible for preparing and submitting to HUD the Consolidated Plan, which covers the geographic area of the Consortium. The Urban County is responsible for submitting its own non-housing community development plan, an Action Plan, and required certifications as part of the Consortium's Consolidated Plan. As lead agent for the Urban County and the HOME Consortium, County is responsible for coordinating all activities necessary to prepare and submit a five-year Consolidated Plan on behalf of the Urban County, including providing assurances or certifications to HUD.

Therefore, County requires City, and City agrees to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, strictly adhere to the Consolidated Plan as approved and to all assurances and certifications provided to HUD, including taking all actions necessary to comply with the Urban County's certifications under Section 104(b) of Title I of the Act, Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and **affirmatively further fair housing**. **All parties to the Cooperation Agreement must comply with 24 CFR § 91.225(a) and to comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. County requires City, and City agrees to comply with all other applicable laws.**

This Agreement shall also prohibit the Urban County from funding activities in or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes County's actions to comply with its own fair housing certification. This provision is required because noncompliance by a unit of general local government included in an urban county may constitute noncompliance by the grantee (i.e. the Urban County) that may, in turn, provide cause for funding sanctions or other remedial actions by HUD.

County shall not provide CDBG, HOME or **ESG funds** for activities in, or in support of City that does not affirmatively further fair housing within its own jurisdiction or for activities that impede County's actions to comply with its fair housing certification. In addition, County and City are responsible for taking all required actions to comply with

the provisions of the National Environmental Policy Act of 1969.

- b. Further, pursuant to 24 CFR § 570.501(b), County, as applicant, has the responsibility for ensuring that CDBG, HOME and **ESG funds** are used in accordance with all program requirements, determining the adequacy of performance under agreements and procurement contracts, and taking appropriate action when performance problems arise. Therefore, before disbursing any CDBG, HOME or **ESG funds** to City or projects in City, County will require City, and City agrees to enter into a written agreement for each individual project.
- c. **City may not sell, trade, or otherwise transfer all or any portion of CDBG funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds on exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended. This requirement applies to the qualification and requalification of an Urban County and is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriation Act, 2014 Pub. L113-76.**

4. City Subject to Same Requirements as Subrecipients:

Pursuant to 24 CFR § 570.501(b), City is subject to the same requirements applicable to subrecipients, including the requirement of a written agreement set forth in 24 CFR § 570.503. As applicant, County has the responsibility for ensuring that CDBG, HOME and **ESG funds** are used in accordance with all program requirements, determining the adequacy of performance under agreements and procurement contracts, and taking appropriate action when performance problems arise. Therefore, before disbursing any CDBG, HOME or **ESG funds** to City or projects in City, County will require City, and City agrees to enter into a written agreement for each individual project.

5. City's Adoption and Enforcement of Policies:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

6. City Eligibility for CDBG, HOME and ESG Funding

By executing this Agreement, the City understands that it

- a. May not apply for grants from appropriations under the Small Cities or State CDBG Programs for fiscal years during the period in which it participates in the Urban County's CDBG Program;
- b. May participate in HOME Program only through the Urban County. Thus, even if the Urban County does not receive a HOME formula allocation, City cannot form a HOME

Consortium with other local governments; and

- c. May receive a formula allocation under the ESG Program only through the Urban County, although this does not preclude the urban county or a unit of government participating with the urban county from applying to the State for ESG funds, if the State allows.

7. Affirmative Action:

Under County's ultimate supervision and responsibility, City covenants and agrees that it will abide by and enforce all applicable affirmative action requirements including, but not limited to Executive Order No. 11246, the Equal Employment Opportunities Act, the San Mateo County Affirmative Action Plan and local affirmative action plans.

8. County's Responsibility to City:

In addition to the foregoing obligations:

- a. County shall, in preparing Consolidated Plans, Annual Action Plans, and any relevant future plans ("plan") under the Act, solicit to the extent allowed by the Act and all lawful HUD regulations, City's participation in the development of such future plans which refer to City's activities under the Act.
- b. In accordance with instructions from HUD, County agrees to permit City to carry out the essential community development and housing assistance activities provided for in the application and in future Consolidated and/or Annual Action Plans.
- c. County agrees to distribute funding it receives from its current Annual Action Plan and in future Consolidated and/or Annual Action Plans, in accordance with the terms and provisions therein contained, or in accordance with such terms and conditions as required by the Act or HUD.

9. City's Responsibilities to County.

In addition to the foregoing obligations:

- a. City agrees to expend any funds received by virtue of any of the Urban County's plans only in accordance with the terms and conditions stated therein, or as amended by HUD.
- b. City agrees to cooperate with the Urban County, as it has heretofore, with the development of current and future Consolidated Plans for the Urban County in which housing and community development activities are funded by CDBG, HOME and/or ESG to be continued or undertaken by City within its boundaries are included.

10. Program Income.

- a. City must inform County of any income generated by the expenditure of CDBG, HOME or ESG funds received by City.
- b. Any such program income must be paid to County, or City may retain the program income subject to requirements set forth in this Agreement.

- c. Any program income City is authorized to retain may only be used for eligible activities in accordance with all CDBG, HOME or ESG requirements as may then apply.
- d. County has the responsibility for monitoring and reporting to HUD on the use of any such program income, and County shall require appropriate recordkeeping and reporting by City as may be needed for this purpose.
- e. In the event of close-out or change in status of City, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to County.

11. Acquisition, Change in Use, and Disposition of Real Property Acquired or Improved with CDBG Funds:

If at any time after CDBG funds are allocated, in whole or in part, for the acquisition or improvement of real property, which is within the control of City, and if there is a change in the proposed use of said property, including disposition, City shall notify County of the proposed change. City shall reimburse County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under the CDBG regulations at any time prior to or subsequent to the close-out, change of status or termination of this Agreement between County and City.

12. Headings:

The headings in this document are merely for the convenience of the parties, and do not form a material part of this document. Headings shall not be considered in the construction of this document.

13. Minor Amendments to the Agreement.

Notwithstanding paragraph 2 above, should it become necessary to change the language of this Agreement to meet HUD approval, without making major changes and without altering the intent of the Agreement, such changes may be made administratively by City Manager of City.

All remaining provisions of said Agreement shall remain in full force and effect for the term provided herein.

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

COUNTY OF SAN MATEO

By _____
President, Board of Supervisors

ATTEST:

Clerk of Said Board

CITY OF _____

By _____
Chief Executive Officer

ATTEST:

City Clerk

**Certificate of Delivery
(Government Code Section 25103)**

I certify that a copy of the original document filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

**By
Clerk of the Board of Supervisors**

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COOPERATION AGREEMENT

THIS AGREEMENT, entered into this 9 day of July, 1996, between the COUNTY OF SAN MATEO, a political subdivision of the State of California ("COUNTY"), and the CITY OF MENLO PARK, a duly incorporated City within the County of San Mateo ("CITY"),

WITNESSETH

WHEREAS, the Housing and Community Development Act of 1974, as amended ("Act"), provides for the distribution of federal funds through the process of Community Development Block Grants to eligible public entities; and

WHEREAS, those public entities which are eligible to receive said funds are cities with a population in excess of 50,000, "hold harmless" public entities, and urban counties; and

WHEREAS, public entities that do not otherwise come within the definition of an eligible public agency may cooperate and participate with a eligible public entity such as an urban county; and

WHEREAS, the County of San Mateo has heretofore qualified as an urban county under the Act, the County again solicits the cooperation and co-participation of public entities such as City in its application for federal assistance under the Act for the Federal Fiscal Years 1997 through 1999 and subsequent three-year periods thereafter; and

WHEREAS, City, having a population of less than 50,000, desires to cooperate and co-participate with County in this venture; and

WHEREAS, a Cooperation Agreement by and between City and County establishes the formal relationship to cooperate and co-participate and is specifically authorized under the provisions of Government Code Section 6502 and 26227; and

WHEREAS, County is in receipt of a communication from the United States Department of Housing and Urban Development, ("HUD"), with regard to requisites which must be included in said Cooperation Agreement and which further stated that the same must be completed and submitted by July 12, 1996; and

WHEREAS, City has previously, by an official act of pronouncement expressed its intent and desire to cooperate and participate with County in its plan application and to engage in housing and community development activities within its incorporated limits thereunder; and

WHEREAS, City understands that in becoming part of the Urban County, City automatically participates in the HOME Program, which provides eligible local jurisdictions with federal funds for affordable housing activities; and

WHEREAS, City now desires to enter into this Cooperation Agreement ("Agreement") with the County of San Mateo so that it may qualify, under applicable provisions of the Act and HUD regulations, as co-participant with County in eligible activities under the Act:

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, the parties hereto agree as follows:

1. Purpose: County and City agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; economic development, neighborhood facilities, housing rehabilitation, and other appropriate housing assistance to primarily benefit lower and moderate income people. This Agreement includes participation in the Community Development Block Grant and the HOME Investment Partnerships Programs.
2. Term. The term of this Agreement shall be for Federal Fiscal Years 1997, 1998, and 1999, after which the term shall be automatically renewed unless action is taken by the City to terminate this Agreement. As provided by HUD rules and regulations, this Agreement shall automatically be renewed for participation in successive three-year qualification periods, unless County or City provides written notice it elects not to participate in a new qualification period, provided however, that this Agreement shall remain in effect until CDBG and HOME funds and income received with respect to the three-year qualification period are expended and the funded activities completed. County and City cannot terminate or withdraw from this Agreement while the Agreement remains in effect. The County and City may not withdraw from this Agreement prior to expiration of Federal Fiscal Year 1999.

By the date specified in HUD's Urban County Qualification Notice for a subsequent qualification period, County will notify City in writing of its right not to participate. Should there be changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, amendment(s) to this Agreement shall be executed between County and City. Such amendment(s) shall be submitted to HUD; failure to do so will void the automatic renewal of such qualification period.

3. a. Applicant's Responsibility. County, as applicant, has ultimate responsibility for execution of the community development program, for following its Consolidated Plan, which provides for an analysis of housing and nonhousing community development needs of the geographic area, and for meeting the requirements of other applicable laws, including but not limited to the National Environmental Policy Act, Uniform Relocation Act, Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, and the Americans with Disabilities Act of 1990.

County is the lead agent for carrying out the Urban County CDBG Program. The Urban County, as a CDBG entitlement jurisdiction, qualifies to receive its own allocation of federal HOME funds. However, to increase HOME funding access to the County overall, County has formed the San Mateo County HOME Consortium, of which the Urban County is a member.

County is also the lead agent for the HOME Consortium. The HOME Consortium is technically responsible for preparing and submitting to HUD the Consolidated Plan which covers the geographic area of the Consortium. The Urban County is responsible for submitting its own nonhousing community development plan, an Action Plan, and required certifications as part of the Consortium's Consolidated Plan. As lead agent for the Urban County and the HOME Consortium, County is responsible for coordinating Consolidated Planning activities, including providing assurances or certifications to HUD.

Therefore, County requires City, and City agrees to strict adherence to the Consolidated Plan as approved, and to all assurances and certifications provided, including agreeing to take all actions necessary to assure compliance with the Urban County's certifications under Sections 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 109 of Title I of the Housing and Community Development Act of 1974, and other applicable laws.

County shall not provide CDBG or HOME funds for activities in, or in support of, any cooperating city that does not affirmatively further fair housing within its own jurisdiction or for activities that impede the County's actions to comply with its fair housing certification. In addition, County and City are responsible for taking all required actions to comply with the provisions of the National Environmental Policy Act of 1969.

- b. Further, pursuant to 24 CFR 570.501(b), County, as applicant, has the responsibility for ensuring that CDBG and HOME funds are used in accordance with all program requirements, for determining the adequacy of performance under agreements and procurement contracts, and for taking appropriate action when performance problems arise. Therefore, before disbursing any CDBG or HOME funds to City or projects in the City, County will require City, and City agrees to enter into a written agreement for each individual project.

4. City Subject to Same Requirements as Subrecipients: Pursuant to 24 CFR 570.501(b), the City is subject to the same requirements applicable to subrecipients, including the requirements of a written agreement set forth in 24 CFR 570.503. County as applicant, has the responsibility for ensuring that CDBG and HOME funds are used in accordance with all program requirements, for determining the adequacy of performance under agreements and procurement contracts, and for taking appropriate action when performance problems arise. Therefore, before disbursing any CDBG or HOME funds to City or projects in the City, County will require City, and City agrees to enter into a written agreement for each individual project.

5. The City has adopted and is enforcing:
 - a. a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - b. a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

6. By executing this Agreement the City understands that it:
 - a. may not apply for grants from appropriations under the Small Cities or State CDBG Programs for fiscal years during the period in which it participates in the Urban County's CDBG program; and
 - b. may participate in a HOME Program only through the Urban County. Thus, even if the Urban County does not receive a HOME formula allocation, City cannot form a HOME consortium with other local governments.

7. Affirmative Action. Under County's ultimate supervision and responsibility, City covenants and agrees that it will abide by and enforce all applicable affirmative action requirements including, but not limited to Executive Order 11246, the Equal Employment Opportunities Act, the San Mateo County Affirmative Action Plan and local affirmative action plans.

8. County's Responsibility to City. In addition to the foregoing obligations, County agrees:
 - a. County shall, in preparing future plans under the Act, solicit to the extent allowed by the Act and all lawful HUD regulations, City's participation in the development of such future plans which refer to City's activities under the Act.
 - b. In accordance with instructions from HUD, County agrees to permit City to carry out the essential community development and housing assistance activities provided for in the application and in future plans.
 - c. County agrees to distribute funding it receives from its current plan application and in future plans, in accordance with the terms and provisions therein contained, or in accordance with such terms and conditions as required by the Act of HUD.

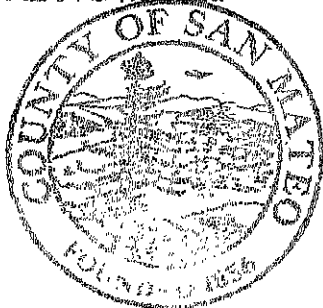
9. City's Responsibilities to County. In addition to the foregoing obligations:
 - a. City agrees to expend any funds received by virtue of any of Urban County's plans only in accordance with the terms and conditions stated therein, or as amended by HUD.
 - b. City agrees to cooperate with Urban County, as it has heretofore, with the development of future plan applications for funds under the Act, with regard to housing and community development activities to be continued or undertaken by City within its boundaries.

10. Program Income.
 - a. City must inform County of any income generated by the expenditure of CDBG or HOME funds received by City.
 - b. Any such program income must be paid to the County or City may retain the program income subject to requirements set forth in this Agreement.

- c. Any program income City is authorized to retain may only be used for eligible activities in accordance with all CDBG or HOME requirements as may then apply.
 - d. County has the responsibility for monitoring and reporting to HUD on the use of any such program income and County shall require appropriate recordkeeping and reporting by City as may be needed for this purpose; and
 - e. In the event of close-out or change in status of City, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to County.
11. Acquisition, Change in Use, and Disposition of Real Property Acquired or Improved with CDBG Funds.
- a. City shall notify County of any change in use including disposition of real property, within the control of City, which was acquired or improved in whole or in part with CDBG funds, from that approved at the time CDBG funds were authorized for acquisition or improvement.
 - b. City shall reimburse County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under the CDBG regulations at any time prior to or subsequent to the close-out, change of status or termination of this Agreement between the County and City.
12. Headings. The headings in this document are merely for the convenience of the parties, and do not form a material part of this document. Headings shall not be considered in the construction of this document.
13. Minor Amendments to the Agreement. Notwithstanding, Paragraph 2 above, should it become necessary to change the language of this Agreement to meet HUD approval, without making major changes and without altering the intent of the Agreement, such changes may be made administratively by the City Manager of City.

All remaining provisions of said Agreement shall remain in full force and effect for the term provided herein.

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



COUNTY OF SAN MATEO

Richard Bauer
Richard Bauer

by _____
President, Board of Supervisors

ATTEST:

Richard L. Steyer
Richard L. Steyer

Clerk of Said Board

CITY OF MENLO PARK

by *Janet M. Dolan* Janet M. Dolan
Chief Executive Officer: _____ City Manager
Title

ATTEST:

Jaye M. Carr

City Clerk - Jaye M. Carr

Certificate of Delivery
(Government Code section 25103)

I certify that a copy of the original document filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Elaine Walton Horsley
ELAINE WALTON HORSLEY, Assistant
Clerk of the Board of Supervisors

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DRAFT – September 12, 2017

RESOLUTION NO. XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO
PARK AUTHORIZING EXECUTION OF COOPERATION
AGREEMENTS WITH SAN MATEO COUNTY FOR PARTICIPATION
ON THE COUNTY'S HOUSING AND COMMUNITY DEVELOPMENT
PROGRAMS**

WHEREAS, staff recommends authorizing a Cooperative agreement with San Mateo County to secure and award federal funds through the process of Community Development Block Grants (CDBG), HOME Investment Partnership ("HOME"), Emergency Solutions Grant (ESG) to eligible public entities; and

WHEREAS, public entities that do not otherwise come within the definition of an eligible public agency may cooperate and participate with an eligible public entity such as an urban county; and

WHEREAS, the County of San Mateo has heretofore qualified as an urban county under the Act, the County again solicits the cooperation and co-participation of public entities such as City in its application for federal assistance under the Act for the Federal Fiscal Years 2018, 2019 and 2020 and subsequent three-year periods thereafter; and

WHEREAS, a Cooperation Agreement by and between City and County establishes the formal relationship to cooperate and co-participate and is specifically authorized under the provisions of Government Code Section 6502 and 26227; and

WHEREAS, City has previously expressed its intent and desire to cooperate and participate with County in its plan application and to engage in housing and community development activities within its incorporated limits thereunder; and

WHEREAS, City understands that in becoming part of the Urban County, City automatically participates in the CDBG, HOME and ESG Programs, which provide eligible local jurisdictions with federal funds for affordable housing activities; and

NOW THEREFORE, BE IT RESOLVED BY THE City Council of the City of Menlo Park that the City Council hereby authorizes a Cooperation Agreement with San Mateo County to award Community Development Block Grants ("CDBG"), HOME Investment Partnership ("HOME") Emergency Solutions Grant ("ESG") to eligible public entities; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute documents necessary to effectuate the Cooperation Agreement with San Mateo County.

I, Clay Curtin, Interim City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twelfth day of September, 2017, 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 twelfth day of September, 2017.

Clay J. Curtin
Interim City Clerk



STAFF REPORT

City Council

Meeting Date: 9/12/2017
Staff Report Number: 17-208-CC

Regular Business: Review and provide direction on new State of California recreational cannabis regulations and adopt 45-day interim urgency ordinance

Recommendation

Staff recommends the City Council review new State of California recreational cannabis regulations and adopt an initial 45-day interim urgency ordinance, prohibiting all commercial cannabis land uses and all cannabis cultivation, until new City regulations can be developed in response to State law. Staff is also seeking City Council input on the development of those new City regulations. A description of this type of ordinance is contained in this staff report.

Policy Issues

Review and provide direction on new State of California recreational cannabis regulations. Cannabis use categories include: retail/deliveries, cultivation, manufacturing, distribution and testing.

Background

On November 8, 2016 the voters in the State of California passed Proposition 64 or the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA). Proposition 64 was approved by 57% of voters statewide, while in San Mateo County the measure passed with 63% approval. Menlo Park voters approved it with 67%. Recreational cannabis is now legal in 8 states and the District of Columbia. An additional 21 states now permit medical marijuana use.

The AUMA took effect on November 9, 2016 with the State of California having until January 1, 2018 to develop regulations to monitor the cultivation, testing, manufacture, and dispensing aspects of the new law. While previous legislation regulated the medical use of marijuana, AUMA legalized the non-medical use of marijuana. AUMA makes it legal for person 21 years or older to:

1. Smoke or ingest marijuana and marijuana products;
2. Possess, process, purchase, transport, obtain or give away to persons 21 years or older 28.5 grams (1 oz.) of marijuana or 8 grams of concentrated marijuana, including as contained in marijuana products; and
3. Possess, plant, cultivate, harvest, dry or process up to six living marijuana plants for personal use.

Marijuana in excess of 28.5 grams that is produced by plants kept pursuant to the personal cultivation provisions of the AUMA must be kept in a locked space on the grounds of a private residence that is not visible from a public place. Medical marijuana may be consumed by those 18 and older or as young as 14 years old with parental/guardian permission.

Senate Bill 94 (SB 94) was signed by Governor Brown on June 27, 2017 and immediately became effective. Before SB 94, medical cannabis was regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and non-medical cannabis was regulated by AUMA. SB 94 blends together medical and non-medical cannabis regulations by repealing the MCRSA and inserting certain licensing provisions from the MCRSA into the AUMA. SB 94 requires a local jurisdiction to provide within 60 days to the newly created Bureau of Cannabis Control a copy of any ordinance related to commercial cannabis activity and the contact information for the person designated by the local jurisdiction to serve as the contact person regarding commercial cannabis activity within the jurisdiction. Further modifications to SB94 may be adopted in fall 2017.

Analysis

Personal (Residential) Cultivation

The level of regulation a local government may impose is divided into two categories-indoor and outdoor cultivation. Local governments have less control over indoor cultivation. Cities may reasonably regulate (such as requiring adequate plumbing and electrical access for cultivation), but not ban, personal indoor cultivation within a person's private residence. Indoor cultivation includes growing marijuana plants in a greenhouse on the same property as the residence that is not physically part of the home, as long as it is fully enclosed, secure and not visible from a public space. Local governments have more control over outdoor cultivation. A city may regulate, but also may ban personal outdoor cultivation, typically for issues such as odor and to prevent potential criminal activity. San Mateo County has a temporary ban on growing cannabis outdoors in unincorporated areas and many other local Peninsula communities (Palo Alto, Foster City, Burlingame, San Mateo) have banned the outdoor growth of cannabis while some have permitted, but regulated it's view through required fencing/screening.

Questions

1. Should the City develop an ordinance to ban, temporarily ban or permit the outdoor cultivation of cannabis on residential-zoned property? If permitted, what types of screening, if any, would be required?
2. How would this ordinance apply to multi-family residential-zoned properties? Would cultivation be permitted or banned in outdoor areas (i.e. balconies or common area) of multi-family buildings?
3. Is there an interest in investigating further restrictions on indoor cultivation? If yes, what measures would be investigated? Examples include regulating the cultivation location in a private residence or requiring locking mechanisms for children or ensuring water and electric access.

Commercial Cultivation

State licensing and enforcement responsibilities are divided among three agencies. The Department of Consumer Affairs, which includes the new Bureau of Cannabis Control, will issue licenses for the transportation, storage, distribution and sale of marijuana. The Department of Food and Agriculture will issue cultivation licenses. The Department of Public Health will issue licenses for marijuana manufacturers and testing laboratories. Each state license will be valid for one year. A separate state license will be required for each commercial marijuana business location. With the exception of testing facilities, any person or entity that is licensed may apply for and be issued more than one type of state license.

All nonmedical marijuana businesses must have a state license. The state cannot issue a license to an applicant whose operations would violate local law. Local laws may be adopted to regulate or prohibit

state-licensed commercial marijuana businesses. For example, local jurisdictions could establish standards, requirements and regulations regarding health and safety, environmental protection, testing, security, food safety, and worker protections that exceed state standards. There are also other land use regulations, which will be discussed in more detail below, that local governments may adopt. Local authorities will be responsible for enforcing local ordinances and can institute separate City licenses (often through a 2-step verification process).

With the previous medical marijuana law, a city could rely on permissive zoning principles to prohibit medical marijuana land uses. Under a permissive zoning code any use not enumerated in the code is presumptively prohibited. However, language in the AUMA regarding local control anticipates that a city will adopt an ordinance explicitly prohibiting a nonmedical marijuana business and designates nonmedical marijuana as an agricultural product. Therefore, cities that wish to ban all or some nonmedical marijuana activities should adopt express prohibitions, even if they operate under permissive zoning, and should look carefully at where agricultural operations are permitted.

Regarding indoor commercial cultivation uses, staff notes potentially investigating permitting the use in the sole remaining M-2 Light Industrial zoned area along Haven Ave. near the City's northern border. This area presently permits light industrial, research and development uses and has a building stock that may be adaptable to cultivation uses. While there are no schools within 600' or 1000' (see dispensary buffer map attachment) additional research is required as to distances to other child-serving entities. Also, there are new multi-family residences along Haven Ave. and further outreach would be recommended with residents, property owners and other stakeholders.

Cities would be required to license cannabis-related businesses and may cap those uses at a certain number of licenses. Outdoor commercial cultivation is not recommended at this time but could also be investigated for this or other zoning districts.

Taxation

A primary reason to consider permitting commercial cultivation, or other cannabis-related uses such as dispensaries, is the tax revenue a city could realize from those entities. State law imposes an excise tax at the rate of 15% of gross sales receipts and there are also restrictions of how the funds can be spent, typically related but not limited to law enforcement activities. This tax will be in addition to existing state and local sales tax. State and local sales taxes can range from five to ten percent and, therefore, the combined excise tax could approach 25% at the retail level (which could incentivize the black market to avoid paying taxes). Related to cultivation, a separate state cultivation tax on all marijuana harvested is as follows: \$9.25 per dry weight ounce on buds/flowers and \$2.75 per dry weight on all leaves (any city tax would be in addition to the state tax). The State exempts marijuana cultivated for personal use (and medical marijuana) from taxation.

The amount of potential cultivation revenue would depend greatly on the size of the facility, the amount of product produced and the number of licenses to be granted. The San Mateo County Narcotics Task Force estimates 25 cannabis plants can be cultivated within a 100 sq. ft area. Assuming a 10,000 sq. ft building, that would be approximately 2,500 cannabis plants. Estimates on potential cultivation revenue vary greatly from hundreds of thousands to close to \$5 million. Revenue is also impacted by whether the City would further limit cultivation businesses through measures such as making them permitted only by conditional use permits (thereby extending the approval process timeline) or required additional security measures such as 24-hour security and video systems or the inclusion of on-site security firms. Improvements in technology allow for frequent yearly indoor harvests with some estimates noting the entire California cannabis market (3 million people) could be served by 1,500 acres of cultivation uses.

Further discussion of potential taxation revenue is contained in the below retail dispensary section, an area where significant revenue could also be realized. Finally, full cost recovery of municipal staff and services is permitted under SB94.

Questions

1. Should the City develop an ordinance to ban, temporarily ban or permit the commercial indoor and outdoor cultivation of cannabis on non-residential (commercial) zoned property? If indoor or outdoor cultivation were to be permitted, in what zoning districts should staff investigate? Should additional security or land use entitlement procedures be placed on these businesses? Should buffer requirements from schools and daycare centers be considered? Consideration should also be given to the significant amount of water and electrical usage associated with cultivation locations.
2. If any commercial cultivation uses were to be permitted should staff investigate additional taxation options on those businesses? If yes, staff will return at a later date with additional research on comparable communities.

Retail Dispensaries

As of January 1, 2018, the state will begin issuing licenses for the sale of non-medical cannabis in retail dispensaries. Products for sale will be both plant-based and in the form of food, oil and beverage products. The CA Dept. of Food and Agriculture will issue a 'track and trace' identifier system with a unique identifier for each plant to track from cultivation to sale (similar to the system in place previously for medical marijuana). Existing stores that sell alcohol or tobacco may not apply to sell cannabis. Dispensaries must be located 600' from a school or child-serving organizations, though many communities that have permitted dispensaries have increased that radius to 1000' (see attachment for a map displaying 600' and 1000' buffers from schools in and near Menlo Park).

There are currently few proposed or existing (medical) cannabis retail dispensaries in San Mateo County. Most local communities, including Palo Alto, have issued temporary moratorium bans on marijuana-related businesses while they assess the impact of the businesses or wait for a more coordinated county-wide approach to the industry. The County Board of Supervisors has held study sessions on the topic and will continue those conversations into the fall. Exceptions to this include existing and proposed dispensaries in Pacifica. San Carlos considered providing retail dispensary services but did not proceed after a City Council study session. At last estimate 15 Bay Area communities will permit commercial dispensaries ranging from large cities such as San Francisco, Oakland and San Jose to smaller cities such as Berkeley and Emeryville. Most all cities have placed caps on the number of dispensary licenses to be issued, which zoning districts they can be located in and additional restrictions such as increased buffers from schools to additional security measures.

Similar to the above cultivation discussion, the primary reason to consider permitting dispensaries is related to potential taxation revenue. Proposed statewide local tax rates range from 3-20%, with revenue estimates ranging into the millions dependent of the size and the number of dispensaries permitted. As of May 2017, in the City of Boulder Colorado, where recreational cannabis dispensaries are presently operating, total marijuana revenue stood at \$2.2 million. Assuming monthly tax revenue remains at the same levels (though it is up 24% over last year and assumed to continue to exceed previous monthly averages), yearly tax revenue would be about \$5.3 million. There are approximately 20 dispensaries listed in the City, or about \$265,000 in revenue per establishment. Boulder levies an additional 8.5% in sales and excise taxes above the state sales tax.

Locally, the City of San Jose levies a 9.25% sales tax plus a 10% 'Marijuana Business Tax' as well as a \$146,000 licensing fee on all cannabis businesses (which presently only distribute medical marijuana). San

Jose voters approved the tax rate giving the City Council discretion for a local sales tax rate of up to 10%. With 16 dispensaries currently licensed in the City, San Jose has generated \$11 million in revenue, with \$9 million to the General Fund and \$2 million to the Police Department for additional program oversight (a separate police division has been created to address enforcement). With established cannabis businesses, it is likely San Jose could realize significant additional revenue once retail (non-medical marijuana) cannabis becomes available in January 2018. San Jose is also investigating licensing manufacturing, distribution and testing businesses later this year.

As noted above, few retail dispensaries are initially planned in San Mateo County or the Peninsula area which would likely positively impact potential dispensary revenue in Menlo Park. Additional considerations are the already high state sales tax rate (15%) on cannabis products and the fiscal impact an additional City sales tax would have on the sale of those products. Finally, other factors would be law enforcement concerns related to cash-only businesses and potential negative impacts to a commercial corridor by being one of the initial locations of a dispensary.

Questions

1. Should the City develop an ordinance to ban, temporarily ban or permit the retail sale (dispensary) of cannabis products on non-residential zoned properties? If dispensaries were to be permitted in what zoning districts should staff investigate? Additional security or land use entitlement procedures placed on these businesses? Buffer requirements from schools and daycare centers?
2. If any retail dispensaries were to be permitted should staff investigate additional taxation options on those businesses? Licensing fees? If yes, staff will return at a later date with additional research on comparable community taxation rates and potential revenue estimates.
3. As retail dispensaries would likely have the most potential impact on commercial districts and surrounding areas – What other types of community outreach would be preferred?
4. If a temporary or permanent dispensary ban is preferred – What is the length of time for the proposed ban?

Testing/Manufacturing/Distribution

Similar to commercial cultivation, there is a potential to permit, or conditionally permit, cannabis testing, manufacturing or distribution facilities in the M-2 or in other zoning districts that would already permit similar research and development uses (particularly related to the testing of cannabis products). As previously noted, the Dept. of Public Health and Bureau of Cannabis Control will issue separate licenses and enforce state regulations on all cannabis manufacturers, distributors and testing labs. Testing of the products confirms there is no presence of bacteria, pesticides or other solvents. Manufacturing refers to the dissection of plants (the extraction of the thc chemical) into a commercial retail product (plant, edible, oil, topical or beverage form). Manufacturing likely also includes the packaging of cannabis products. Distribution facilities would contain cannabis products in finished form and coordinate delivery to both retail dispensaries and other delivery services. Additional local sales taxes could also be realized from these businesses, in addition to potential licensing fees.

Questions

1. Should the City develop an ordinance to ban, temporarily ban or permit the testing, manufacturing or distribution of cannabis products (where otherwise not permitted by right)? If these uses were to be permitted, in what zoning districts should staff investigate? Additional security or land use entitlement procedures placed on these businesses? Additional buffer requirements from schools and daycare centers be considered?

Delivery Services

The delivery of medical marijuana is presently permitted. Online research indicates several delivery services are currently operating in and around Menlo Park. A city may ban or regulate deliveries within its boundaries, but may not ban a delivery service from using public streets to get to another jurisdiction. 50% of all medical marijuana deliveries are done via a delivery service and that number is expected to increase in coming years. Deliveries can be made by a state licensed retailer, microbusiness or nonprofit, though state law does require a customer requesting delivery to maintain a copy of the delivery request, there is no requirement that delivery staff carry or maintain records.

While delivery services are banned within unincorporated San Mateo County, many communities do permit it and given the above provision that public streets may be used to deliver cannabis, a delivery ban would be difficult to enforce. Also, given the 67% of City voters who approved Prop 64, a delivery restriction may not reflect public opinion as to access to legal cannabis products. Delivery services also do not entail some of the potential negative consequences that could occur with retail or cultivation entities. Deliveries may be taxed but enforcement may be difficult as services often do not disclose exact physical locations and verification of the amount and value of product would be difficult to ascertain.

Questions

1. Should the City investigate a ban on cannabis delivery services within City boundaries? If yes, how will enforcement of the ban occur?
2. If deliveries are permitted, should staff investigate the taxation of those deliveries?

Smoking

State law contains certain regulations related specifically to smoking. The smoking of marijuana is prohibited: (1) in any public place, except where a local jurisdiction has authorized use on the premises of a retailer or microbusiness; (2) where smoking tobacco is prohibited (as regulated by the City of Menlo Park); (3) within 1,000 feet of a school, day care center, or youth center while children are present; and (4) while driving, or riding in the passenger seat of any vehicle used for transportation. It further allows cities to prohibit possession and smoking in buildings owned, leased or occupied by the city, and employers to maintain a drug and alcohol free workplace by prohibiting the use, consumption, possession, transfer, transportation, sale, display or growth of marijuana in the workplace. An individual or private entity may also prohibit or restrict smoking and/or cultivation of cannabis on the individual's or entities privately-owned property.

While most cities appear to have not adopted additional cannabis smoking regulations, the City of San Mateo has banned smoking medicinal or recreational marijuana in multi-family buildings (rental or ownership), if there are shared walls or ventilation systems. Smoking of medicinal or recreational marijuana is permitted in single-family homes and private vehicles. Edible use is not prohibited in San Mateo multi-family or single-family residences, though it should be noted that medicinal marijuana is often smoked as edibles take longer to take effect and smoking provides quicker relief for medical symptoms. Vaporizing, or 'vaping', is increasingly becoming more popular as the cannabis is released as steam and there is much less odor with vaping.

Questions

1. Should the City develop an ordinance to ban or temporarily ban the smoking of non-medical cannabis in multi-family or single-family buildings?

Interim Urgency Ordinance (Moratorium)

The State will begin issuing licenses for the above described activities by January 1, 2018. The City, therefore, has only approximately three months to develop local regulations. To allow the City adequate time to go through a robust public process, develop and adopt local regulations, the City Council could adopt an interim urgency ordinance prohibiting commercial cannabis activities (and potentially outdoor personal cultivation). State law (Government Code Section 65858) allows a city to adopt an interim urgency ordinance that prohibits otherwise allowed uses when those uses conflict with a land use proposal that the city is considering, studying or intending to study within a reasonable period of time. An interim ordinance requires a four-fifths vote of the Council (if only four Council members are present, the vote must be unanimous) and must contain a finding that there is a current immediate threat to the public health, safety or welfare, and may be adopted without notice and adoption procedures required for other ordinances. The interim urgency ordinance has an initial duration of 45 days and may be extended for an additional ten months and 15 days after notice, including a written report issued ten days prior to the expiration of the interim urgency ordinance describing the measures taken to alleviate the condition which led to the adoption of the ordinance, and a public hearing.

Impact on City Resources

Project sponsors would be required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

SB94 and MAUCRSA permit a CEQA exemption for municipalities that require discretionary approval for permitting a commercial cannabis business.

Public Notice

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

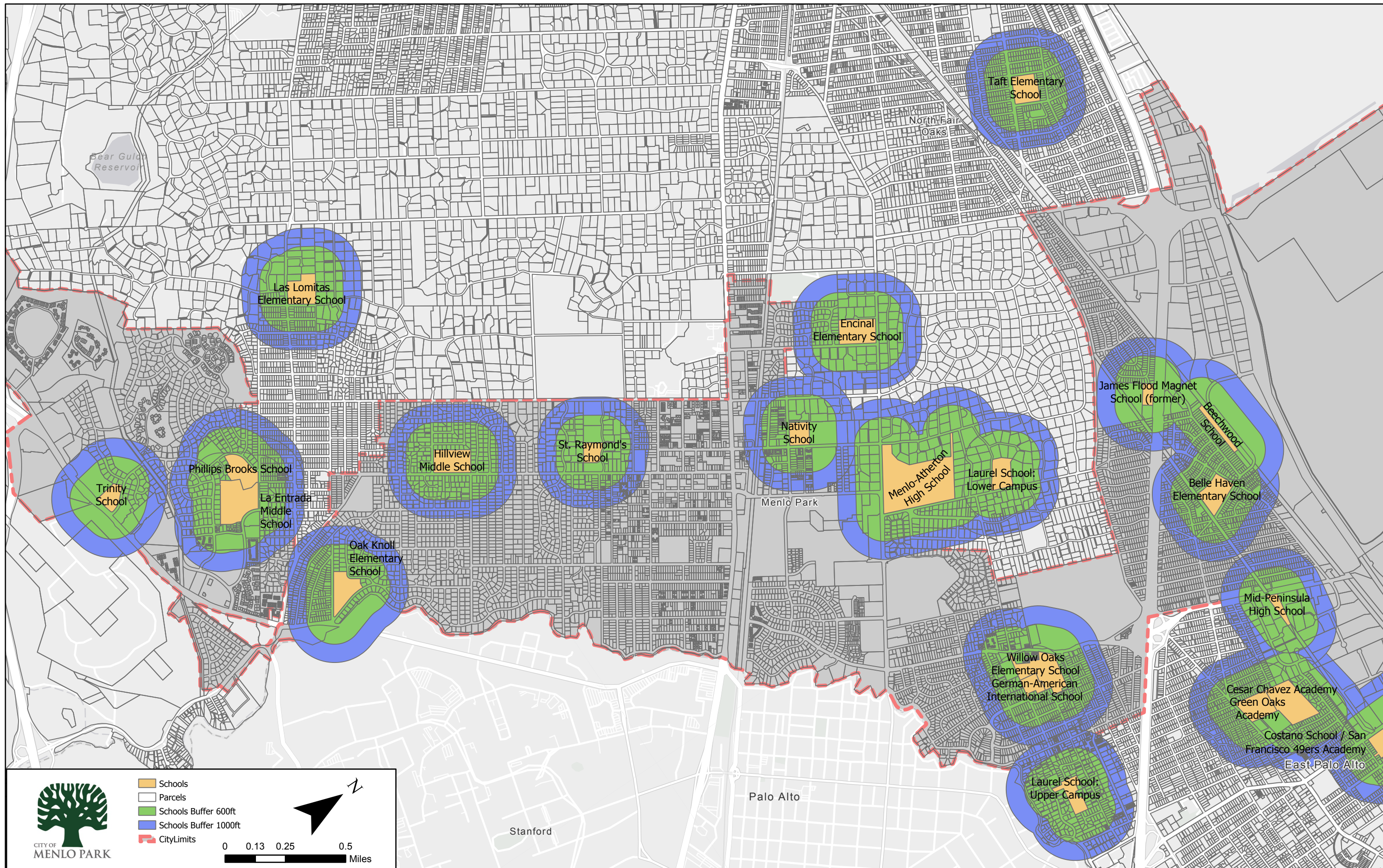
Attachments

A. School Buffer Map – 600' and 1000'

Report prepared by:

Mark Muenzer, Assistant Community Development Director

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STAFF REPORT

City Council

Meeting Date: 9/12/2017
Staff Report Number: 17-206-CC

Regular Business: **Review and discuss the proposed 2018-2020 solid waste rate changes, authorize initiation of a Proposition 218 notification process, and consider approving Community Zero Waste Plan**

Recommendation

Staff recommends that the City Council:

1. Review and discuss the proposed 2018 to 2020 solid waste rate changes in preparation to make a final decision in November
2. Authorize initiation of a Proposition 218 Notification process that would inform all solid waste customers of the City Council's intent to change solid waste rates over the next three years
3. Approve the proposed Community Zero Waste Plan

Policy Issues

The proposed solid waste rate changes and the Community Zero Waste Plan are essentially two separate policy items. However, they do share interdependencies and cross overs that are useful to consider and discuss together.

Solid Waste Rate Changes

As a member of the South Bayside Waste Management Authority (SBWMA) and under the franchise agreement with Recology, the City is obligated to pay an annual compensation requirement due to Recology for waste, recycling, and compost collection and processing services. This is paid for through solid waste rates, and the City Council is responsible for setting rates that will cover the cost for these services. Changes to solid waste rates require a Proposition 218 notification process.

Community Zero Waste Plan

Considering a Community Zero Waste Plan is item No. 7 in the City Council's adopted work plan. This is consistent with implementing the City's Five Year Climate Action Plan Strategy, and will assist in continuing to reduce Menlo Park's greenhouse gas emissions. It supports state requirements to implement mandatory recycling and composting (AB 341, AB1826, and SB 1383) for the commercial sector and aligns with the overall statewide goal to divert 75 percent of waste from landfills by 2020.

Background

The City has not adjusted solid waste rates since 2012, resulting in annual shortfalls to meet compensation requirements due to Recology. In 2016, the City paid Recology \$360,000 to cover accrued shortfall amounts for 2013 and 2014, and it is estimated that the current shortfall through 2017 is \$475,000. These shortfalls have been covered by the City's solid waste rate stabilization fund. However, the fund balance has been reduced and will no longer be able to sustain continued coverage of these shortfalls in the future.

In addition to these shortfalls, the City has a rate structure that incentivizes customers to recycle and compost by not charging or by providing significant discounts for these services. However, recycling and composting do have a separate cost that has historically been rolled into the size of a landfilled garbage cart/bin (e.g., black cart) selected by the customer. In addition, the City provides a deep discount for customers that select the smallest sized garbage cart/bin, further incentivizing customers to recycle and compost.

This rate structure has had the intended effect of encouraging a sustainable behavior, but as more customers migrate to smaller sized garbage carts/bins, it becomes progressively difficult to meet Recology's compensation requirements when the majority of customers are taking advantage of the lowest discounted rate by selecting smallest garbage carts/bins.

This rate structure is not unique, and has been a traditional approach for many cities over the last few decades to meet state mandate AB939 requirements to divert 50 percent of a community's waste stream from the landfill. However, a recent Appellate Court decision (*Capistrano Taxpayers Association, Inc. v. City of San Juan Capistrano*) clarified that rate structures require cost-based justification for each customer and type of service offered (recycling, composting, or landfilled waste). This is causing many cities to reevaluate and change their rate structures.

Additionally, the SBWMA has adopted a model extension to the franchise agreement with Recology, which is currently set to expire on December 31, 2020. The City is considering extending the agreement for continued service with Recology that would be effective January 1, 2021 through 2035. If approved by City Council, it will result in some one-time adjustments to Recology's compensation at the start of the new franchise agreement, such as necessary truck replacements. As a result, the City needs to adjust rates to meet the revenue requirement due to Recology in 2018 and the potential rate impacts when the existing agreement comes to an end.

These issues are calling for the City Council to consider changing rates. In 2016, the City Council directed staff to develop a new rate structure for solid waste services to address these difficulties. As a result, R3 Consulting Group, Inc. was hired to develop a new rate structure model for the City.

The initial results were presented to the City Council at a study session in May of this year, and showed preliminary estimates of the needed rate changes to compensate Recology while also achieving a cost per service structure. Over the last few months, staff and R3 Consulting Group, Inc. have been working with the SBWMA and Recology to update the model with more recent data to meet Recology's 2018 compensation requirement. In addition, the model can forecast rate changes needed over multiple years, allowing the City Council the opportunity to potentially adopt rates for 2019 and 2020 to improve efficiency and better prepare and inform customers for the rate changes.

A Proposition 218 notification process is required to inform ratepayers about the maximum rate increases being considered 45 days prior to the City Council adopting the rates. The City Council received an informational report in August regarding the needed timing for a final decision to adopt new solid waste rates. A notification to ratepayers would need to be sent by the end of this month for a final City Council decision on November 14, 2017.

No final decision regarding the solid waste rate changes can be made at this City Council meeting. Staff is requesting that the City Council review and discuss the proposed rate changes (Attachment A), and authorize staff to initiate the Proposition 218 notification process (Attachment B) in order to make a final decision on solid waste rates in November.

Community Zero Waste Plan

R3 Consulting Group, Inc. was also hired to develop the Community Zero Waste Plan in 2016. A draft was provided as an informational item to City Council in May and August of this year (Attachment C). New incentives to reduce landfilled waste are included in the Community Zero Waste Plan to help mitigate the impacts of removing the City's price based incentive for recycling and composting. The Community Zero Waste Plan included community engagement, and is described in the Analysis Section below.

Analysis

Solid Waste Rate Structure

In May 2017, the City Council accepted the following criteria to guide the development of a new rate structure model:

1. Rates should generate revenues needed to cover expenses for the solid waste collection, processing, disposal system and associated City fees
2. Rates should continue to incentivize higher participation in recycling, composting and other non-landfill waste streams
3. Rates should gradually move in the direction of evenly covering the cost of providing services to single family residential and multifamily/commercial customers
4. Rates should gradually move in the direction of including separate cost for each of the waste streams (garbage, recycling and composting)
5. Rates should be easily adjusted annually in accordance with indexed cost adjustments and changes in services levels (which are managed and reviewed by SBWMA)
6. Ensure that the revised rate structure would incorporate all operational and implementation costs projected by the Community Zero Waste Plan

The proposed rate model is expected to meet the above criteria and enable the City to moderately adjust rates over the next 10 or more years toward a cost per service structure (as opposed to rolling all costs into the size of a garbage cart/bin), reducing the City's exposure to litigation.

The proposed rate model is able to annually calculate the required rates based on data provided by Recology and SBWMA. For Example, one component of the model uses customer service levels. R3 and City staff have calculated 2018 proposed rates based on actual data. The proposed maximum rates for 2019 and 2020 have been calculated based on conservative estimates regarding anticipated increases in

costs, and according to the Franchise Agreement methodology used for annual compensation.

Actual rates set in years 2019 and 2020 may be up to the maximum amounts set via this rate setting process, or could be lower if the data provided to the City results in lower rates needed to meet actual compensation requirements.

The proposed rate model also covers the costs to implement the Community Zero Waste Plan if adopted by the City Council.

Single-family residential rates

Table 1 demonstrates how single-family residential monthly rates will change in 2018-2020 for “bundled” service inclusive of garbage, recycling and organics collection. The proposed rate structure includes nominal charges related to the provision of recycling and organics collection for single-family customers. Currently, costs related to the provision of these services are not calculated via the City’s rate structure. In actuality, the costs of collecting and processing recyclables and organics are significant, and largely similar to (if not greater than) the costs of collecting and disposing of garbage. The proposed rate model includes nominal charge for these services for all customers (residential, commercial and industrial) as an incremental step toward setting rates in alignment with the costs of providing services. As proposed, single-family customers would see the total bundled rate as shown in Table 1 on their bills.

Table 1: Proposed Single-family bundled rates 2018 – 2020 Proposed Maximum Rates (Includes Garbage, Recycling, and Organics)

Waste stream	Garbage container size	Current bundled monthly rate	2018 bundled monthly rate	2019 bundled monthly rate	2020 bundled monthly rate
Bundled solid waste collection, processing and disposal service	20 gallon	\$13.99	\$16.97	\$19.90	\$22.81
	32 gallon	\$23.40	\$26.03	\$28.60	\$31.14
	64 gallon	\$55.99	\$58.62	\$61.19	\$63.73
	96 gallon	\$83.72	\$86.35	\$88.92	\$91.46

As stated previously, Menlo Park has not increased rates since 2012, and shortfalls have been covered by the City’s solid waste rate stabilization fund. The fund balance can no longer sustain future shortfalls, and the City now needs to recover these previous shortfalls through rate changes.

For comparison purposes, if the City had annually adjusted rates according the Consumer Price Indices (CPI) for Urban Consumers in the San Francisco/Oakland/San Jose areas, the rate for a 20-gallon cart in June 2017 would have been \$16.48 and a 32-gallon cart would be \$27.57. This shows how far behind the prices have been in Menlo Park since 2012, and also provides evidence that the rate structure model and Recology’s 2018 compensation are within reason.

In addition, Menlo Park generally has lower rates than other cities that are part of SBWMA. Table 2 compares monthly single-family residential rates for each of the SBWMA member agencies. As shown, Menlo Park’s current single-family residential monthly rates for 20 and 32-gallon garbage subscriptions

(which are the majority of single-family selections) are 42 percent and 31 percent *less* per month, respectively, than the average monthly rates for other SBWMA member agencies.

Monthly rates for 64 and 96-gallon garbage subscriptions (which comprise 22 percent of single-family selections) are 2 percent and 3 percent *less* per month, respectively, than the average of the other SBWMA Member Agencies.

Table 2: Comparison of 2017 single-family rates by SBWMA Member Agency				
Monthly single-family solid waste rates (based on garbage container size)				
Member agency	20 gallon	32 gallon	64 gallon	96 gallon
Atherton	\$27.00	\$55.00	\$102.00	\$152.00
Belmont	\$21.19	\$33.50	\$65.97	\$98.95
Burlingame	\$12.90	\$23.85	\$47.71	\$70.80
East Palo Alto	\$40.77	\$40.77	\$40.77	\$40.77
Foster City	\$13.74	\$22.00	\$44.00	\$66.00
Hillsborough	\$39.67	\$48.22	\$73.51	\$103.12
Menlo Park 2017	\$13.99	\$23.40	\$55.99	\$83.72
Redwood City	\$11.38	\$27.30	\$54.61	\$81.06
San Carlos	\$21.29	\$31.80	\$53.27	\$69.82
San Mateo	\$12.28	\$19.65	\$43.34	\$67.02
North Fair Oaks - CSA8	\$28.05	\$28.05	\$28.05	\$84.14
West Bay Sanitary	\$27.96	\$40.23	\$73.70	\$110.00
Unincorporated County	\$31.12	\$36.98	\$61.95	\$88.00
AVERAGE (without Menlo Park)	\$23.95	\$33.95	\$57.41	\$85.97

Multifamily/commercial rates

Multifamily and commercial rates are much more complex than residential rates, with dozens of rate codes, and thousands of combinations of container sizes and collection frequency for garbage, recycling and organics. As such, it is not possible to demonstrate the impacts to these rates in the same way as residential rates. To assess the impact of the proposed rate structure on multifamily/commercial customers, R3 has prepared an analysis of the impact on all such customers, comparing current monthly rates to proposed 2018 monthly rates.

The proposed rate structure yields minimal increases in monthly rates for multifamily/commercial garbage and organics rates. The largest impacts will be to multifamily/commercial recycling rates, which will now include a portion of the cost of providing recycling services. This has not been charged separately before.

As such, the largest rate increases for multifamily/commercial will be for customers that currently generate large amounts of recyclables, but only pay for small amounts of garbage. However, despite setting nominal changes for recycling rates, ratepayers will still have financial incentives to recycle and compost as the rates for these services will remain below garbage rates.

No commercial rates were reduced as part of the commercial rate adjustments, although some customers may end up paying less than they had been paying because of some adjustments in rate codes.

Based on the proposed 2018 rates, 95% of multifamily and commercial customers will be affected by the rate adjustments and increases. Please see Table 3, below, for a summary of how these customers will be affected. These trends will be similar in 2019 and 2020.

Percent Increase	Number of Customers Impacted	% of Customers Impacted
Increases Between 40% and 60%	2	0.24%
Increases Between 20% and 40%	24	2.85%
Increases Between 10% and 20%	55	6.54%
Increases Between 5% and 10%	68	8.09%
Increases Between 0% and 5%	692	82.28%
Total	841	100.00%

Table 4 below provides a snapshot of 2018 through 2020 proposed rates for commercial and multi-family customers.

Material Type and Frequency	Container Size	2017	2018	2019	2020
Once Weekly Garbage	96-gal	\$102.77	\$102.77	\$102.77	\$102.77
	2 cy	249.39	249.39	249.39	249.39
	3 cy	374.08	374.08	374.08	374.08
Once Weekly Recycling	96-gal	-	1.77	3.47	5.11
	2 cy	-	1.77	3.47	5.11
	3 cy	-	1.77	3.47	5.11
Once Weekly Organics	96-gal	51.39	54.54	57.69	60.70
	2 cy	62.35	126.65	128.90	131.16
	3 cy	124.69	187.14	187.76	188.50

Many affected customers will have the opportunity to lower their solid waste rates by choosing to reduce their garbage container sizes and also by “right-sizing” their recycling and organics collection services. Ensuring that the size of customer containers (garbage as well as recycling and organics) is appropriate to the amount of recycling and/or organic material customers generate will help to reduce customer costs and increase the overall efficiency of the collection system in Menlo Park. Recology provides technical assistance to commercial and multi-family customers to help customers reduce their costs and increase their recycling and organics diversion from landfill upon request.

The City intends to work with Recology to provide advance notice to these customers regarding the changes that will be made to their accounts, a description of why the rate changes were made, and how these customers can mitigate those impacts.

Rate Increases in Other Communities

As mentioned previously, the City needs to reduce its litigation risk by charging for each service provided and by the amount of service for each customer. Menlo Park is in concert with other cities in the SBWMA that are adjusting rates to meet the requirement for cost-based justification. San Carlos, the North Fair Oaks community and West Bay Sanitary District have recently adjusted their rates in order to reflect the actual costs of providing each type of solid waste service to customers.

For the 2017 rate year, San Carlos adjusted residential rates up by 2 percent, and commercial rates down by 2 percent, with the intention that solid waste rates would make “gradual progress toward... cost of service.” Unlike Menlo Park, San Carlos did not require any rate increases for 2017 in order to recover sufficient revenue for Recology’s compensation requirement. North Fair Oaks has increased residential rates from 2016 to 2017 by 5 percent while keeping commercial rates steady with the goal of aligning rates with cost of service. West Bay Sanitary District has increased residential rates and decreased commercial rates as well. West Bay customers with a 20-gallon garbage containers are paying 20 percent more, and those with 32-gallon garbage containers are paying 7 percent more in 2017 than in 2016. All West Bay commercial rates have been reduced by 5 percent.

Additionally, outside of the SBWMA service area, the City of Palo Alto is completing a three-year plan of residential rate increases intended to balance residential sector revenue and expenses. These rate increases have ranged between 7 percent and 9 percent for the residential sector and have been accompanied by decreases in some commercial rates.

Public Notification Process

The City intends to issue a Proposition 218 notice for maximum solid waste rates that may be charged in 2018, 2019 and 2020 (Attachment B).

To meet Recology’s 2018 compensation requirements, the City Council will need to approve the Proposition 218 notice at this September 12, 2017 meeting, and then hold a public hearing on November 14, 2017 in order to establish the new rates on January 1, 2018 and approve maximum rates that may be charged starting January 1, 2019 and 2020.

Public notification of the proposed maximum solid waste rates can be modified to incorporate City Council direction at this meeting. The maximum rates under City Council consideration will then be mailed to rate-payers no later than September 25, 2017 with the public hearing set to be held on November 14, 2017.

This would meet the required 45-day comment period prior to the public hearing. The notice (provided as Attachment B) will instruct rate-payers wishing to submit a written protest of the following information:

- The proposed rate schedules for the rate years if approved by City Council
- The basis upon which the amount of the proposed rates were calculated, substantially similar to the information presented in this staff report

- The reason for the fee or charge
- Proper procedure for submitting the written notice
- The date, time, and location of a public hearing on the proposed rates

Typically, adoption of solid waste rates has been on an annual basis, but the City Council has the option to consider a multiyear rate adoption to improve administrative efficiencies, reducing the cost and time associated with initiating the Proposition 218 notification process. It will also better inform and prepare customers for future rate changes in advance.

Proposition 218 noticing and setting rates for multiple years is a common practice for other utilities, such as water and sewer rates. The City of San Mateo recently set solid waste rates over a two-year time period with one Proposition 218 notice.

Under the Proposition 218 notification process, the proposed solid waste rate changes over the next three-years would be up to the maximum set by the City Council for each of the years. The City can establish rates below the maximum if necessary without a Proposition 218 notification. If rates above the maximum are necessary, it would require initiating another Proposition 218 notification process.

Community Zero Waste Plan

A Zero Waste goal is an economical, efficient and visionary way to guide people in changing their lifestyles and practices to emulate sustainable natural cycles, where all discarded materials are designed to become resources for others to use. Zero Waste means designing and managing products and processes to systematically avoid and eliminate the volume and toxicity of waste and materials, conserve and recover all resources, and not burn or bury them. The Community Zero Waste Plan (Attachment C) will guide the City's implementation of this vision through residential, commercial and municipal programs.

Other nearby communities that have adopted Zero Waste Plans include Palo Alto, Sunnyvale, San Francisco, Oakland and San Jose.

Proposed Menlo Park Goal Statement

Reduce landfilled materials generation to 3.1 pounds per person per day and achieve at least 73 percent diversion of franchised waste from landfill disposal by 2035. These goals are based on a vision to divert more materials from the landfill to reach Zero Waste, or 90 percent capture of recoverable materials in the City's waste stream by 2035. See Menlo Park Zero Waste goals and milestones in Table 5, below

Table 5: Zero Waste Goals and Milestones					
Goal	2015	2020	2025	2030	2035
1 - Franchised Diversion (Franchised Waste % Diversion)	56%	61%	65%	69%	73%
2 - Per Capita Disposal (CalRecycle PPD)	5.0	4.5	4.0	3.5	3.1
Goals Based on increased rates of recovery for Divertible materials					
Capture Rates of Recoverable Materials (Cascadia Modeling)	70%	75%	80%	85%	90%
Estimated Amounts of Landfill Disposal					
Franchised Disposal (Generation Static, Nearest 100 Tons)	16,600	15,000	13,300	11,800	10,200
Total Disposal (Population Static, Nearest 100 Tons)	30,200	27,200	24,100	21,300	18,600

Implementation plan timeline and strategies

The Zero Waste strategies could be implemented over a 10-year period from 2018 through 2027. The implementation timeframe is divided into three phases:

- Short-term 2018-2020
- Medium-term 2021-2025
- Long-term 2026-2027

Timing for the development of new programs is subject to the City’s budget process, contract extensions with Recology (or new contracts with another service provider) and potential upgrades to the Shoreway Environmental Center. For planning purposes, it is anticipated that the Zero Waste strategies will be implemented in the following sequence.

Short-term Zero Waste strategies

The following strategies would be implemented over a three-year period from 2018 through 2020 and subject to the City’s budget process. Most of these strategies could be implemented by City staff and some may be incorporated into their current duties. However, full implementation of these strategies would require more staff or contractor resources. One strategy would require upgrades to the Shoreway facility, which would be shared with all of the communities in the service area.

- Mandatory sorting of self-hauled waste at Shoreway
- Mandatory participation in recycling and composting programs
- Universal recycling and composting collection service
- Require all projects to direct C&D materials to designated facilities
- Increase recycling requirements in C&D ordinance
- Recycling ambassadors and door-to-door outreach
- Support for reuse, repair, leasing and sharing efforts
- Promote reusable bottles and bottle filling stations

Medium-term Zero Waste strategies

The medium-term strategies would be implemented during the five years from 2021 through 2025. Some

of these strategies would require changes to the City's franchise agreement and would be subject to negotiation. Several are City policies that require one-time staff support and others are ongoing programs that require annual staffing support (approximately 1 full-time equivalent). One strategy (expanding the list of curbside recyclables) would require upgrades to the Shoreway facility, which would be shared with all of the communities in the service area.

- Outreach, education, and technical assistance for C&D generators
- Expanded bulky item recycling collection
- Participating partners program
- Expanded list of curbside recyclables
- Material bans of products or packaging
- Zero waste event requirements
- Outreach to elementary and secondary schools
- Outreach to faith-based organizations
- Textile recycling

Long-term Zero Waste strategies

The long-term strategies would be implemented during the two years from 2026 through 2027. These include provision of supplementary technical assistance for the City's commercial waste generators, and City policy creation that would require one-time staff support.

- Additional commercial technical assistance
- Mandatory recycling percentage

Greenhouse Gas Emission Reduction

If these Zero Waste strategies were to be fully implemented, approximately 13,000 metric tons of annual carbon dioxide equivalent emissions could be avoided from landfilling waste, and increasing recycling and composting. Additional greenhouse gas emissions could be achieved through source reduction of non-recyclable materials and reuse activities.

This is equivalent to:

- Removing annual emissions from 2,790 passenger vehicles;
- Conserving 1,491,273 gallons of gasoline;
- Conserving 552,206 cylinders of propane used for home barbeques;
- Conserving 71 railway cars of coal;
- Conserving 867 households' annual energy consumption; or
- Conserving 17,155 barrels of oil.

The Waste Reduction Model (WARM) was used to calculate the estimated amount of greenhouse gas emission reduction. WARM was created by the U.S. Environmental Protection Agency to help solid waste planners and organizations estimate greenhouse gas emission reductions from several different waste management practices. The model calculates emissions in metric tons of carbon dioxide equivalent

(MTCO₂E) and metric tons of carbon equivalent (MTCE) across a wide range of material types commonly found in municipal solid waste.

Community Engagement

Community engagement efforts were designed to seek feedback from community members regarding Zero Waste goals and strategies, and to provide public information about planned changes to the City's solid waste rate structure. There were two community workshops (that were promoted via the City's website, email lists, flyers, and advertisements) an online survey (promoted via the same outlets) and additional stakeholder meetings and follow up phone calls with representatives from the environmental community, property managers, service providers, faith organizations, school community, business groups and regional agencies.

Based on input received during the stakeholder engagement process, the project team developed a list of Zero Waste strategy options. The initial strategy options were shared and discussed with the Environmental Quality Commission in February 2017, and the complete Plan was presented to the Commission in May 2017. The Commission moved to support the direction and the intent of the Community Zero Waste Plan, and provided recommendations regarding prioritization of strategies in the Plan, which are shown in the final Zero Waste Plan (Attachment C).

Zero Waste Plan Implementation Costs

Costs for implementing the Zero Waste strategies were developed by estimating number of staff or contractor hours that would be needed to develop and maintain each program, cost of outreach materials, and estimated capital costs for upgrades at the Shoreway Environmental Center, to be shared throughout the service area.

The average cost of implementing Zero Waste strategies is estimated to be \$115,000 per year based on the number of single family, multifamily and commercial customers in the City. Full implementation of all the Zero Waste strategies could result in an approximate \$0.85 per month increase in a customer's rate. Funding for the program is included in the proposed 2018, 2019, and 2020 rates under the City's contract management fee with Recology.

Impact on City Resources

Adoption of the Zero Waste Plan and implementation of the strategies identified therein is estimated to cost approximately \$115,000 per year. Funding for the implementation of the Zero Waste Plan is included in the proposed 2018, 2019 and 2020 rates.

Franchise Fee revenues received by the City (currently 13% of gross billed revenues) will increase in direct proportion to Recology's revenue requirement. Based on the proposed rates, billed revenues (and thus Franchise Fee revenues) for Menlo Park are projected to increase by 2.15% percent in 2018, 3.4% percent in 2019 and 3.3% percent in 2020, which will add to the General Fund balance.

Environmental Review

An environmental review is not required for this item.

Public Notice

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

Attachments

- A. Proposed 2018, 2019 and 2020 Solid Waste Rates
- B. Proposed Proposition 218 Notice to Menlo Park Rate-Payers
- C. Proposed Zero Waste Plan

Report prepared by:
Rebecca Lucky, Sustainability Manager

Proposed Solid Waste Collection, Processing and Disposal Monthly Service Rates				
SINGLE FAMILY RESIDENTIAL (ONCE WEEKLY ONLY)				
Bundled service which includes 64-gallon recycling and 96-gallon organics service, plus variable garbage size as listed below				
Description	2017	2018	2019	2020
20 GALLON	13.99	16.97	19.90	22.81
32 GALLON	23.40	26.03	28.60	31.14
64 GALLON	55.99	58.62	61.19	63.73
64 GALLON, each additional	-	55.99	55.99	55.99
96 GALLON	23.40	86.35	88.92	91.46
96 GALLON, each additional	-	83.72	83.72	83.72

Proposed Solid Waste Collection, Processing and Disposal Service PER PULL Rates				
ROLL-OFF DEBRIS BOX				
Service Volume	2017	2018	2019	2020
GARBAGE				
8 CY	628.95	628.95	628.95	628.95
15 CY	628.95	628.95	628.95	628.95
20 CY	689.56	689.56	689.56	689.56
30 CY	932.01	932.01	932.01	932.01
40 CY	1,174.47	1,174.47	1,174.47	1,174.47
RECYCLING				
8 CY	-	181.43	202.45	218.82
15 CY	-	181.43	202.45	218.82
20 CY	-	181.43	202.45	218.82
30 CY	-	181.43	202.45	218.82
40 CY	-	181.43	202.45	218.82
ORGANICS				
8 CY	314.47	396.62	408.14	417.44
15 CY	314.47	477.59	499.04	517.29
20 CY	344.78	547.25	573.78	596.76
30 CY	466.01	710.22	742.90	771.99
40 CY	587.23	873.18	912.01	947.22

CITY OF MENLO PARK
COMMERCIAL AND MULTIFAMILY RATES

2017 Solid Waste Collection, Processing and Disposal Monthly Service Rates							
COMMERCIAL BUSINESSES AND MULTI-FAMILY							
Description	Collection Frequency (per week)						
	1	2	3	4	5	6	7
GARBAGE							
CARTS							
20 GALLON	19.32	-	-	-	-	-	-
32 GALLON	29.00	66.60	102.47	139.94	179.18	220.06	-
64 GALLON	69.24	142.07	218.54	298.54	382.22	-	-
96 GALLON	102.77	216.24	324.37	432.50	540.60	696.83	-
BINS							
1 CUBIC YARD (CY)	124.69	254.37	389.04	528.69	673.34	859.55	1,021.04
2 CY	249.39	508.73	812.67	1,104.38	1,406.53	1,755.67	2,085.51
3 CY	374.08	797.04	1,219.00	1,691.81	2,154.69	2,633.50	3,193.45
4 CY	498.78	1,062.71	1,659.91	2,255.76	2,872.90	3,584.50	4,257.93
6 CY	781.40	1,627.98	2,489.85	3,454.15	4,399.15	5,486.45	6,647.61
8 CY	1,041.88	2,170.64	3,388.99	4,653.42	5,985.23	7,461.59	9,037.26
1.5 CY COMPACTED	768.92	-	-	-	-	-	-
2 CY COMPACTED	1,025.22	2,050.44	3,075.67	4,100.89	5,126.11	6,151.32	7,176.55
3 CY COMPACTED	1,537.83	-	-	-	-	-	-
4 CY COMPACTED	2,050.44	-	-	-	-	-	-
RECYCLING							
CARTS							
32 GALLON	-	-	-	-	-	-	-
64 GALLON	-	-	-	-	-	-	-
96 GALLON	-	-	-	-	-	-	-
BINS							
1 CY	-	-	-	-	-	-	-
2 CY	-	-	-	-	-	-	-
3 CY	-	-	-	-	-	-	-
4 CY	-	-	-	-	-	-	-
6 CY	-	-	-	-	-	-	-
ORGANICS							
CARTS							
20 GALLON	9.67	-	-	-	-	-	-
32 GALLON	14.49	33.31	51.22	69.96	89.60	110.02	131.31
64 GALLON	34.62	71.03	109.26	149.28	191.10	234.73	280.14
96 GALLON	51.39	105.45	162.18	221.58	283.66	348.42	415.84
BINS							
1 YD	62.35	127.18	194.52	264.34	336.66	429.76	510.52
2 CY	124.69	254.37	406.33	552.19	703.26	877.83	1,042.75
3 CY	187.05	398.52	609.50	845.91	1,077.34	1,316.76	1,596.73
4 CY	249.39	531.36	829.95	1,127.88	1,436.44	1,792.24	2,128.96
6 CY	390.70	814.00	1,244.93	1,727.08	2,199.57	2,743.23	3,323.81

CITY OF MENLO PARK
COMMERCIAL AND MULTIFAMILY RATES

Proposed 2018 Solid Waste Collection, Processing and Disposal Monthly Service Rates							
COMMERCIAL BUSINESSES AND MULTI-FAMILY							
Description	Collection Frequency (per week)						
	1	2	3	4	5	6	7
GARBAGE							
CARTS							
20 GALLON	23.09	46.18	69.27	92.36	115.45	138.54	-
32 GALLON	32.18	72.29	110.81	150.80	192.43	235.57	-
64 GALLON	69.72	142.76	219.16	298.82	382.22	418.32	-
96 GALLON	102.77	216.24	324.37	432.50	540.60	696.83	-
BINS							
1 CUBIC YARD (CY)	124.69	254.37	389.04	528.69	673.34	859.55	1,021.04
2 CY	249.39	508.73	812.67	1,104.38	1,406.53	1,755.67	2,085.51
3 CY	374.08	797.04	1,219.00	1,691.81	2,154.69	2,633.50	3,193.45
4 CY	498.78	1,062.71	1,659.91	2,255.76	2,872.90	3,584.50	4,257.93
6 CY	781.40	1,627.98	2,489.85	3,454.15	4,399.15	5,486.45	6,647.61
8 CY	1,041.88	2,170.64	3,388.99	4,653.42	5,985.23	7,461.59	9,037.26
1.5 CY COMPACTED	768.92	1,537.84	2,306.76	3,075.68	3,844.60	4,613.52	5,382.44
2 CY COMPACTED	1,025.22	2,050.44	3,075.67	4,100.89	5,126.11	6,151.32	7,176.55
3 CY COMPACTED	1,537.83	3,075.66	4,613.49	6,151.32	7,689.15	9,226.98	10,764.81
4 CY COMPACTED	2,050.44	4,100.88	6,151.32	8,201.76	10,252.20	12,302.64	14,353.08
RECYCLING							
CARTS							
32 GALLON	1.77	3.53	5.30	7.07	8.83	10.60	-
64 GALLON	1.77	3.53	5.30	7.07	8.83	10.60	-
96 GALLON	1.77	3.53	5.30	7.07	8.83	10.60	-
BINS							
1 CY	1.77	3.53	5.30	7.07	8.83	10.60	-
2 CY	1.77	3.53	5.30	7.07	8.83	10.60	-
3 CY	1.77	3.53	5.30	7.07	8.83	10.60	-
4 CY	1.77	3.53	5.30	7.07	8.83	10.60	-
6 CY	1.77	3.53	5.30	7.07	8.83	10.60	-
ORGANICS							
CARTS							
20 GALLON	14.92	29.84	44.76	59.68	74.60	89.51	104.43
32 GALLON	19.55	43.09	65.79	89.26	113.55	138.57	164.39
64 GALLON	38.59	78.84	120.76	164.34	209.58	256.49	305.04
96 GALLON	54.54	111.55	171.02	232.95	297.36	364.24	433.58
BINS							
1 YD	66.18	134.65	205.43	278.51	353.89	448.45	531.63
2 CY	126.65	257.90	409.72	555.91	706.91	879.60	1,043.38
3 CY	187.14	398.52	609.50	845.91	1,077.34	1,316.76	1,596.73
4 CY	249.39	531.36	829.95	1,127.88	1,436.44	1,792.24	2,128.96
6 CY	390.70	814.00	1,244.93	1,727.08	2,199.57	2,743.23	3,323.81

CITY OF MENLO PARK
COMMERCIAL AND MULTIFAMILY RATES

Proposed 2019 Solid Waste Collection, Processing and Disposal Monthly Service Rates							
COMMERCIAL BUSINESSES AND MULTI-FAMILY							
Description	Collection Frequency (per week)						
	1	2	3	4	5	6	7
GARBAGE							
CARTS							
20 GALLON	26.73	53.45	80.18	106.91	133.64	160.36	-
32 GALLON	35.26	77.82	118.92	161.37	205.34	250.69	-
64 GALLON	70.26	143.58	220.00	299.42	382.28	421.58	-
96 GALLON	102.77	216.24	324.37	432.50	540.60	696.83	-
BINS							
1 CUBIC YARD (CY)	124.69	254.37	389.04	528.69	673.34	859.55	1,021.04
2 CY	249.39	508.73	812.67	1,104.38	1,406.53	1,755.67	2,085.51
3 CY	374.08	797.04	1,219.00	1,691.81	2,154.69	2,633.50	3,193.45
4 CY	498.78	1,062.71	1,659.91	2,255.76	2,872.90	3,584.50	4,257.93
6 CY	781.40	1,627.98	2,489.85	3,454.15	4,399.15	5,486.45	6,647.61
8 CY	1,041.88	2,170.64	3,388.99	4,653.42	5,985.23	7,461.59	9,037.26
1.5 CY COMPACTED	768.92	1,537.84	2,306.76	3,075.68	3,844.60	4,613.52	5,382.44
2 CY COMPACTED	1,025.22	2,050.44	3,075.67	4,100.89	5,126.11	6,151.32	7,176.55
3 CY COMPACTED	1,537.83	3,075.66	4,613.49	6,151.32	7,689.15	9,226.98	10,764.81
4 CY COMPACTED	2,050.44	4,100.88	6,151.32	8,201.76	10,252.20	12,302.64	14,353.08
RECYCLING							
CARTS							
32 GALLON	3.47	6.93	10.40	13.87	17.34	20.81	-
64 GALLON	3.47	6.93	10.40	13.87	17.34	20.81	-
96 GALLON	3.47	6.93	10.40	13.87	17.34	20.81	-
BINS							
1 CY	3.47	6.93	10.40	13.87	17.34	20.81	-
2 CY	3.47	6.93	10.40	13.87	17.34	20.81	-
3 CY	3.47	6.93	10.40	13.87	17.34	20.81	-
4 CY	3.47	6.93	10.40	13.87	17.34	20.81	-
6 CY	3.47	6.93	10.40	13.87	17.34	20.81	-
ORGANICS							
CARTS							
20 GALLON	20.00	39.99	59.99	79.99	99.99	119.97	139.97
32 GALLON	24.45	52.58	79.93	107.99	136.80	166.29	196.52
64 GALLON	42.49	86.51	132.07	179.16	227.77	277.93	329.59
96 GALLON	57.69	117.65	179.87	244.36	311.14	380.19	451.51
BINS							
1 YD	70.05	142.20	216.49	292.89	371.41	467.60	553.30
2 CY	128.90	262.03	414.11	561.00	712.32	883.62	1,046.71
3 CY	187.76	398.52	609.50	845.91	1,077.34	1,316.76	1,596.73
4 CY	249.39	531.36	829.95	1,127.88	1,436.44	1,792.24	2,128.96
6 CY	390.70	814.00	1,244.93	1,727.08	2,199.57	2,743.23	3,323.81

CITY OF MENLO PARK
COMMERCIAL AND MULTIFAMILY RATES

Proposed 2020 Solid Waste Collection, Processing and Disposal Monthly Service Rates							
COMMERCIAL BUSINESSES AND MULTI-FAMILY							
Description	Collection Frequency (per week)						
	1	2	3	4	5	6	7
GARBAGE							
CARTS							
20 GALLON	30.28	60.55	90.83	121.11	151.40	181.67	-
32 GALLON	38.29	83.24	126.87	171.73	217.97	265.48	-
64 GALLON	70.84	144.47	220.94	300.15	382.50	425.04	-
96 GALLON	102.77	216.24	324.37	432.50	540.60	696.83	-
BINS							
1 CUBIC YARD (CY)	124.69	254.37	389.04	528.69	673.34	859.55	1,021.04
2 CY	249.39	508.73	812.67	1,104.38	1,406.53	1,755.67	2,085.51
3 CY	374.08	797.04	1,219.00	1,691.81	2,154.69	2,633.50	3,193.45
4 CY	498.78	1,062.71	1,659.91	2,255.76	2,872.90	3,584.50	4,257.93
6 CY	781.40	1,627.98	2,489.85	3,454.15	4,399.15	5,486.45	6,647.61
8 CY	1,041.88	2,170.64	3,388.99	4,653.42	5,985.23	7,461.59	9,037.26
1.5 CY COMPACTED	768.92	1,537.84	2,306.76	3,075.68	3,844.60	4,613.52	5,382.44
2 CY COMPACTED	1,025.22	2,050.44	3,075.67	4,100.89	5,126.11	6,151.32	7,176.55
3 CY COMPACTED	1,537.83	3,075.66	4,613.49	6,151.32	7,689.15	9,226.98	10,764.81
4 CY COMPACTED	2,050.44	4,100.88	6,151.32	8,201.76	10,252.20	12,302.64	14,353.08
RECYCLING							
CARTS							
32 GALLON	5.11	10.22	15.33	20.45	25.56	30.68	-
64 GALLON	5.11	10.22	15.33	20.45	25.56	30.68	-
96 GALLON	5.11	10.22	15.33	20.45	25.56	30.68	-
BINS							
1 CY	5.11	10.22	15.33	20.45	25.56	30.68	-
2 CY	5.11	10.22	15.33	20.45	25.56	30.68	-
3 CY	5.11	10.22	15.33	20.45	25.56	30.68	-
4 CY	5.11	10.22	15.33	20.45	25.56	30.68	-
6 CY	5.11	10.22	15.33	20.45	25.56	30.68	-
ORGANICS							
CARTS							
20 GALLON	24.90	49.80	74.70	99.61	124.51	149.40	174.30
32 GALLON	29.18	61.73	93.56	126.05	159.22	193.01	227.47
64 GALLON	46.24	93.87	142.92	193.36	245.19	298.44	353.06
96 GALLON	60.70	123.47	188.30	255.22	324.22	395.30	468.46
BINS							
1 YD	73.83	149.59	227.29	306.93	388.51	486.23	574.37
2 CY	131.16	266.19	418.54	566.14	717.79	887.71	1,050.12
3 CY	188.50	398.52	609.50	845.91	1,077.34	1,316.76	1,596.73
4 CY	249.39	531.36	829.95	1,127.88	1,436.44	1,792.24	2,128.96
6 CY	390.70	814.00	1,244.93	1,727.08	2,199.57	2,743.23	3,323.81

CITY OF MENLO PARK
COMPACTOR RATES

Proposed Solid Waste Collection, Processing and Disposal Service PER PULL Rates														
COMPACTOR SERVICE														
Service Volume	2017	2018	2019	2020	Service Volume	2017	2018	2019	2020	Service Volume	2017	2018	2019	2020
GARBAGE					RECYCLING					ORGANICS				
8 CY	946.40	946.40	946.40	946.40	8 CY	-	181.43	202.45	218.82	8 CY	473.20	558.54	571.80	583.42
9 CY	1,064.70	1,064.70	1,064.70	1,064.70	9 CY	-	181.43	202.45	218.82	9 CY	532.35	605.68	617.97	629.00
10 CY	1,183.00	1,183.00	1,183.00	1,183.00	10 CY	-	181.43	202.45	218.82	10 CY	591.50	652.82	664.14	674.57
11 CY	1,301.30	1,301.30	1,301.30	1,301.30	11 CY	-	181.43	202.45	218.82	11 CY	650.65	699.95	710.30	720.14
12 CY	1,419.60	1,419.60	1,419.60	1,419.60	12 CY	-	181.43	202.45	218.82	12 CY	709.80	747.09	756.47	765.72
13 CY	1,537.90	1,537.90	1,537.90	1,537.90	13 CY	-	181.43	202.45	218.82	13 CY	768.95	794.23	802.64	811.29
14 CY	1,656.20	1,656.20	1,656.20	1,656.20	14 CY	-	181.43	202.45	218.82	14 CY	828.10	841.37	848.81	856.87
15 CY	1,774.50	1,774.50	1,774.50	1,774.50	15 CY	-	181.43	202.45	218.82	15 CY	887.25	888.51	894.98	902.44
16 CY	1,892.80	1,892.80	1,892.80	1,892.80	16 CY	-	181.43	202.45	218.82	16 CY	946.40	946.40	950.07	955.42
17 CY	2,011.10	2,011.10	2,011.10	2,011.10	17 CY	-	181.43	202.45	218.82	17 CY	1,005.55	1,005.55	1,006.21	1,009.27
18 CY	2,129.40	2,129.40	2,129.40	2,129.40	18 CY	-	181.43	202.45	218.82	18 CY	1,064.70	1,064.70	1,064.70	1,065.08
19 CY	2,247.70	2,247.70	2,247.70	2,247.70	19 CY	-	181.43	202.45	218.82	19 CY	1,123.85	1,123.85	1,123.85	1,123.85
20 CY	2,366.00	2,366.00	2,366.00	2,366.00	20 CY	-	181.43	202.45	218.82	20 CY	1,183.00	1,183.00	1,183.00	1,183.00
21 CY	2,484.30	2,484.30	2,484.30	2,484.30	21 CY	-	181.43	202.45	218.82	21 CY	1,242.15	1,242.15	1,242.15	1,242.15
22 CY	2,602.60	2,602.60	2,602.60	2,602.60	22 CY	-	181.43	202.45	218.82	22 CY	1,301.30	1,301.30	1,301.30	1,301.30
23 CY	2,720.90	2,720.90	2,720.90	2,720.90	23 CY	-	181.43	202.45	218.82	23 CY	1,360.45	1,360.45	1,360.45	1,360.45
24 CY	2,839.20	2,839.20	2,839.20	2,839.20	24 CY	-	181.43	202.45	218.82	24 CY	1,419.60	1,419.60	1,419.60	1,419.60
25 CY	2,957.50	2,957.50	2,957.50	2,957.50	25 CY	-	181.43	202.45	218.82	25 CY	1,478.75	1,478.75	1,478.75	1,478.75
26 CY	3,075.80	3,075.80	3,075.80	3,075.80	26 CY	-	181.43	202.45	218.82	26 CY	1,537.90	1,537.90	1,537.90	1,537.90
27 CY	3,194.10	3,194.10	3,194.10	3,194.10	27 CY	-	181.43	202.45	218.82	27 CY	1,597.05	1,597.05	1,597.05	1,597.05
28 CY	3,312.40	3,312.40	3,312.40	3,312.40	28 CY	-	181.43	202.45	218.82	28 CY	1,656.20	1,656.20	1,656.20	1,656.20
29 CY	3,430.70	3,430.70	3,430.70	3,430.70	29 CY	-	181.43	202.45	218.82	29 CY	1,715.35	1,715.35	1,715.35	1,715.35
30 CY	3,549.00	3,549.00	3,549.00	3,549.00	30 CY	-	181.43	202.45	218.82	30 CY	1,774.50	1,774.50	1,774.50	1,774.50
31 CY	3,667.30	3,667.30	3,667.30	3,667.30	31 CY	-	181.43	202.45	218.82	31 CY	1,833.65	1,833.65	1,833.65	1,833.65
32 CY	3,785.60	3,785.60	3,785.60	3,785.60	32 CY	-	181.43	202.45	218.82	32 CY	1,892.80	1,892.80	1,892.80	1,892.80
33 CY	3,903.90	3,903.90	3,903.90	3,903.90	33 CY	-	181.43	202.45	218.82	33 CY	1,951.95	1,951.95	1,951.95	1,951.95
34 CY	4,022.20	4,022.20	4,022.20	4,022.20	34 CY	-	181.43	202.45	218.82	34 CY	2,011.10	2,011.10	2,011.10	2,011.10
35 CY	4,140.50	4,140.50	4,140.50	4,140.50	35 CY	-	181.43	202.45	218.82	35 CY	2,070.25	2,070.25	2,070.25	2,070.25
36 CY	4,258.80	4,258.80	4,258.80	4,258.80	36 CY	-	181.43	202.45	218.82	36 CY	2,129.40	2,129.40	2,129.40	2,129.40
37 CY	4,377.10	4,377.10	4,377.10	4,377.10	37 CY	-	181.43	202.45	218.82	37 CY	2,188.55	2,188.55	2,188.55	2,188.55
38 CY	4,495.40	4,495.40	4,495.40	4,495.40	38 CY	-	181.43	202.45	218.82	38 CY	2,247.70	2,247.70	2,247.70	2,247.70
39 CY	4,613.70	4,613.70	4,613.70	4,613.70	39 CY	-	181.43	202.45	218.82	39 CY	2,306.85	2,306.85	2,306.85	2,306.85
40 CY	4,732.00	4,732.00	4,732.00	4,732.00	40 CY	-	181.43	202.45	218.82	40 CY	2,366.00	2,366.00	2,366.00	2,366.00

CITY OF MENLO PARK
UNSCHEDULED SERVICES

Proposed 2018 Solid Waste Collection, Processing and Disposal Service Rates

UNSCHEDULED SERVICES (ATTACHMENT Q)

For Rate Years Two (2012) through Ten (2020), the fixed costs specified in this Attachment shall be adjusted to reflect 100% of the one (1) year change in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index – All Urban Consumers, U.S. city average (not seasonally adjusted, all items, base period: 1982-84=100, series no. cuur0000sa0). The one (1) year change shall be calculated as the average index change between this index for May of prior year and April of current year (i.e., twelve (12) months).

Unscheduled Service Category	Reference	Cost 2018	Description of Cost
Single-Family Dwelling Backyard Collection Service	Section 5.02.A	See Table Below	See Table Below
Distance Charge for MFD and Commercial Accounts	Sections 5.02.B and 5.02.C	A 10% of base monthly Rate B 25% of base monthly Rate	A – 50 to 100 feet or less from Curbside B – 101 feet or more from Curbside
Extra Pick-up Cost for MFD and Commercial Customers	Section 5.02.B and 5.02.C	25% of the base monthly Rate for the size of Container Collected once per week	Per Collection event
Single-Family Return Trip Cost (i.e., request to provide Collection service after the regularly scheduled Collection day)	Section 5.02.A	\$18.94	Per Collection event
Additional Targeted Recyclable Materials or Organic Materials Cart Rental or Purchase	Sections 5.03.A and 5.04.A	A \$3.36	A – monthly rental fee (any size Cart)
		B \$79.54	B – Customer purchase of a 64 gallon Cart
		C \$87.12	C – Customer purchase of a 96 gallon Cart
Fee for Service On-Call Bulky Item Collection Service	Section 5.12	\$102.95	Per event
Fee to Collect Contaminated Targeted Recyclable Materials or Organic Materials Container	Section 6.03.A and 8.02.F	25% of the base monthly Rate for the size of Container Collected once per week <u>plus</u> \$16.79	Per Collection event

CITY OF MENLO PARK
UNSCHEDULED SERVICES

Unscheduled Service Category	Reference	Cost	Description of Cost
Key Service	Section 8.02.B	A \$10.15 B \$10.63	Monthly cost: A – Residential Customers B – Commercial Customers
Lock purchase fee (replacement at no additional cost)	Section 8.02.B	\$21.46	One-time per Account cost.
Overage Fee	Section 8.02.G	100% of the base monthly Rate	Per Collection event
Overage Bags Cost	Section 8.02.G	50% of the base monthly Rate or \$8.95 minimum	Per bag
Container Cleaning Fee	Section 8.05.D	A \$63.12 B \$107.32	A – per Cart B – per Bin or Drop-Box
Dirty Cart Replacement Cost	Section 8.05.D	A \$72.75 B \$83.95 C \$95.14	A – per 32 gallon Cart B – per 64 gallon Cart C – per 96 gallon Cart

Backyard Collection Service Distance Costs for Single-Family Dwellings (Section 5.02.A)				
	One (1) Solid Waste Cart	Two (2) Solid Waste Carts	Three (3) Solid Waste Carts	Four (4) Solid Waste Carts
Distance from Curbside	Base monthly Solid Waste Rate plus	Base monthly Solid Waste Rate plus	Base monthly Solid Waste Rate plus	Base monthly Solid Waste Rate plus
0 – 50 feet	\$20.15	\$32.15	\$64.29	\$96.44
51-100 feet	\$23.50	\$35.50	\$67.65	\$99.80
101-150 feet	\$26.86	\$38.87	\$71.01	\$103.16
151 – 200 feet	\$30.22	\$42.22	\$74.37	\$106.51
201 – 250 feet	\$33.58	\$45.58	\$77.72	\$109.87
251 – 300 feet	\$36.93	\$48.93	\$81.08	\$113.22
301 feet or more	\$40.29	\$52.29	\$84.44	\$116.58



**NOTICE OF INTENT TO INCREASE MAXIMUM ALLOWABLE
CHARGE FOR SOLID WASTE / RECYCLING / ORGANICS
COLLECTION RATES AND FEES FOR SUPPLEMENTAL
SERVICES FOR RATE YEARS 2018, 2019, AND 2020
IN THE CITY OF MENLO PARK**

The City Council of the City of Menlo Park hereby gives public notice of its intent to increase the maximum allowable solid waste / recycling / organics collection base rates for customers within the City of Menlo Park for the collection of solid waste and recyclable materials. Also, the Council hereby gives public notice of its intent to increase the existing fees for supplemental services not covered in the base rates. These increases, if approved, will be effective on **January 1** of each listed year (January 1, 2018, January 1, 2019, and January 1, 2020). See tables on back page (Exhibit 1) for general rate increase information. Detailed rate increase information can be found on the City's website at www.menlopark.org, by obtaining additional information at the City Manager's Office located on the second floor of City Hall, 701 Laurel Street, or by calling (650) 330-6720.

The City Council plans to consider these increases at a public hearing on **November 14, 2017 at 7:00 p.m.** in the City of Menlo Park Council Chambers Building at 701 Laurel Street - Civic Center.

Any interested person may present verbal or written input to the City Council on the proposed maximum. If written protests are presented by a majority of property owners prior to the close of the public hearing, the City Council will not increase the rates as a matter of law.

Necessity for New Rates and New Fees – The City sets solid waste rates that are charged to residents and businesses in order to meet the revenue requirement due to Recology San Mateo County (Recology). The revenue requirement includes Recology's compensation as well as solid waste processing and disposal fees, the cost of recycling, composting, and waste reduction programs, and applicable City fees and programs. Also, the Franchise Agreement with Recology which began January 1, 2011 requires fees for supplemental services available but not included in the base monthly rates, and describes the yearly escalation mechanism required for these fees.

After executing the agreement with Recology in 2011, the City adjusted rates in 2012 and has not adjusted rates since. As a result, the current rates charged have not met the annual revenue required to compensate Recology. The City has paid Recology directly for the annual shortfalls using the solid waste rate stabilization fund. However, the fund balance has been reduced because it was used to cover these shortfalls, and is no longer able to sustain continued coverage in the future.

The rates are therefore proposed to be increased in order to meet current and future revenue needs over the next three years. Recology's annual compensation is calculated using standard methodology's to estimate annual costs, such as consumer price indexes. This provides confidence that increases to annual compensation are within reason, and allows the City to estimate future costs.

A detailed listing of the *maximum* proposed monthly base rates, including all rates for multi-family residential and commercial customers and all supplemental services for each year can be obtained from the City Manager's Office located on the second floor at City Hall, **701 Laurel Street, on-line at the City's website at the following link www.menlopark.org, or by calling (650) 330-6720.**

Single-Family Residential - The table provided as Exhibit 1 below shows the *maximum* monthly rates to be considered for single-family residential customers for each year, by cart size. The base monthly rates include the following solid waste services:

- Weekly pick-up of garbage, recycling, and organic material
- Single stream recycling using a blue recycling cart to conveniently recycle glass, aluminum, non-food soiled paper, and plastics numbered 1 – 7, instead of separating each material into individual containers
- Residential food scrap recycling program using the green yard waste cart for food scrap items such as; meat, cheese, fruits and vegetables, and food soiled paper products such as pizza boxes, paper drink cups, plates, and paper napkins

Commercial and Multi-Family Residential – Solid waste, recycling, and composting services available for commercial and multi-family residential customers include: commercial carts, bins and compactors,. The base rates for these services are determined not only by the type of service but also the service frequency. Consequently, there are over 250 solid waste and recycling services and base rates available. A summary of the proposed maximum rates for 2020 is provided in Exhibit 1. **Rates for years 2018 and 2019 can be found at www.menlopark.org, 701 Laurel Street, or by calling (650) 330-6720.**

Supplemental Services – The City Council will also consider increasing the fees for supplemental services provided by Recology that are not covered in the monthly base rates (including backyard service, additional carts, extra on-call pickups of bulky items, key service for commercial customers, and other similar services). The use of these supplemental services is discretionary and the resulting fee is the responsibility of customer requesting the specific service.

The increase in supplemental services fees is according to the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index – All Urban Consumers, U.S. city average (not seasonally adjusted, all items, base period: 1982-84=100, series no. cuur0000sa0). The one-year change is calculated as the average index change between this index for May of prior year and April of current year (i.e., twelve (12) months), and will be applied to all supplemental services retroactively for each year that rates were not adjusted, resulting in an 10.09% increase for the rates proposed for 2018.

The supplemental services offered and the recommended fees are listed below.

Residential:

- Return Trip Cost \$18.94 (per collection event) for collection service provided after the regularly scheduled collection
- Additional Targeted Recyclable Materials or Organic Materials Cart Rental or Purchase – Rental \$3.36 per month, Purchase 64 gallon cart \$79.54, Purchase 96 gallon cart \$87.12
- Fee to Collect Contaminated Targeted Recyclable Materials or Organic Materials Container – 25% of the base monthly rate for the size of the container collected once per week plus \$16.79
- Key Service - \$10.15 per month, Lock Purchase \$21.46 (one-time per account)
- Overage Fee - 100% of the base monthly rate per collection event and Overage Bag fee 50% of the base monthly rate or a minimum of \$8.95 (whichever is greater) – per bag
- Container Cleaning - \$63.12 per Cart, \$107.32 per Bin or Drop Box
- Dirty Cart Replacement - \$72.75 for 20 gallon or 32 gallon cart, \$83.95 for 64 gallon cart, \$95.14 for 96 gallon cart
- On-Call Bulky Item Collection – After the first two free collections, it will be \$102.95 for each collection
- Fee to Collect Contaminated Targeted Recyclable Materials or Organic Materials Container – 25% of the base monthly rate for the size of the container collected once per week plus \$15.25
- Backyard Collection Service Distance Costs are all escalated by 10.09% according to distance and number of carts; full chart can be obtained from the City Manager’s Office located on the second floor at City Hall, 701 Laurel Street, on-line at the City’s website at the following link <http://www.menlopark.org>, or by calling (650) 330-6720.

Commercial and Multi-family Residential:

- Extra Pick-up fee - 25% of the base rate for the size of container collected once per week – per collection event
- Additional Targeted Recyclable Materials or Organic Materials Cart Rental or Purchase – Rental \$3.36 per month, Purchase 64 gallon cart \$79.54, Purchase 96 gallon cart \$87.12
- Fee to Collect Contaminated Targeted Recyclable Materials or Organic Materials Container – 25% of the base monthly rate for the size of the container collected once per week plus \$15.25
- Key Service - \$10.63 per month, Lock Purchase \$21.46 (one-time per account)
- Overage Fee - 100% of the base monthly rate per collection event and Overage Bag fee 50% of the base monthly rate or a minimum of \$8.95 (whichever is greater) – per bag
- Container Cleaning - \$63.12 per Cart, \$107.32 per Bin or Drop Box
- Dirty Cart Replacement - \$72.75 for 20 gallon or 32 gallon cart, \$83.95 for 64 gallon cart, \$95.14 for 96 gallon cart

If you would like additional information on the proposed rates, please visit the City Manager’s Office located on the second floor at City Hall, 701 Laurel Street or call 650-330-6720.

If you wish to file a written protest, please send a letter addressed to Solid Waste Rates, City Clerk, City of Menlo Park, 701 Laurel Street, Menlo Park, CA 94025. Your letter must identify the real property you own by street address and the assessor’s parcel number. Your letter must be legibly signed by any one of the current property owners. Your name should be set forth as it appears on your tax bill. Your letter will be on the public record once opened. The City of Menlo Park must receive your letter at City Hall by 5:00 p.m. on November 14, 2017, or it must be presented at the City Council meeting on November 14, 2017, prior to the close of the public hearing on the matter.

Any person interested, including all solid waste / recycling collection customers of the City of Menlo Park, may appear at the public hearing and be heard on any matter related to the proposed increase in rates.

EXHIBIT 1: PROPOSED SOLID WASTE COLLECTION, PROCESSING AND DISPOSAL MONTHLY SERVICE RATES

SINGLE FAMILY RESIDENTIAL, ONCE WEEKLY ONLY 2017 - 2020				
Bundled service which includes 64-gallon recycling and 96-gallon organics service, plus variable garbage size as listed below				
Description	2017	2018	2019	2020
GARBAGE				
20 GALLON	13.99	16.97	19.90	22.81
32 GALLON	23.40	26.03	28.60	31.14
64 GALLON	55.99	58.62	61.19	63.73
64 GALLON, each additional	-	55.99	55.99	55.99
96 GALLON	83.72	86.35	88.92	91.46
96 GALLON, each additional	-	83.72	83.72	83.72

COMMERCIAL BUSINESSES AND MULTI-FAMILY, ONCE PER WEEK SERVICE MAXIMUM RATES, 2017 and 2020						
2018 and 2019 rates can be obtained at www.menlopark.org , 701 Laurel Street, or by calling (650) 330-6720						
Description	GARBAGE		RECYCLING		ORGANICS	
	2017	2020	2017	2020	2017	2020
CARTS						
20 GALLON	19.32	30.28	N/A	N/A	9.67	24.90
32 GALLON	29.00	38.29	-	5.11	14.49	29.18
64 GALLON	69.24	70.84	-	5.11	34.62	46.24
96 GALLON	102.77	102.77	-	5.11	51.39	60.70
BINS						
1 CY	124.69	124.69	-	5.11	62.35	73.83
2 CY	249.39	249.39	-	5.11	124.69	131.16
3 CY	374.08	374.08	-	5.11	187.05	188.50
4 CY	498.78	498.78	-	5.11	249.39	249.39
6 CY	781.40	781.40	-	5.11	390.70	390.70
8 CY	1,041.88	1,041.88	N/A	N/A	N/A	N/A

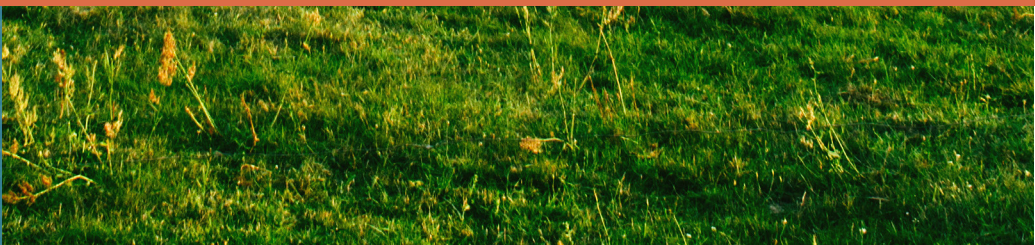
CY means Cubic Yard

Complete rate sheets can be obtained from the City Manager’s Office located on the second floor at City Hall, 701 Laurel Street, on-line at the City’s website at the following link <http://www.menlopark.org>, or by calling 650-330-6720.



COMMUNITY ZERO WASTE PLAN

Sustainability Division - September 2017



Acknowledgements

The City of Menlo Park’s Zero Waste Plan was created through the collaboration of City staff, R3 Consulting Group, Inc., and sub-consultants Abbe & Associates, LLC and Cascadia Consulting Group. Together, these parties form the Zero Waste Plan “Project Team.”

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- B Waste Generation Sector Profiles and Outreach Strategies

Section 1 Executive Summary

Introduction

The City of Menlo Park (City) has taken several actions in recent years to promote environmental practices and policies. In 2009 the City Council approved Menlo Park’s Climate Action Plan to assist the City in meeting or exceeding the emission reduction targets of AB 32 (California’s Global Warming Solutions Act of 2006). The Climate Action Plan is a “living document” that provides strategies for reducing local greenhouse gas (GHG) emissions, including the adoption of a Zero Waste Plan. Menlo Park continues to make strides as a leader in sustainability through the development of this Zero Waste Plan to help guide the community in diverting its waste from landfill disposal, effectively managing resources to their highest and best use while reducing waste at the source.

Goal Statement

Reduce landfilled materials generation to 3.1 pounds per person per day and achieve at least 73% diversion of franchised waste from landfill disposal by 2035. These goals are based on increases in rates of recovery for divertible materials to reach zero waste, or 90% capture of recoverable materials in the City’s waste stream by 2035. See Menlo Park zero waste goals and milestones in Table 1, below.

Table 1: Zero Waste Goals and Milestones

Menlo Park Zero Waste Goals					
Goal	2015	2020	2025	2030	2035
1 - Franchised Diversion (Franchised Waste % Diversion)	56%	61%	65%	69%	73%
2 - Per Capita Disposal (CalRecycle PPD)	5.0	4.5	4.0	3.5	3.1
Goals Based On Increases In Rates of Recovery for Divertible Materials					
Capture Rates of Recoverable Materials (Cascadia Modeling)	70%	75%	80%	85%	90%
Estimated Amounts of Landfill Disposal					
Franchised Disposal (Generation Static, Nearest 100 Tons)	16,600	15,000	13,300	11,800	10,200
Total Disposal (Population Static, Nearest 100 Tons)	30,200	27,200	24,100	21,300	18,600

Zero Waste Strategies

Menlo Park’s Zero Waste Plan serves as a guiding document for the implementation of waste reduction policies, programs and infrastructure enhancements that will support the City in diverting resources from landfill disposal. These zero waste strategies build upon Menlo Park’s achievements in waste reduction and reinforce waste diversion practices. Please see Section 5 for more information. Table 2 on the following page provides a summary of recommended zero waste strategies and target waste generation sectors.

Table 2: Zero Waste Strategy Recommendations

Item #	Zero Waste Strategy	Recommendation	Target Sectors
<i>Short-Term</i>			
1	Mandatory Sorting of Self-Hauled Waste at Shoreway	Change Shoreway operational practices to ensure that all self-hauled waste is sorted for maximum recovery.	Self-Haul
2	Mandatory Participation in Recycling and Composting Programs	Mandate that waste generators participate in recycling and composting programs.	Commercial, Multi-Family, Single Family
3	Universal Recycling and Composting Collection Service	Provide universal recycling and composting collection services to all commercial and multi-family customers who have trash collection.	Commercial, Multi-Family
4	Require All C&D Projects to Use Designated Facilities	Require all projects that generate C&D debris to direct materials to designated facilities with guaranteed minimum recycling rates and/or verified practices to maximize diversion.	Self-Haul
5	Increase Recycling Requirements in C&D Ordinance	Increase C&D diversion requirements, for example 100% of all readily recyclable materials.	Self-Haul
6	Recycling Ambassadors and Door-to-Door Outreach	Identify key community members and elected officials to help spread the message to recycle; organize door-to-door outreach for residential customers and in the business community.	Commercial, Multi-Family, Single Family
7	Support for Reuse, Repair, Leasing or Sharing Efforts	Support materials diversion from landfill via Repair Café or Fix It Clinics, car share, tool lending library, and workshops.	Commercial, Multi-Family, Single Family
8	Promote Reusable Bottles and Bottle Filling Stations	Promote alternatives to bottled water, including an ordinance requiring new buildings that have drinking fountains to provide bottle filling stations.	Commercial

Table 2: Zero Waste Strategy Recommendations

Item #	Zero Waste Strategy	Recommendation	Target Sectors
9	Outreach, Education and Technical Assistance for C&D Generators	Encourage generators of construction and demolition waste to recycle.	Self-Haul
<i>Medium-Term</i>			
10	Expanded Bulky Item Recycling Collection	Offer expanded large item pickup service that includes hard to recycle materials such as mattresses, textiles, carpet, window glass, and large metal items.	Commercial, Multi-Family, Single Family
11	Participating Partners Program	Partner with and promote organizations that accept or collect items for reuse, repair, recycling, or composting in Menlo Park (including participating partner window decal).	Commercial, Multi-Family, Single Family
12	Expanded List of Curbside Recyclables	Expand the types of materials accepted in curbside recycling.	Commercial, Multi-Family, Single Family
13	Material Bans of Products or Packaging	Additional bans of specified products or packaging.	Commercial, Multi-Family, Single Family
14	Zero Waste Event Requirements	Require special events to have recycling and compostable materials collection.	Commercial
15	Outreach to Elementary and Secondary Schools	Encourage local schools, and the school community, to recycle and compost at home, support school "share tables" for extra food, and target cafeteria waste reduction.	Commercial
16	Outreach to Faith-Based Organizations	Encourage houses of worship and congregations to recycle and compost.	Commercial
17	Textile Recycling	Start a textile recycling program. For example, promote and partner with Goodwill and others to offer more drop-off locations.	Single Family
<i>Long-Term</i>			
18	Additional Commercial Technical Assistance	Additional commercial technical assistance to supplement Recology staff. Prioritize largest commercial generators for technical assistance.	Commercial
19	Mandatory Recycling Percentage	Mandate a minimum diversion percentage for businesses and multi-family.	Commercial, Multi-Family

Landfill Diversion Potential of Zero Waste Strategies

In 2015, Menlo Park generated 5.0 pounds of landfilled material per person per day and the City's franchise diversion rate was 56%. To estimate the diversion potential of each of the zero waste strategies, the Project Team developed a diversion model. The model predicts that implementation of the zero waste strategies would result in a 70% franchise diversion rate, and reduce the amount of waste sent to landfill by approximately 8,500 tons per year. See Section 6 for more information and a breakdown of the estimated annual additional diversion potential for each zero waste strategy.

These strategies were evaluated based the number of tons and cost per ton diverted, and strategies that most cost efficiently divert the most tons from landfill were prioritized for implementation. While some strategies, such as textile recycling and promotion of reusable bottles, have a higher estimated cost per ton diverted, they are still considered important for sustaining progress towards zero waste after the more "low-hanging fruit" are gone. Table 3 details the estimated total diverted tons by strategy over the 10-year planning period.

Other measures may be needed at the national, statewide, and local level in order for the City to reach its zero waste goals. Additional diversion can be achieved through the South Bayside Waste Management Authority's implementation of mixed waste processing and other regional waste reduction initiatives, which can be supported by social marketing efforts to further reduce waste in Menlo Park. Together, these initiatives will assist the City in reaching its goal of 73% diversion by 2035.

Estimates of Greenhouse Gas Reduction

The Environmental Protection Agency's Waste Reduction Model (WARM) was used to estimate greenhouse gas reductions resulting from the implementation of this Zero Waste Plan. WARM estimates that the emission of approximately 13,000 metric tons of carbon dioxide equivalent (MTCO₂E) could be avoided each year by recycling and composting currently landfilled, yet recoverable, waste materials captured through zero waste strategies. This is equivalent to the annual emissions from 2,790 passenger vehicles, conserving 802,273 gallons of gasoline, or 867 household's annual energy consumption. Additional carbon emission reductions could be achieved through source reduction of non-recoverable materials and reuse activities.

Implementation Costs and Timeline

Table 3 on the following page provides a summary of zero waste strategy implementation costs and timeframe. Costs for implementing the zero waste strategies were developed by estimating:

- The number of staff or contractor hours that would be needed to develop and maintain each program;
- The outreach materials (training, materials, advertising, promotional flyers, promotional kits, outreach campaign) needed for each program; and
- The capital costs for upgrades at the Shoreway Environmental Center, to be shared throughout the service area.

Based on the 9,038 single family, multi-family and commercial customers in the City, full implementation of all zero waste strategies could result in an average approximate \$0.85 per month increase in residential rates. Other funding mechanisms may also be considered. Please see Section 8 for more information.

Timing for the development of new programs is subject to the City's budget process, contract extensions with Recology or new contracts with another service provider, and potential upgrades to the Shoreway Environmental Center. For planning purposes, it is anticipated that the zero waste strategies will be

implemented in the following sequence over a ten-year period: Short-term (2018-2020), Medium-term (2021-2025), and Long-term (2026-2027). See Section 8 for details.

The remaining years leading up to the 2035 milestone date for achieving zero waste allow time for program participation to grow, implemented policies to take full effect, programs and progress to be reassessed, and new strategies to arise as conditions change.

Table 3: Implementation Timeframe and Estimated Cost

Time Frame	Item #	Zero Waste Strategy	Strategy Total Cost	Strategy Diverted Tons	Dollars per Ton Diverted	Total Change in GHG Emissions (MTCO ₂)
Short-Term 2018 - 2020	1	Mandatory Sorting of Self-Hauled Waste at Shoreway	\$69,500	11300	\$6	1,175
	2	Mandatory Participation in Recycling and Composting Programs	\$25,800	10700	\$2	2,061
	3	Universal Recycling and Composting Collection Service	\$19,500	9200	\$2	1,897
	4	Require All C&D Projects to Use Designated Facilities	\$19,500	8600	\$2	858
	5	Increase Recycling Requirements in C&D Ordinance	\$19,500	7900	\$2	786
	6	Recycling Ambassadors and Door-to-Door Outreach	\$58,500	4900	\$12	957
	7	Support for Reuse, Repair, Leasing or Sharing Efforts	\$29,400	100	\$294	4
	8	Promote Reusable Bottles and Bottle Filling Stations	\$19,500	10	\$1,950	1
Medium-Term 2021 - 2025	9	Outreach, Education and Technical Assistance for C&D Generators	\$90,000	2520	\$36	357
	10	Expanded Bulky Item Recycling Collection	\$50,000	910	\$55	286
	11	Participating Partners Program	\$53,000	840	\$63	197
	12	Expanded List of Curbside Recyclables	\$218,800	840	\$260	47
	13	Material Bans of Products or Packaging	\$32,300	280	\$115	NA
	14	Zero Waste Event Requirements	\$74,300	350	\$212	122
	15	Outreach to Elementary and Secondary Schools	\$84,000	350	\$240	119
	16	Outreach to Faith-Based Organizations	\$84,000	350	\$240	119
Long-Term 2026 - 2027	17	Textile Recycling	\$18,800	12	\$1,567	NA
	18	Additional Commercial Technical Assistance	\$167,100	1260	\$133	1,341
	19	Mandatory Diversion Percentage	\$23,900	1580	\$15	1,612
Total			\$1,157,400	62,002	NA	11,939

Section 2 Background

This section provides an overview of current conditions in Menlo Park, including solid waste programs and policies, partnerships, and facilities. The City’s achievements in diversion by sector and overall trends in disposal are also presented.

Solid Waste Franchised Collection Services

Recology of San Mateo County (Recology) is the City’s franchised waste hauler and provides many solid waste services to Menlo Park’s residents and businesses. Recology also conducts outreach and education in the community, provides technical assistance to multi-family and commercial customers, and assists in the implementation of state solid waste legislative requirements. A summary of Recology’s collection services in Menlo Park is included in Table 4 below.

Table 4: Recology Franchised Solid Waste Collection Services

Franchised Collection Services	Single Family	Multi-Family	Commercial ¹
Landfill Trash	X	X	X
Recyclable Materials	X	X	X
Compostable Materials	X	X	X
Used Batteries and Cell Phones	X	X	
Used Motor Oil and Oil Filters	X		
Large Item Pickup ²	X	X	
Holiday Tree Collection	X	X	

City Leadership

Menlo Park currently has several City-led initiatives in place to promote the diversion of waste from landfill, engage with community members on recycling, and provide a strong foundation for the implementation future zero waste strategies. The following list highlights key policies and programs.

City Facility Diversion

The City leads by example through participation in recycling and composting programs. The franchised hauler provides desk-side and other indoor recycling and compostable materials collection containers for use in City facilities, and staff are educated on best practices to divert materials from landfill disposal.

Environmentally Preferable Purchasing Policy

In 2014, the City implemented a new Environmental Preferable Purchasing (EPP) Policy to address the environmental impacts of the City’s purchasing practices, including its contribution to waste reduction and recycling.



¹ The collection of commercial source separated recycling and compostable materials, and non-putrescible waste placed in roll-off containers, is non-exclusive under the franchise agreement.

² Single family customers are limited to two pickups per year, and property managers may schedule large item pickups, at no additional charge. Large item pickup service is available to businesses for a fee.

Outreach and Education

The City distributes quarterly solid waste billing inserts to its residents. Solid waste-related topics covered in recent years include, but are not limited to: household hazardous waste collection, monthly compost giveaways, and promotion of document shredding and e-waste collection events.

Paper Shredding and E-Waste Collection Events

The City works with Recology to organize two paper shredding and e-waste collection events per year. These events are free to residents and businesses with proof of address in Menlo Park.

Polystyrene Foodware Ban

The Menlo Park City Council adopted San Mateo County's Polystyrene Foodware Ordinance in 2012. The ordinance applies to all food vendors in the City and prohibits restaurants, delis, cafes, markets, fast-food establishments, vendors at fairs, and food trucks from dispensing prepared food in polystyrene containers labeled as No. 6.

Reusable Bag Ordinance

In 2013 the Menlo Park City Council adopted San Mateo County's Reusable Bag Ordinance, mandating a minimum charge of ten cents per recycled paper or reusable bag provided at checkout. As of January 1, 2015, the minimum charge increased to twenty-five cents per recycled paper or reusable bag.

Construction and Demolition Debris Recycling

City municipal code Chapter 12.48 entitled Recycling and Salvaging of Construction and Demolition Debris requires that covered projects divert 60% of construction and demolition (C&D) debris from landfill.

Partnerships



The City of Menlo Park is one of twelve public agencies that form the South Bayside Waste Management Authority (SBWMA or RethinkWaste) in San Mateo County. RethinkWaste's primary goal is to provide cost effective waste reduction, recycling and solid waste programs to Menlo Park and other member agencies through franchised collection services and partnerships with other organizations.

As a part of RethinkWaste, the City benefits from a number of programs and services, including contract management of the City's franchise agreement with Recology, a local recycling center and Materials Recovery Facility (MRF) owned by RethinkWaste and operated by South Bay Recycling, and several public education and outreach programs. Public education programs include tours of the MRF, Earth Day and America Recycles Day events, compost giveaways, and more.

Recology is also a key partner in providing materials diversion programs and educating the Menlo Park community on recycling, composting, and waste reduction. Under the City's franchise agreement, Recology has exclusive franchise rights to residential and commercial trash, City waste collection, and residential compostable materials and recycling.³ The "three stream system" forms the core of the solid waste programs that residents and business engage with on a daily basis. Recology Recycling Coordinators

³ The collection of commercial source separated recycling and compostable materials, and non-putrescible waste placed in roll-off containers, is non-exclusive under the franchise agreement.

offer technical assistance to help commercial and multi-family customers divert more materials from landfill disposal and conduct site visits to identify opportunities for increasing diversion.

Recology's collection services are supplemented by additional programs and events offered by the City, RethinkWaste, and the County of San Mateo (County). The County produces model ordinances, manages waste diversion programs, and conducts public education efforts, which are available to and benefit the residents and businesses of Menlo Park. RecycleWorks (the public education program run by the County of San Mateo) runs composting workshops on a countywide basis, which the City promotes. The City also actively promotes its own diversion programs, engaging its citizenry in the achievement of higher levels of waste diversion.

Shoreway Environmental Center

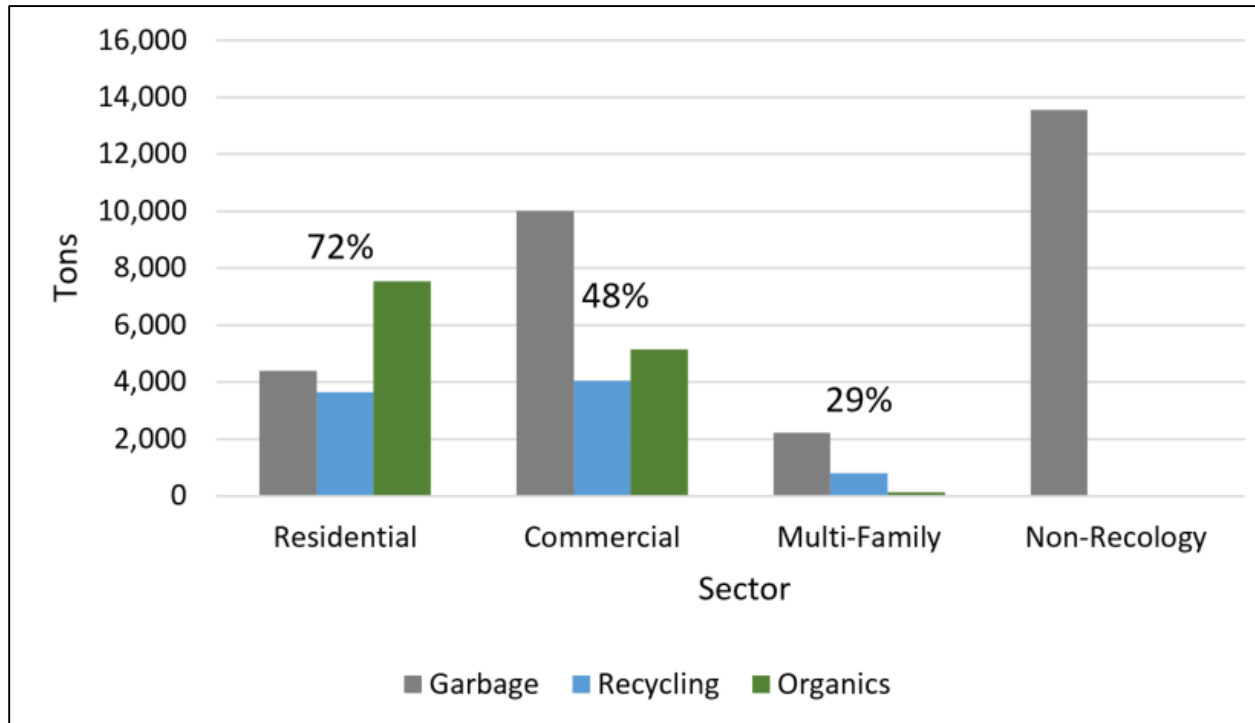
The Shoreway Environmental Center (Shoreway) is a state-of-the-art recycling and transfer station facility. Shoreway also offers residents and businesses of Menlo Park a convenient option to drop off materials for recycling or disposal and offers SBWMA service area residents free compost year-round. Several potential facility enhancements are outlined in RethinkWaste's Long Range Plan, including a mixed waste processing system, transfer station expansion, MRF single stream processing equipment and building expansion, office space for RethinkWaste, a public meeting space, and other upgrades.



Menlo Park Diversion Achievements

Figure 1, below, provides a snapshot of landfill trash, recycling, and compostable material tons in Menlo Park in 2015. Notable in the figure is the very high tonnage allocated to Menlo Park through the state reporting program that does not pass through Recology.

Figure 1: 2015 Diversion Across Sectors



Residential

Under the residential recycling and compost collection services provided by Recology, in 2015, residents diverted 11,170 tons of their sector’s total waste stream (15,537 tons) from landfill, representing 72% diversion before processing.⁴ This is the highest diversion rate of all generator groups in Menlo Park, and is an achievement that speaks to the participation and engagement of its residents.

Commercial

The commercial sector continues to increase the amount of materials it recycles in Menlo Park. Based on Recology’s data, in 2015, businesses recycled over 1,300 tons more than they did just five years ago, an increase of 35%. Approximately 93% of commercial and multi-family landfill trash customers recycle with Recology, and the remainder of these customers either do not generate more than four cubic yards of landfill trash per week or recycle with another provider. Overall, the commercial sector diverted 48% of its waste from landfill disposal in 2015. Business and multi-family participation in recycling and composting programs is also driven by state legislation: AB 341 (Mandatory Commercial Recycling) and AB 1826 (Mandatory Commercial Organics Recycling).

⁴ Some materials collected in recycling and compost carts can’t be diverted and go to landfill after processing.

Multi-Family

Successfully engaging the multi-family sector to participate in diversion programs is a challenge in Menlo Park, especially for compostable materials.⁵ In 2015, only 29% of the materials generated in the multi-family sector was diverted, with compostable materials representing just 4% of that total. Recycling in the multi-family sector is more successful, and the total tons recycled has increased by 287 tons over the period 2011-2015. High turnover in multi-family residences can contribute to an ongoing need for outreach, education, and periodic re-education.

Self-Haul

There is a substantial amount of non-franchised waste being delivered to landfills across California and allocated by the haulers to the City. This waste can be hauled by customers directly to transfer stations or landfills, or it might be hauled by non-franchised haulers other than Recology.

Trends in Disposal

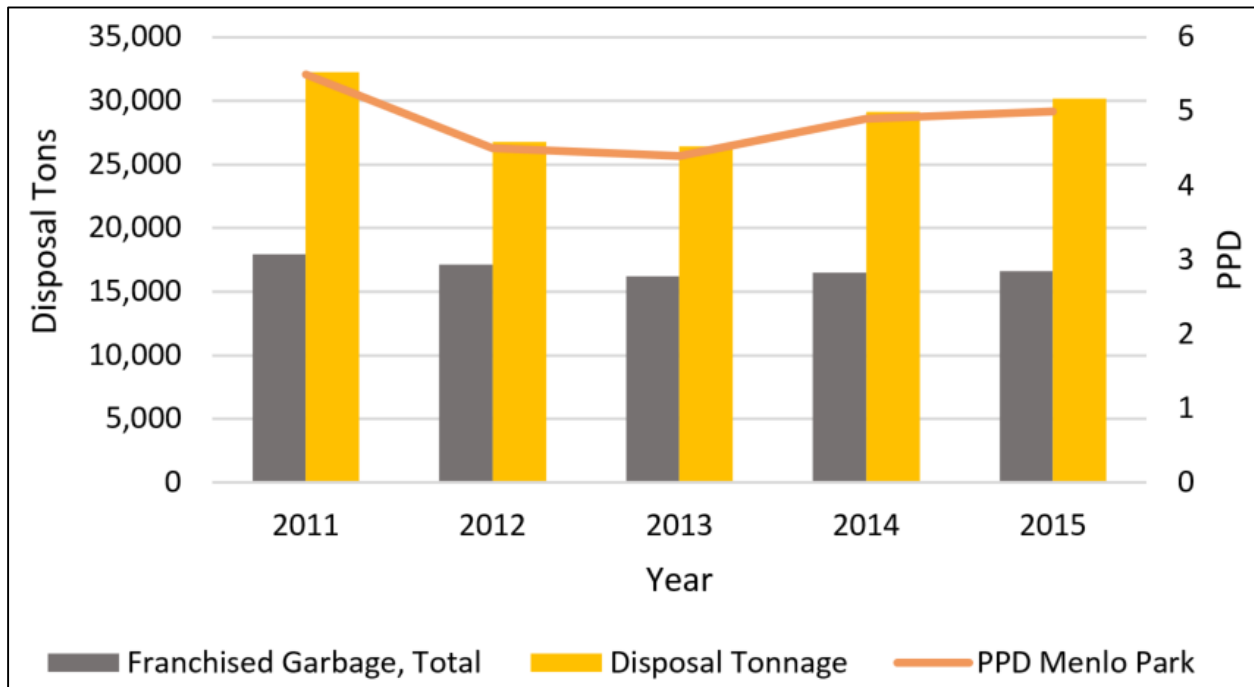
The State of California Integrated Waste Management Act (AB 939) of 1989 established a system of reporting for landfill disposal, enabling jurisdictions to track disposal trends over time. It also mandated 50% reduction in disposal tons (tons being sent to landfill) by the year 2000, a goal tracked through the establishment of a base level of disposal. This level was set by Senate Bill 1016 in 2008 as a “pounds per person per day” (PPD) measure, and remains a useful method for tracking disposal trends over time.



Figure 2 displays the trends in disposal tonnage in Menlo Park as tracked by the State of California Disposal Reporting System. Also included in this figure is the franchised landfill trash (i.e. garbage) collected by Recology. The difference between the two is landfill trash hauled by independent actors such as Menlo Park residents and businesses engaged in self-haul and non-franchised waste haulers. Over the period depicted in the chart, PPD goes up slightly and franchised landfill trash remains relatively stable. In 2015, Menlo Park produced 5.0 pounds per person per day of waste, a diversion rate equivalent of 67%.

⁵ This problem is not unique to Menlo Park: several Bay Area communities have low multi-family sector diversion rates. This sector represents both great challenge and opportunity for diverting waste from being landfilled.

Figure 2: Menlo Park Disposal and PPD Over Time



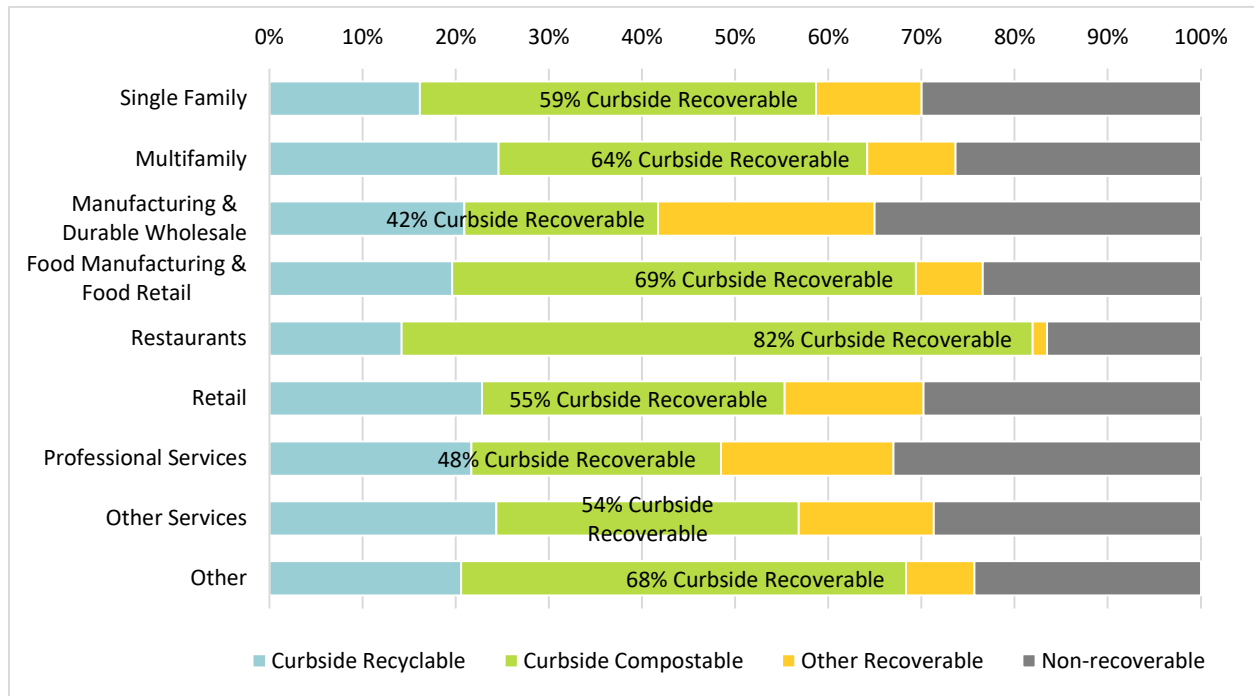
Section 3 Service Opportunities

This section provides recommendations for the City to consider when negotiating with its solid waste hauler to enhance service offerings. These potential changes could be implemented under a future franchise agreement or amendment to the current franchise agreement. In addition, opportunities for additional recovery from landfilled waste are detailed in Appendix A.

Opportunities for Solid Waste Collection Service Enhancements

Based on waste composition data modeling for the City of Menlo Park (Appendix A), commercial and multi-family sectors represent substantial opportunity for additional waste diversion. See Figure 3 for a recoverability of disposed materials overview. This waste modeling guides the following recommendations for solid waste collection service enhancements.

Figure 3: Recoverability of Disposed Materials



Franchise Commercial and Multi-Family Recycling and Composting Collection

Currently, the hauling of commercial source separated recyclable materials and compostable materials is non-exclusive under the franchise agreement with Recology, and the actual amount of materials collected is greater than what is captured by the Recology collection tonnage data.⁶ An agreement with the City’s franchised hauler that defines commercial recycling and compostable material as exclusive franchised materials would ensure more accurate and consistent reporting of commercial sector diversion.⁷ It would also give the City more control over the handling of these materials from the point of collection to the designated processing facility to maximize recovery.

Accurate tracking of commercial sector recycling and compostable material collections is necessary to measure progress towards achieving zero waste, and current non-Recology collections should be counted towards commercial sector diversion. The City could instigate its own regulation of non-franchised commercial recycling haulers, however, negotiating with Recology is a likely a better alternative in terms of City staff time and resources.

Mandatory Recycling and Composting Participation

The City’s solid waste ordinance could be updated to engage the business community and multi-family properties in the diversion of recyclable and compostable materials. Doing so will set the expectation that these sectors contribute to the attainment of Menlo Park’s zero waste goals, and allow the City to more effectively collaborate with its franchised hauler on commercial and multi-family recycling and compostable material diversion.

⁶ RethinkWaste passed an ordinance that requires commercial recycling haulers to report the amounts and types of materials collected for recycling. However, non-compliance remains a barrier for gathering data on these recycling activities in Menlo Park and other Member Agencies.

⁷ Such an agreement would likely exclude temporary “roll-off” containers.

To avoid token compliance and acknowledge the dynamic change in materials generation as the City progresses towards zero waste, it is advised that the subscription requirement specify that each commercial generator subscribe to a level of service that is sufficient to handle the volume of recyclable materials and compostable materials generated or accumulated on the premises. Alternatively, businesses or multi-family customers may self-haul their recyclables and/or compostable materials to a facility for diversion as long as they can demonstrate their compliance with the ordinance. Should the City's franchised waste hauler be granted the exclusive collection of commercial recyclable and compostable materials as described above, the ordinance could be structured and implemented as follows:

- Annually work with the franchised hauler to identify all commercial generators subject to the ordinance and review subscription data to confirm whether all subject commercial generators are compliant.
- Notify commercial generators who do not subscribe to the required collection services with the franchised hauler of the requirement to subscribe or self-haul recyclable and compostable materials. Those commercial generators who do not subscribe to the required services with the franchised hauler but who can produce evidence of legitimate self-haul of recyclable materials and compostable materials will be deemed compliant, whereas those who cannot will be deemed non-compliant.
- Work with the franchised hauler to conduct site visits with select commercial generators each year, covering all commercial generators every five years, in order to document whether commercial generators participate in the required recycling and compostable material collection programs (not just subscribe) and are therefore in compliance.
- Annually work with any non-compliant commercial generators in order to bring them into compliance with the ordinance requirements by providing outreach, education, and technical assistance to facilitate compliance.
- Commercial generators shall be responsible for ensuring and demonstrating compliance with ordinance requirements within thirty (30) days of notification of non-compliance. Failure to demonstrate compliance would be cause for enforcement.

A municipal code update would also allow the City to address changes in state legislation in support of compliance, namely AB 939 (State Diversion Requirement/Goal), AB 341 (Mandatory Commercial Recycling), AB 1826 (Mandatory Commercial Organics Recycling) and AB 1594 (Green Waste as Alternative Daily Cover for Diversion Credit Ban).

Universal Recycling and Composting Collection Service

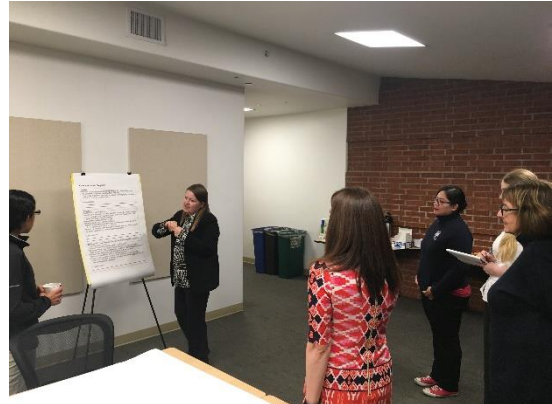
To achieve even higher levels of diversion in the commercial and multi-family sectors, the City could consider negotiating for universal provision of recycling and composting collection services under a future solid waste franchise agreement. This would provide all commercial and multi-family waste generators easy access to diversion programs as part of their solid waste service, supporting greater program participation and ultimately greater diversion of materials from landfill disposal.

Other Service Enhancement Opportunities

These opportunities and other potential new service enhancements requiring franchised hauler collaboration are discussed in Section 5.

Section 4 Community Planning Process

The City of Menlo Park conducted stakeholder outreach to obtain input on potential new and expanded programs to be included in the City's Zero Waste Plan. The City held two public workshops, conducted a community survey, and engaged the Environmental Quality Commission to contribute to the development of this Zero Waste Plan. The Project Team also conducted additional stakeholder meetings and follow up phone calls with representatives from the environmental community, property managers, service providers, faith organizations, school community, business groups, and regional agencies.



Workshop 1 – Policies, Programs and Infrastructure

During Workshop 1, held on November 2, 2016, the Project Team highlighted some of the City's existing programs and policies, including the polystyrene foodware ordinance and reusable bag ordinance. The team also identified potential new service opportunities, in addition to policy and program options in support of zero waste. Posters were placed around the room identifying additional potential diversion opportunities for the different generator sectors: single family residential, multi-family residential, commercial, self-haul, and construction & demolition (C&D). Participants in the workshop reviewed the potential options for diverting more waste from landfill disposal and suggested the types of additional information needed to refine the selections.

Workshop 2 – Zero Waste Strategy Options

During Workshop 2, held on December 5, 2016, the workshop participants reviewed a refined list of options, including estimates for diversion potential and cost ranges for implementation. Based on this input and input from additional stakeholder meetings and follow up calls, the Project Team developed a revised list of Zero Waste Strategy Options that was presented to City staff for their review. The final list of recommended policies, programs, and infrastructure enhancements is detailed below in Section 5.

Section 5 Zero Waste Strategies

Short-Term Implementation (2018 – 2020)

1. Mandatory Sorting of Self-Hauled Waste at Shoreway

A significant amount of material in the City's disposal stream comes from self-haul generators. Out of the 30,000 tons of materials disposed in 2015, 45% is handled by self-haul generators, including C&D generators and individual residents and businesses. This program would address the self-hauled materials that are delivered to the Shoreway Environmental Center.

Materials delivered by self-haul customers are often highly recoverable, including:



- Materials leftover from construction projects (dimensional lumber and wood, gypsum wallboard, and other C&D)
- Traditional recyclables (metal, paper, plastic, and glass)
- Compostable materials (yard trimmings, food, and other compostable organics)
- Bulky items (furniture, carpet, and mattresses).

Different material types require different handling approaches in order to maximize diversion.

For example, an effective means of diverting mixed C&D materials is through directing these loads to a sort line. Typically, materials are unloaded by self-haul customers and placed on a conveyor belt by facility operations staff. Workers at sorting stations recover recyclable C&D materials, including wood, paper, rigid plastic, and wallboard. Both the Davis Street Transfer Station in San Leandro and SF Recycling & Disposal operate sort lines for self-haul materials separately from their C&D sort lines for commercial C&D materials. Both facilities are able to recycle 50 to 70 percent of materials processed through the self-haul sort lines.

Alternatively, self-haul customers could separate their materials to achieve higher diversion from landfill disposal. For example, all self-haul customers at the Cold Canyon Resource Recovery Park in San Luis Obispo are directed to bunkers for separating materials. Customers are required to separate their materials or pay a surcharge. As a result, 97% of customers elect to self-separate.

Shoreway also has a free drop-off center for a wide variety of materials, including batteries, paint, scrap metal and small appliances. However, many self-haul customers bypass the drop-off center and go directly to the tipping area. An emerging trend in design at transfer stations is to conduct all separation and processing after the fee gate. This allows transfer station staff to monitor and assist in appropriate sorting of materials and provides a more stable funding mechanism as facilities transition to higher diversion rates.

This program would be a joint project to change Shoreway operational practices to ensure that all self-hauled waste is sorted for maximum recovery, either through on-site processing or self-separation. Under this program, the City would work with RethinkWaste to add features to the self-haul area for increased diversion of self-haul materials at Shoreway. It is possible that additional processing equipment, such as processing lines, would be needed to process additional material types. However, these costs would be shared throughout the service area.

Case Study: Davis Street Transfer Station, San Leandro

The Davis Street Transfer Station, which is owned and operated by Waste Management, receives solid waste and recyclable materials from franchised solid waste haulers, construction and demolition contractors and commercial and residential self-haul customers. It is located on the site of a former landfill in an urban area in the City of San Leandro.

In 2008, Waste Management filled in its public area pit and created a flat area for unloading self-haul materials. In 2009, the facility opened its public area materials recovery facility (MRF). All self-haul is now processed for recovery. There are four areas for self-haul customers to drop-off materials based on what they have in their loads. All self-haul drop-off and processing areas are located after the fee gate.

The public area MRF processes 200 tons per day of self-haul, diverting more than 60 percent of materials processed. The materials are processed on a sort line with a two-inch screen. There are two shifts employing 12 sorters (24 staff total). Targeted materials include cardboard, wood, metal and mixed rigid plastic.

Waste Management also operates a public reuse and recycling zone for shoes, belts, clothing, compact disks, VHS tapes, magazines, paper and cardboard. Self-haul customers with these targeted materials are directed to the reuse and recycling zone prior to off-loading at the public area MRF.

Some upfront staff resources are needed for negotiating the service agreements and for potential upgrades to the self-haul area at Shoreway.

Targeted generators are self-haul generators.

2. Mandatory Participation in Recycling and Composting Programs

Case Study: Alameda County Mandatory Recycling Ordinance

Alameda County Waste Management Authority Mandatory Recycling Ordinance requires businesses, institutions, and multi-family properties with five or more units to sort their recyclables from their trash. Multi-family property owners as well as businesses and institutions that generate food waste, such as restaurants and grocery stores, must also sort compostables from their trash. These requirements are effective within participating areas of Alameda County. The ordinance requires the recycling service to be sufficient to handle the amount of recyclable material as well as the composting collection service to be sufficient to handle the amount of food scraps and food-soiled paper generated at the location. This includes cardboard, newspaper, white paper, mixed recyclable paper, recyclable glass food and beverage containers, metal (aluminum and steel) food and beverage containers, PET (#1) and HDPE (#2) plastic bottles, food scraps and compostable paper.

Staff time: 5.44 full-time equivalent staff

Under current state law all multi-family (five units or more) and commercial businesses generating over four cubic yards of solid waste per week must have recycling collection. In addition, increasingly strict thresholds are being phased in that require multi-family and commercial businesses to also have compostable material collection service. However, small multi-family and commercial generators, and residential customers, are not subject to these requirements. The City could implement mandatory requirements in order to motivate all residential, commercial, institutional, and public agency generators to separate recyclable and compostable materials from the waste they generate at their homes or places of business, and place it in the appropriate container for collection and greater diversion.

This program would:

- Consider a future requirement for mandatory recycling (goal of significantly reducing recyclables in the trash via subscription to and participation in recycling programs) for single family, multi-family, and commercial customers
- Consider a future requirement for mandatory composting (goal of significantly reducing organics in the trash via subscription to and participation in composting programs) for single family, multi-family, and commercial customers

To consider a case study, the City of San Carlos enacted a mandatory commercial and multi-family recycling and composting ordinance in 2010. Enforcement of the ordinance is a three-step process: issuance of a courtesy notice, issuance of a warning notice, and issuance of a violation notice. The City has the authority to impose administrative penalties of up to \$500 per violation. Businesses in San Carlos were very supportive of the City's efforts to move from a voluntary to a mandatory recycling program. Very few enforcement actions have been necessary.

Some upfront staff resources are needed to develop a mandatory participation ordinance and ongoing resources would be required to conduct an annual outreach program.

Targeted generators include all single family, multi-family, and commercial customers.

3. Universal Recycling and Composting Collection Service

Currently, commercial and multi-family customers can subscribe to service through Recology for recycling and composting collection or choose another service provider. An analysis of service level data provided by Recology indicates that many commercial and multi-family customers may not have composting collection.



Through this program, the City would provide universal recycling and composting collection services to all commercial and multi-family customers who have landfill trash collection through its agreement with Recology (i.e., any customer that signs up to receive landfill trash collection would automatically receive recycling and composting collection service). This approach can be very effective in ensuring that all customers are in compliance with mandatory state requirements, and would enhance diversion achieved through the Mandatory Participation in Recycling and Composting Programs zero waste strategy. Providing recycling and composting services to all customers reduces barriers to participation in diversion programs by giving customers the infrastructure they need to be successful, without placing the burden to take action and subscribe on commercial and multi-family customers. It is similar to the approach that the City implemented for all single family customers where households receive recycling, compost and solid waste collection services.

Case Study: Central Contra Costa Solid Waste Authority Universal Recycling and Composting Collection

In March 2015, the Central Contra Costa Solid Waste Authority began to roll out recycling and composting collection services to all customers within the service area. Costs for recycling and composting are included in the trash rates and all customers (single family, multifamily and commercial) are eligible for all services.

Some upfront staff resources are needed for negotiating the service agreements.

Targeted generators are multi-family and commercial customers.

4. Require All C&D Projects to Use Designated Facilities

Currently, builders must comply with the City's C&D recycling ordinance by submitting reports and receipts documenting 60 percent recycling for their projects. Going forward, the City could require all projects that generate C&D debris to direct materials to designated facilities with guaranteed minimum recycling rates and/or verified practices to maximize diversion. Many communities in the region already register or certify recycling rates by facility (including the cities of San Jose and San Francisco). This approach could simplify and expedite the reporting requirements. Use of designated facilities could also maximize recovery by ensuring that C&D materials are processed effectively, as independently verified by the City via a facility certification process.

Case Study: Oakland C&D Ordinance

City of Oakland requires that all new construction, all demolition projects, and commercial projects valued at \$50,000 or more recycle 100% of asphalt and concrete and 65% of the remaining waste generated.

Some upfront staff resources are needed for updating the C&D ordinance.

Targeted generators are self-haul and C&D generators.

Case Study: San Jose C&D Ordinance

The City has provided incentives for construction and demolition debris diversion through its model program, Construction and Demolition Diversion Deposit (CDDD), since 2001.

When applying for a building permit, permit applicants meeting the CDDD minimum threshold pay a deposit based on the square footage and type of the project. To receive a full refund of the deposit, permit applicants provide documentation to the City that they have diverted 75 percent or more of the C&D debris generated by the project.

To assist permit applicants in documenting diversion and to encourage development of C&D debris recycling infrastructure, the City certifies facilities that meet a minimum of 75 percent diversion. Permit applicants may document diversion by calculating their specific diversion rate or by submitting documentation that they have delivered their C&D debris to a certified facility.

Staff time: 2 full-time equivalent staff

5. Increase Recycling Requirements in C&D Ordinance

Currently, the City's C&D ordinance requires construction projects to divert 60% of C&D materials. Many C&D materials, including concrete, asphalt, wallboard, wood, metal, plastic and glass are readily recyclable and the increased capture of these materials to prevent their landfill disposal represents an important opportunity for achieving additional diversion. For this program, the City would increase the C&D diversion requirements, for example 100% of all readily recyclable materials would be required to be diverted from disposal. As a point of comparison, the City of Oakland requires that all new construction, all demolition projects, and commercial projects valued at \$50,000 or more recycle 100% of asphalt and concrete and 65% of the remaining waste generated. The State of California recently adopted a 65% diversion requirement for C&D materials, which the City is also considering as impetus for revising the requirements of its own C&D ordinance.

Some upfront staff resources are needed for updating the C&D ordinance.

Targeted generators are self-haul and C&D generators.

6. Recycling Ambassadors and Door-to-Door Outreach

Case Study: Castro Valley Sanitary District Green Hearts Program

The Castro Valley Sanitary District Green Hearts Team was founded in the Summer of 2013 for members of the Castro Valley community who want to give back to the environment and Castro Valley. Under the direction of the Solid Waste Department, Green Hearts Team volunteers will wear their hearts on their sleeve with the goal to help others compost, recycle, reduce waste, and beautify Castro Valley all year round. Green Hearts volunteers:

- Host and provide demonstrations at composting workshops
- Support the formation of Zero Waste or Green Teams at local organizations and businesses.
- Support the formation of Zero Waste Youth Castro Valley.
- Organize and/or promote multi-home or multi-family garage sales.
- Organize and/or promote children's clothing and toy swap events.

This program takes a community based social marketing approach to outreach and education. It can be easy for customers to ignore outreach and solicitations from service providers or staff, however, it is hard for them to say “no” to their friends and neighbors. For this program, the City would identify key community members and elected officials to serve as trusted messengers to help spread the message to recycle and organize door-to-door outreach for residential and business customers.



A good example of this approach is the Miss Alameda Says, “Compost!” program in the City of Alameda. Miss Alameda ran for Miss California in 2011 and then volunteered her time going door-to-door at restaurants to encourage them to participate in the City’s compostable materials collection program. The results were highly successful and all the restaurants contacted agreed to participate. The program grew to include student volunteers assisting in going door-to-door at multi-family buildings. Miss Alameda also provides assemblies and training at schools.

In Castro Valley, the “Green Hearts” program recruits and trains volunteer community members to support the outreach and education at public events.

While the program would be volunteer-based, it would require staff or contractor resources to recruit, train, and organize the volunteers (approximately 0.1 full-time equivalent). Please see Appendix B for a profile and outreach strategy for this sector.

Targeted generators include all single family, multi-family, and commercial customers.

7. Support for Reuse, Repair, Leasing, or Sharing Efforts



Many products and pieces of equipment can be reused or repaired. However, residents and businesses often do not have the knowledge or skills to repair broken items, and would benefit from coaching or could be directed to reuse and repair services.

Repair Cafés or Fixit Clinics are models of free events organized by volunteers to repair things together. In the place where a Repair Café or Fixit Clinic is located, participants have access to tools, materials, and coaches to help make needed repairs on clothes, furniture, electrical appliances, bicycles, appliances, toys, etc. Participants bring their broken items from home or places of business. Working with the specialists they can start making their repairs and/or lend a hand on someone else's repair job.

The City can also promote the "sharing economy" where owners rent or lend tools, equipment, and other items that are seldom used and can be shared.

This program would support materials diversion from landfill through repair and reuse:

Case Study: Repair Café Mountain View

Repair Café Mountain View is a volunteer-run, community service dedicated to encouraging the repair and reuse of goods, rather than relegating them to landfill. At the event, volunteers can guide participants to tackle the repair themselves or they can fix them while the participants watch and wait. These "fixers" can help with:

- Small household appliances: toasters, hair dryers, mixers, vacuums, etc.
- Various electronics: computers games, tools, etc.
- Toys, furniture, luggage, kitchen items, etc.
- Bikes, clothing and other sewing projects, jewelry, etc.

- Promote reuse and repair for residents and businesses with web-based directories (e.g., eBay, Craigslist and FreeCycle.org), utility bill inserts, and cooperative advertisements

- Promote local antique and thrift stores, repair shops, and local electronic equipment, furniture, and appliance resellers including a brochure/website displaying locations

- Support organizations that can sponsor quarterly repair workshops

- Connect with Boy Scouts, Girl Scouts, and other service clubs to organize workshops

- Help recruit volunteer "fixers"

- Recruit appropriate free venue

- Promote repair workshops

Ongoing staff or contractor resources and outreach materials would be needed to support reuse outreach and repair events (approximately 0.05 full-time equivalent).

Targeted generators include all single family, multi-family and commercial customers.

8. Promote Reusable Bottles and Bottle Filling Stations

Menlo Park residents and businesses have access to high quality tap water. However, bottled water is often purchased for drinking water away from home. While plastic water bottles are recyclable, the Container Recycling Institute estimates that 85% are either disposed or littered.

This program would promote alternatives to bottled water, including an ordinance requiring new buildings that have drinking fountains to provide bottle filling stations. Other jurisdictions have adopted ordinances

to reduce waste from plastic water bottles by promoting source reduction, supporting a cultural shift. In 2013, the Santa Clara County Board of Supervisors adopted an ordinance that provided local amendments to the California Plumbing Code requiring bottle filling stations wherever drinking fountains are required in new buildings.

Some upfront staff resources are needed for developing the water bottle filling station ordinance.

Targeted generators are commercial generators.

Case Study: Santa Clara County Bottle Filling Ordinance

The County of Santa Clara Board of Supervisors adopted an ordinance that requires the installation of new water bottle filling stations where drinking fountains are required in private commercial development projects in unincorporated Santa Clara County. The ordinance is a local amendment to the California Plumbing Code that includes the installations of water bottle filling stations for new construction or renovations in government facilities and commercial, industrial, and institutional buildings.

Also known as “Hydration Stations” or “Drink Tap Stations,” bottle filling stations are locations where water bottles can be filled with potable water. The stations are designed so water bottles can be placed below a downward facing water tap and be filled with potable water activated by a sensor or manual button. Unlike water fountains, water filling stations are attractively designed to provide clean, safe drinking water, as the water tap is often protected and the water provided is usually filtered and chilled.

Medium-Term Implementation (2021 – 2025)

9. Outreach, Education, and Technical Assistance for C&D Generators

Case Study: Oakland C&D Technical Assistance

Oakland provides technical assistance at the Green Building Resource Center. Staff is available to help building permit applicants complete plans and reports required by the City’s C&D Ordinance, including online (Green Halo) submittals. Staff can help with plans for waste reduction and recycling, on-site recycling logistics, and other reuse or recycling needs.

Staff time: 1 full-time equivalent staff person

City municipal code requires that construction projects divert 60 percent of construction and demolition (C&D) debris from landfill. In 2015, the City began implementing Green Halo, an online database that allows contractors and City staff to track and verify whether the amount of recycled materials comply with the City’s C&D recycling ordinance. Weight tickets are uploaded by the permit applicant and checked by City staff for compliance. However, recoverable C&D remains a large component of the City disposal stream and much of this material could be diverted from disposal.

Under this program, the City would provide direct technical assistance to encourage project sponsors and stakeholders to initiate effective recycling and waste reduction practices during construction and demolition activities. The City would also undertake targeted education and outreach on how to reduce and reuse C&D materials by promoting activities such as salvage, deconstruction, and construction techniques that minimize waste.

Some staff or contractor resources would be needed to provide support to the C&D generators in Menlo Park (approximately 0.1 full-time equivalent). Please see Appendix B for a profile and outreach strategy for this sector.

Targeted generators include self-haul and C&D generators.

10. Expanded Bulky Item Recycling Collection

Twice per year, Recology San Mateo County offers pickup of large or bulky household items from single family customers for no additional charge. Property managers can also schedule large item pickups for multi-family properties. Residents may set out:

- Two cubic yards of bagged/boxed solid waste
- One large appliance (such as a washing machine, dryer, refrigerator, or freezer)
- One bulky item (such as a mattress, couch or tires)
- Electronic scrap (such as a TV, computer, or computer monitor)

Appliances, tires, mattresses and e-scrap are diverted from disposal. Most of the other bulky items collected by Recology are landfilled.

For this strategy, the Bulky Item program would change focus to encourage diversion of more materials from landfill disposal. The City would contract with Recology to expand the list of materials acceptable for recycling, including items that are hard to recycle through the curbside program. These materials could include:

- Scrap metal
- Window glass
- Carpet
- Textiles

This program could also potentially be extended to businesses at no additional cost, and structured similarly to the multi-family building bulky item pickup service.

The City could also partner with a number of reuse entities (thrift stores, repair shops, and nonprofits such as Goodwill Industries and Salvation Army) to repair, reuse, and resell appropriate bulky items that are currently being landfilled. The City would enter into service contracts with reuse partners to define operating procedures, service requirements, and performance standards, and to establish program parameters to ensure that the bulky-item reuse program is closely coordinated with the bulky-item collection program operated by Recology, and does not impede Recology operations.

The City would continue to encourage residents to donate bulky items through charitable organizations and thrift stores. An additional component of this program would include City sponsorship of, or promotion for, neighborhood and/or apartment complex swap meets or garage sales to encourage residents to donate, rather than discard, reusable bulky items.

Recology's costs for collection should not be significantly impacted. Instead of transporting solid waste to the transfer station for disposal, Recology would deliver recyclable materials for processing. The reuse organizations would be expected to collect materials for resale without compensation from the City.

Some upfront staff resources are needed for negotiating the service agreements and for annual monitoring of the program.

Targeted generators include single family, multi-family, and commercial customers.

Case Study: Central Contra Costa Solid Waste Authority Reuse Days

As a part of its twice per year Clean Up Days, the Authority also provides Reuse Days where residents can put out reusable items like housewares, clothes and books. Those items are collected by Mt. Diablo Recycling and then distributed to those in need or sold in thrift stores.

Budget: Mt. Diablo Recycling provides this service at no extra charge.

11. Participating Partners Program

Case Study: San Luis Obispo Integrated Waste Management Authority Take Back Program

Through the SLO Take Back Program, every retailer that sells household batteries, compact fluorescent light bulbs and fluorescent tubes, mercury-added thermostats, paints, sharps, and medication in San Luis Obispo County takes those items back from the public for free. As part of its household hazardous waste program the Authority collects the materials and recycles or properly disposes of it.

Budget: \$200,000 per year for staff, processing, and equipment

Many retailers are willing to take back materials for reuse or recycling (including used motor oil, fluorescent lamps, batteries, paint, corks and hangers) and numerous organizations exist that focus on repair and reuse (including thrift stores, consignment stores, and electronics and appliance repair stores).



Under this program, the City would partner with and promote local organizations that accept or collect items for reuse, repair, recycling or composting. Partner organizations would be recognized and provided with a window decal indicating participation in the program. The participating partners would be advertised on the City's website and its other publications.

Through this program, the City would:

- Encourage a local “ecology of commerce” for promoting the sale of reusable items in the area
- Encourage the marketing of used lumber, building materials, compost products and used appliances through major home repair, hardware stores, and nurseries
- Encourage the marketing of used furniture through furniture stores
- Promote retailers that are willing to take back materials for reuse, recycling, or composting

Some staff or contractor resources would be needed to recruit and recognize the participating partners (approximately 0.05 full-time equivalent). Targeted generators include single family, multi-family, and commercial customers.

12. Expanded List of Curbside Recyclables

Recyclable materials collected from residents and businesses in the City are delivered to the Shoreway Environmental Center in San Carlos. Shoreway is owned by the South Bayside Waste Management Authority (RethinkWaste) and operated by South Bay Recycling. Materials targeted for recycling include: glass bottles and jars, metal cans, lids and foil and small pieces of scrap metal; plastic bottles, tubs, clamshells, cups and berry baskets; paper bags, cardboard, office paper, junk mail, and magazines.



Some materials that have recycling markets are not currently processed at Shoreway. One option for increasing diversion would be to add additional types of materials that can be placed into the recycling cart; including aseptic containers (such as juice boxes or soup boxes), plastic film (including produce bags and packaging overwrap), rigid plastics (such as toys and laundry baskets), expanded polystyrene blocks, and textiles.

Under this program, the City would work with RethinkWaste to add recyclable materials with local markets for recycling to the list of materials that can be collected. It is possible that more processing equipment, such as optical sorters, would be needed to process additional material types. However, these costs would be shared throughout the service area.

Some upfront staff resources are needed for negotiating the service agreements, and for potential upgrades to the recyclables processing line at Shoreway.

Targeted generators include all single family, multi-family, and commercial customers.

Case Study: Los Angeles Expanded List of Recyclable Materials

The City of Los Angeles contracts with processors that accept a long list of recyclable materials, including film plastics, rigid plastic, polystyrene, and aseptic containers.

Budget: Costs are included in the processing fees. The City receives a net per ton payment (e.g., \$25/ton) from processors for recyclables. For comparison, Recology San Francisco has recently constructed an \$11 million expansion of its processing facility to target additional material types.

13. Material Bans of Products or Packaging

Case Study: Santa Cruz County Expanded Polystyrene Ban

On April 17, 2012, the Santa Cruz County Board of Supervisors adopted a new ordinance to restrict the sale of polystyrene products in the unincorporated County. The ordinance revises the County Code to further restrict the sale of polystyrene foam products in the County. This specifically includes products such as polystyrene cups, plates, bowls, coolers and beach toys, the source of much of the polystyrene debris found on our local beaches. The ordinance exempts food products which are packaged outside the County, as well as products where polystyrene is used for insulation or flotation purposes and is completely encased by a more durable material. Examples of this include surfboards, boats and some construction materials. The ordinance also provides for updating

The City has enacted bans of specific problem waste materials:

- Polystyrene foodware ordinance, enacted in 2012, prohibits food vendors, including restaurants, delis, cafes, markets, fast-food establishments, vendors at fairs, and food trucks, from dispensing prepared food in polystyrene containers labeled as No. 6
- Reusable bag ordinance, enacted in 2013, bans the distribution of plastic bags at retail stores and requires retailers to charge 25 cents per bag for the distribution of reusable bags or paper bags



This program would consider additional bans of specified products or packaging. For example, Santa Cruz County has banned the sale of all polystyrene foam products including cups, plates, bowls, coolers and similar products at all retail stores. The San Luis Obispo

Waste Management Authority has developed a model ordinance that would restrict distribution of plastic straws at restaurants unless a customer requests one.

Some upfront staff resources are needed to develop additional product or packaging bans and ongoing resources would be required to conduct an annual outreach program and enforcement.

Targeted generators include all single family, multi-family, and commercial customers.

14. Zero Waste Event Requirements

Special events provide a unique opportunity for the City to demonstrate to its residents, businesses, and visitors how to practice zero waste concepts. Through its contract with the City, Recology provides recycling, compost, and trash collection at large public events and venues in the City including:

- Downtown Block Parties (3 per year)
- Easter Egg Hunt
- 4th of July Celebration
- Summer Concerts (8 per year)
- Kite Day
- Connoisseurs' Marketplace
- Breakfast with Santa
- Multicultural Day
- Sustainability/Conservation Fair
- Spring Community Cleanup Event
- Fall Community Cleanup Event



Under this program, the City would require event organizers of all events that require a permit to arrange for recycling and compost collection service, require all vendors to use only recyclable and compostable materials, provide education and environmental awareness, and provide adequate recycling staff or volunteers at the event.

The City would also provide technical assistance to public and private venues and events to support waste reduction and recycling.

Some upfront staff resources are needed for developing the zero waste event ordinance and ongoing staff or contractor resources would be needed to support event organizers (approximately 0.05 full-time equivalent).

Case Study: San José Zero Waste Events

The Zero Waste Event Program works with Event Organizers to minimize waste and provide for collection of recyclables and organics at events held in the City of San José. Vendors, caterers, and samplers are required to: use the food & beverage products in the Food & Beverage Products: The Do's & Don'ts of Sustainable Selection guide; use City-loaned Eco-stations (specially designed receptacles for recycling, compost, and trash collection); and announce three messages listed in the stage announcements at an event stage during each day of the event.

15. Outreach to Elementary and Secondary Schools

Public schools in Menlo Park are not currently part of the City's collection program and contract separately

Case Study: Central Contra Costa Solid Waste Authority School Recycling Program

The Authority provides outreach and technical assistance to the 60 schools in its service area. Contract technical assistance staff provide the social and physical infrastructure for Zero Waste including, custodial training and "right-sizing," student projects and presentations, support to green teams, educational school assemblies, and indoor containers.

Budget for contract staff is:
\$120,000 per year.

with collection service providers (Recology South Bay and Recology Peninsula Services). Currently, they do not get the same level of support that other commercial customers receive through Recology of San Mateo County. Providing outreach and technical assistance to public and private schools in Menlo Park can help to reinforce recycling and composting messaging that students can carry home to their families and with them throughout their lives.

The school community provides unique access to the families within the City that may otherwise be difficult to reach. A strong school program can reinforce behavior change (as kids often tell their parents how to recycle and compost). Notably, school programs are the most successful when they are aligned with the practices that students have at home. There is a wealth of environmental curriculum available to schools and teachers, but schools have a distinct need for technical assistance to meaningfully reduce trash. This can also be complemented through service-learning where students participate in the greening of their schools.

Existing outreach and education programs (including San Mateo County's Green Star Schools, Cool the Earth, California Education and the Environment Initiative Curriculum, CalRecycle Closing the Loop Curriculum, and others) can supplement and enhance student learning. Direct technical assistance would encourage local schools and the larger school community to recycle and compost at home, support school "share tables" for extra food, and target cafeteria waste reduction.

Some staff or contractor resources would be needed to provide support to the schools in Menlo Park (approximately 0.1 full-time equivalent). Please see Appendix B for a profile and outreach strategy for this sector.

Targeted generators are public and private schools, students and their families, and school staff.

16. Outreach to Faith-Based Organizations

Churches and faith-based organizations can provide direct access to community members for engagement and education on waste reduction and recycling. Greening the house of worship can also lead to the greening of the congregation. People are more likely to change habits if they attempt to do so with friends and neighbors, introduce change a little at a time with support and encouragement provided along the way, and see leaders in the community taking steps as well. Reaching out to faith-based organizations can help the organization and its members reduce waste sent to landfill, benefiting the wider Menlo Park community and the environment.

Under this program, the City could provide direct technical assistance to faith-based organizations and support them in the development of green teams, as well as encouraging them to work with their networks to pursue zero waste.

Some staff or contractor resources would be needed to provide support to the faith-based organizations in Menlo Park (approximately 0.1 full-time equivalent). Targeted generators are churches and other faith-based organizations, including their congregations.

Case Study: City of Alameda Faith-Based Outreach

As part of the implementation of its Local Action Plan for Climate Protection, the City helped to form a local non-profit, Community Action for a Sustainable Alameda (CASA). The City provides on-going staff support to CASA. CASA conducts outreach to the 50 faith-based organizations operating within the City, including churches, temples, mosques, and synagogues. Through grants and other support, CASA provides indoor recycling and compost containers, stickers, and signs. CASA also conducts workshops for sharing best practices for greening the houses of worship and the congregations.

Staff time: 4 hours per month

17. Textile Recycling

Case Study: San Francisco Zero Waste Textile Initiative

In 2014, San Francisco launched the Zero Waste Textile Initiative, a municipal program designed to eliminate textiles that wind up in landfills or incinerators. #SFSaveFashion, in partnership with international textile-recycling firm I:Collect, expanded textile drop-off locations in the City and accepts worn-out items previously considered trash. Residents and businesses can drop off apparel, footwear, linens, and other textiles to designated drop-off boxes at more than 160 city-wide locations for reuse or recycling. Recology San Francisco accepts textiles for recycling in the curbside recycling carts.

Textiles are a sizable component of the disposal stream, and a contaminant in the recycling collection system. For this program the City can explore:

- Collection of textiles through the bulky-item collection program
- Addition of clean, bagged textiles in the recycling collection program
- No-cost collection service to get textiles and other reusable items to a charity or textile processor
- Promotion and partnerships with Goodwill and others to offer more drop-off locations, and/or quarterly curbside collection

Some upfront staff resources are needed for evaluating options and negotiating the service agreements.

Targeted generators are single family customers.

Long-Term Implementation (2026-2027)

18. Additional Commercial Technical Assistance

Currently Recology Waste Zero staff respond to requests from their customers in Menlo Park and assist them to increase recycling services. Recology conducts a minimum of 100 waste assessments every three years.

This program would provide enhanced technical assistance to commercial customers to help them initiate or expand recycling and waste reduction practices. The City would publicize the program and encourage businesses to use this free service to increase recycling wherever feasible and potentially lower their disposal costs.

Technical assistance would include conducting on-site waste assessments to identify target materials for recycling and waste reduction, providing contact information for securing recycling equipment, training custodial and operations staff, and distributing appropriate outreach materials describing best practices for setting up or expanding recycling services for different types of businesses. Trained staff would help to minimize or overcome various obstacles to recycling faced by commercial customers (space constraints, labor and sorting requirements, lack of information or training, etc.). Additionally, enhanced technical assistance would encourage more commercial customers to set up an effective recycling program that is suited to their place of business, whether it be a large office complex, bar, restaurant, factory, warehouse, shopping center, small retail store, or other type of commercial site. This program provides additional support to businesses, targets the largest waste generators, and complements the outreach and education services currently offered through Recology.

A significant amount of staff or contractor resources would be needed to provide this technical assistance (approximately 0.5 full-time equivalent). However, this program has the potential to be very effective in increasing diversion. Please see Appendix B for a profile and outreach strategy for this sector.

Targeted generators include all commercial customers.

19. Mandatory Diversion Percentage



While single family generators have achieved 72% diversion of waste from landfill in Menlo Park, the commercial sector is at 48% and the multi-family sector is at 29%. This program would mandate a minimum diversion percentage for businesses and multi-family such as 50% and 75% by specific milestone dates. This program could be implemented along with universal rollout of recycling and compostable materials collection services to all multi-family and commercial customers. Diversion rates would be monitored and, if needed, enforcement measures could be triggered based on mandatory participation requirements.

Case Study: San Francisco Commercial Technical Assistance

San Francisco and Recology have a partnership in conducting outreach and technical assistance to commercial and multi-family customers. Both the City and Recology identify customers that require assistance. Recology staff work with property managers and building owners to “right-size” service. San Francisco provides interns and contracted technical assistance staff to provide door-to-door outreach at multifamily buildings and conduct tenant and custodial trainings in appropriate languages.

Case Study: Alameda County Mandatory Recycling Ordinance

Alameda County Waste Management Authority Mandatory Recycling Ordinance requires businesses, institutions, and multi-family properties with five or more units to sort their recyclables from their trash. Multi-family property owners as well as businesses and institutions that generate food waste, such as restaurants and grocery stores, must also sort compostables from their trash. These requirements are effective within participating areas of Alameda County. The ordinance requires the recycling service to be sufficient to handle the amount of recyclable material as well as the composting collection service to be sufficient to handle the amount of food scraps and food-soiled paper generated at the location. This includes cardboard, newspaper, white paper, mixed recyclable paper, recyclable glass food and beverage containers, metal (aluminum and steel) food and beverage containers, PET (#1) and HDPE (#2) plastic bottles, food scraps and compostable paper.

Staff time: 5.44 full-time equivalent staff

These policies could be implemented in the following sequence:

- Monitoring of state requirements - all multi-family customers and commercial customers with four cubic yards of solid waste or more required to have compost collection service by 2019
- Universal rollout of recycling and compost collection service to all multi-family and commercial customers by 2021
- Monitoring of diversion percentages, if 50% not reached by 2025, mandatory participation requirements enacted
- Monitoring of diversion percentages, if 75% not reached by 2030, enforcement measures enacted

Some upfront staff resources are needed to develop a mandatory recycling percentage ordinance and ongoing resources would be required to conduct an annual outreach program.

Targeted generators are multi-family and commercial customers.



A New Rate Structure for Solid Waste Services

Currently, the majority of what customers pay for solid waste collection services is based on the size of their landfill trash bin and frequency of pickup. This approach encourages customers to take advantage of recycling and composting collection services provided at no extra charge or at a subsidized rate. However, this “pay as you throw” model has proven problematic: it has failed to provide the financial sustainability needed to fund all solid waste services, including recycling, composting, and other waste diversion programs. In 2016, the City engaged R3 Consulting to develop a new rate structure that will;

- Collect revenues necessary to meet the annual compensation requirements due to Recology under the existing contract, beginning in 2018; and

- Ensure the revised rate structure incorporates all operational costs and fees, costs projected by the community zero waste plan and produce a complete rate table and rate calculation which is understandable to customers and implementable by Recology.

The new rate model is expected to be assessed and adopted by the City Council in Fall 2017. As such, this has not been included as part of the Economic Analysis and Implementation Plan (Section 8). However, it is a recent progressive action undertaken by the City that will ultimately support sustainable diversion of materials from landfill disposal during the 10-year planning period, and its impacts are assessed in the Additional Potential Diversion Analysis (Section 6) and included in the estimate Greenhouse Gas Emission Reduction (Section 7).

Regional Considerations and Social Marketing

The nineteen waste strategies described above are leadership opportunities the City can take to directly impact waste diversion activities in the community. As a RethinkWaste member agency, Menlo Park will also benefit from wider regional efforts to reduce waste, such as the JPA's implementation of its Long Range Plan. Included in the Long Range Plan are Shoreway infrastructure enhancements, model solid waste ordinances, extended producer responsibility, and an every other week garbage collection pilot. In addition, the City should also consider the importance of social marketing for increasing participation in diversion programs. RethinkWaste's future mixed waste processing program, and example social marketing strategies the City could implement to support a cultural shift and enhance zero waste strategy implementation, are discussed below.

Mixed Waste Processing

Mixed waste processing is included in RethinkWaste's Long Range Plan for potential future program implementation. The City should continue to monitor RethinkWaste's plans to implement mixed waste processing at the Shoreway facility, as this may be a potential avenue for additional diversion.

The Long Range Plan notes that the mixed waste processing system will recover recyclables and organics from residential and commercial (including multi-family) waste. Such a program could yield approximately 1,500 tons of additional diversion for Menlo Park, which would enable the City to reach its zero waste goal of 73% franchised diversion by 2035 as shown in Section 6.

Targeted Outreach and Education on Problematic Materials

Targeted outreach and education to raise awareness about particular materials that tend to be disposed incorrectly would bring current efforts into focus, assisting residents in proper sorting of waste into landfill trash, recycling, and compost carts. To start, proper sorting of paper and compostable materials could be emphasized to reduce the amount of material sent to landfill. Other communities, such as the City of Livermore, have used this strategy and report positive results. Moreover, the results are easily measurable through the periodic monitoring of this sector's waste stream compositions, by checking the contents of carts, or conducting more detailed waste audits. The franchised hauler is well-positioned to partner with City on such an effort, both through its outreach and education work in the community and ability to monitor and report on changes.

Comparative Basis Education on Progress

Communicating the results of diversion progress and waste stream composition monitoring is another method that helps focus outreach and motivate behavior change, particularly when data is presented on a comparative basis and in a visually engaging format. Strategies like StopWaste's benchmark services and Pacific Gas and Electric's bill inserts that compare energy usage to similar nearby homes are based on studies that show people pay attention to how they compare to others and are motivated to change (and maintain high achievement) when they receive feedback on their performance. In the context of zero

waste, infographics comparing the service level of a customer’s home, multi-family complex, or business to the average sector service level, and/or the preferred zero waste service level, could be valuable. Comparisons of waste stream composition, waste stream generation, and other key metrics could also be used in alignment with the City’s zero waste goals.

Section 6 Additional Potential Diversion Analysis

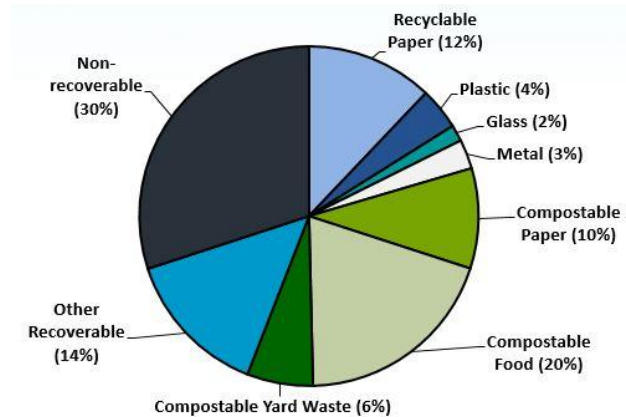


Figure 4: Materials in Menlo Park Trash

Menlo Park has the opportunity to significantly increase its citywide diversion rate through the implementation of the new and expanded policies, programs, and infrastructure. In 2015, the City’s franchise diversion rate (based on materials collected by Recology) was 56%. To estimate the diversion potential of each of the zero waste strategies, the Project Team developed a diversion model. The model uses disposed waste composition data for each waste generator sector (i.e., single family, multi-family, commercial, and self-haul) to estimate tons of potentially recoverable materials by type and by sector that are currently landfilled.⁸ The model then applies an estimated capture rate (the percentage of a

target material estimated to be diverted) to the tons disposed to derive the potential diversion tons associated with each strategy. The capture rates were developed under guidance from the U.S Environmental Protection Agency’s “Managing and Transforming Waste Streams” tool, in addition to research of comparable programs and educated estimates. The model predicts that implementation of the zero waste strategies would result in a 70% franchise diversion rate. Regional programs, such as mixed waste processing, would assist the City in reaching 73% franchised diversion, and potentially beyond.

Table 5 lists the estimated capture rate for each zero waste strategy and the resulting potential diversion tons per year.

⁸ The diversion model is based on landfilled waste composition data for the City of Menlo Park prepared by Cascadia Consulting Group. See Appendix A for Menlo Park landfilled waste composition modeling.

Table 5: Estimated Capture Rate and Annual Diversion Tons

Item #	Zero Waste Strategy	Additional Potential Diversion					Targeted Material Capture
		Single Family	Multi-Family	Commercial	Self-Haul	Total All Sectors	
Short-Term							
1	Mandatory Sorting of Self-Hauled Waste at Shoreway				1130	1130	15%
2	Mandatory Participation in Recycling and Composting Programs	280	160	630		1070	11%
3	Universal Recycling and Composting Collection Service		180	740		920	13%
4	Require All C&D Projects to Use Designated Facilities				860	860	12%
5	Increase Recycling Requirements in C&D Ordinance				790	790	11%
6	Recycling Ambassadors and Door-to-Door Outreach	130	70	290		490	5%
7	Support for Reuse, Repair, Leasing or Sharing Efforts	3	2	5		10	1%
8	Promote Reusable Bottles and Bottle Filling Stations			1		1	1%
Medium-Term							
9	Outreach, Education and Technical Assistance for C&D Generators				360	360	5%
10	Expanded Bulky Item Recycling Collection	20	10	100		130	5%
11	Participating Partners Program	30	20	70		120	1%
12	Expanded List of Curbside Recyclables	20	10	90		120	10%
13	Material Bans of Products or Packaging	10	10	20		40	1%
14	Zero Waste Event Requirements			50		50	1%
15	Outreach to Elementary and Secondary Schools			50		50	1%
16	Outreach to Faith-Based Organizations			50		50	1%
17	Textile Recycling	6				6	3%
Long-Term							
18	Additional Commercial Technical Assistance			630		630	11%
19	Mandatory Diversion Percentage		160	630		790	11%
	Increased Diversion Supported Through New Rate Model	220	130	480		830	11%
	TOTAL	720	750	3840	3140	8450	
	RethinkWaste Long Range Plan: Mixed Waste Processing	400	200	900		1500	15%

Section 7 Greenhouse Gas Emission Reduction

The Waste Reduction Model (WARM) was used to calculate the estimated greenhouse gas emission reduction. WARM was created by the U.S. Environmental Protection Agency to help solid waste planners and organizations estimate greenhouse gas emission reductions from several different waste management practices. The model calculates emissions in metric tons of carbon dioxide equivalent (MTCO₂E) and metric tons of carbon equivalent (MTCE) across a wide range of material types commonly found in municipal solid waste.

If these zero waste strategies were to be fully implemented, approximately 13,000 metric tons of carbon dioxide equivalent could be avoided each year through recycling and composting currently landfilled waste materials. This is the equivalent to the annual emissions from 2,790 passenger vehicles, conserving 867 households' annual energy consumption, or conserving 17,155 barrels of oil. See Table 6 below for more information. Additional greenhouse gas emission reduction could be achieved through mixed waste processing, source reduction of non-recoverable materials, and reuse activities.

Table 6: Estimated Annual Greenhouse Gas Emission Reduction

Total change in MTCO ₂ E: (13,253)	Total Change in Energy Use (99,673) million BTU	Total change in MTCO: (3,614)
This is equivalent to...		
Removing annual emissions from 2,790 passenger vehicles		
Conserving 1,491,273 gallons of gasoline		
Conserving 552,206 cylinders of propane used for home barbeques		
Conserving 71 railway cars of coal		
Conserving 867 households' annual energy consumption		
Conserving 17,155 barrels of oil		

Section 8 Economic Analysis and Implementation Plan

Economic Analysis

Costs for implementing the zero waste strategies were developed by estimating:

- The number of staff or contractor hours that would be needed to develop and maintain each program
- The outreach materials (training, materials, advertising, promotional flyers, promotional kits, outreach campaigns) needed for each program
- The capital costs for upgrades at the Shoreway Environmental Center, to be shared throughout the service area
- An average hourly loaded rate for staff of \$75 per hour.

Outreach materials cost assumptions:

- \$5 each for training materials
- \$250 each for newspaper advertising

- \$2 each for promotional flyers
- \$50 each for promotional kits
- \$2,000 for an outreach campaign

Capital costs for upgrades at Shoreway cost assumptions:

- \$2 million to add optical sorting equipment to the recyclables processing. Menlo Park's share would be \$200,000 based on its proportionate share of the materials.
- \$500,000 to add upgrades to the self-haul area. Menlo Park's share would be \$50,000.

These assumptions were used to project the annual estimated costs for each strategy. Based on the estimated diversion tons, the cost per ton diverted was also projected for each strategy.

Based on the 9,038 single family, multi-family, and commercial customers in the City, full implementation of all zero waste strategies could result in an average approximate \$0.85 per month increase in monthly residential rates. Other funding mechanisms may also be considered.

Timeline

These zero waste strategies could be implemented over a 10-year period from 2018 through 2027. The implementation timeframe is divided into three phases:

- Short-term 2018-2020
- Medium-term 2021-2025
- Long-term 2026-2027

Timing for the development of new programs is subject to the City's budget process, contract negotiations with Recology or new contracts with another service provider, and potential upgrades to the Shoreway Environmental Center. For planning purposes, it is anticipated that the zero waste strategies will be implemented in the following sequence.

Table 7 provides the cost estimates for the zero waste strategies and implementation timeline.

Table 7: Cost Estimates and Implementation Schedule

#	Zero Waste Strategy	Categories	Start-up Hours	Ongoing Annual Hours	Total Capital Investment (Amortized over 10 years)	Short-term			Medium-term					Long-term		Strategy Total	Annual tons diverted	Strategy Diverted Tons	Dollars per ton diverted	Total change in GHG emissions (MTCO ₂)
						2018	2019	2020	2021	2022	2023	2024	2025	2026	2027					
1	Mandatory sorting of self-hauled waste at Shoreway	Start-up Labor	250			\$ 6,300	\$ 6,500	\$ 6,700								\$69,500	1130	11300	\$6	1,175
		Amortized Capital Investment			\$ 50,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000					
2	Mandatory participation in recycling and composting programs	Start-up Labor	250			\$ 6,300	\$ 6,500	\$ 6,700								\$25,800	1070	10700	\$2	2,061
		Annual Outreach and Education Materials Expense				\$ 2,000	\$ 2,100	\$ 2,200												
3	Universal recycling and composting collection service	Start-up Labor	250			\$ 6,300	\$ 6,500	\$ 6,700							\$19,500	920	9200	\$2	1,897	
4	Require all projects to direct C&D materials to designated facilities	Start-up Labor	250			\$ 6,300	\$ 6,500	\$ 6,700							\$19,500	860	8600	\$2	858	
5	Increase recycling requirements in C&D ordinance	Start-up Labor	250			\$ 6,300	\$ 6,500	\$ 6,700							\$19,500	790	7900	\$2	786	
6	Recycling ambassadors and door-to-door outreach	Annual Labor		200		\$ 15,000	\$ 15,400	\$ 15,800							\$58,500	490	4900	\$12	957	
		Annual Outreach and Education Materials Expense				\$ 4,000	\$ 4,100	\$ 4,200												
7	Support for reuse, repair, leasing or sharing efforts	Annual Labor		100		\$ 7,500	\$ 7,700	\$ 7,900							\$29,400	10	100	\$294	4	
		Annual Outreach and Education Materials Expense				\$ 2,000	\$ 2,100	\$ 2,200												
8	Promote reusable bottles and bottle filling stations	Start-up Labor	250			\$ 6,300	\$ 6,500	\$ 6,700							\$19,500	1	10	\$1,950	1	
9	Outreach, education and technical assistance for C&D generators	Annual Labor		200					\$ 15,000	\$ 15,400	\$ 15,800	\$ 16,200	\$ 16,600		\$90,000	360	2520	\$36	357	
		Annual Outreach and Education Materials Expense					\$ 2,000	\$ 2,100	\$ 2,200	\$ 2,300	\$ 2,400									
10	Expanded bulky item recycling collection	Start-up Labor	250						\$ 18,800						\$50,000	130	910	\$55	286	
		Annual Labor		100						\$ 7,500	\$ 7,700	\$ 7,900	\$ 8,100							
11	Participating partners program	Annual Labor		100					\$ 7,500	\$ 7,700	\$ 7,900	\$ 8,100	\$ 8,300		\$53,000	120	840	\$63	197	
		Annual Outreach and Education Materials Expense					\$ 2,500	\$ 2,600	\$ 2,700	\$ 2,800	\$ 2,900									
12	Expanded list of curbside recyclables	Start-up Labor	250						\$ 18,800						\$218,800	120	840	\$260	47	
		Amortized Capital Investment			\$ 200,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000						
13	Material bans of products or packaging	Start-up Labor	250						\$ 18,800						\$32,300	40	280	\$115	NA	
		Annual Outreach and Education Materials Expense					\$ 2,500	\$ 2,600	\$ 2,700	\$ 2,800	\$ 2,900									
14	Zero waste event requirements	Start-up Labor	250						\$ 18,800						\$74,300	50	350	\$212	122	
		Annual Labor		100						\$ 7,500	\$ 7,700	\$ 7,900	\$ 8,100	\$ 8,300						
		Annual Outreach and Education Materials Expense					\$ 3,000	\$ 3,100	\$ 3,200	\$ 3,300	\$ 3,400									
15	Outreach to elementary and secondary schools	Annual Labor		200					\$ 15,000	\$ 15,400	\$ 15,800	\$ 16,200	\$ 16,600		\$84,000	50	350	\$240	119	
		Annual Outreach and Education Materials Expense					\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000									
16	Outreach to faith-based organizations	Annual Labor		200					\$ 15,000	\$ 15,400	\$ 15,800	\$ 16,200	\$ 16,600		\$84,000	50	350	\$240	119	
		Annual Outreach and Education Materials Expense					\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000									
17	Textile recycling	Start-up Labor	250						\$ 18,800						\$18,800	6	12	\$1,567	NA	
18	Additional commercial technical assistance	Annual Labor		1000										\$ 75,000	\$ 76,900	\$167,100	630	1260	\$133	1,341
		Annual Outreach and Education Materials Expense												\$ 7,500	\$ 7,700					
19	Mandatory recycling percentage	Start-up Labor	250						\$ 18,800						\$23,900	790	1580	\$15	1,612	
		Annual Outreach and Education Materials Expense												\$ 2,500						\$ 2,600
TOTAL			3,000	2,200	\$ 250,000	\$93,300	\$95,400	\$97,500	\$191,000	\$106,500	\$108,700	\$110,900	\$113,100	\$126,300	\$109,600	\$1,157,400	7,617	62,002	NA	11,939

Waste Modeling Methods, Assumptions, and Findings

INTRODUCTION

Cascadia performed waste modeling to inform the development of Menlo Park's Zero Waste Service Plan. The waste modeling exercise produced the following data points:

- 2015 total franchised tons by stream (disposal, recycling, organics)
- 2015 total franchised tons by generator (single family, multifamily, and commercial)
- 2015 total franchised tons by detailed commercial sector (manufacturing & durable wholesale, food manufacturing & food retail, restaurants, retail, professional services, other services, and other)
- Disposed franchised waste material compositions by generator and for self-haul materials
- Recoverability of disposed franchised waste by generator and for self-haul materials
- 2015 baseline aggregate average service levels
- 2015 inbound capture rates
- 2015 recovery rates and estimated maximum recovery rates
- Recovery rates based on capture rate benchmarks

DATA SOURCES

Cascadia used the following data sources to inform the modeling for Menlo Park:

- "Recology San Mateo County Annual Report to the SBWMA for Year 2015," submitted February 2016.
- Information from "[Residential solid waste and recycling services](#)" on the City of Menlo Park's official website.
- Recology customer listings with subscription levels.
- City of Menlo Park commercial establishment listings of North America Industry Classification System (NAICS) codes and employee counts.
- Housing and occupation rates from the "[E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2016 with 2010 Census Benchmark](#)" report produced by the Department of Finance for the State of California.
- Waste composition studies prepared for the South Bayside Waste Management Authority completed in 2013.
- The "[2014 Disposal-Facility-Based Characterization of Solid Waste in California](#)" and the "[2014 Generator-Based Characterization of Commercial Sector Disposal and Diversion in California](#)" conducted by California Department of Resources Recycling and Recovery (CalRecycle) and published in 2015.
- Proprietary Cascadia data from a waste composition study completed in 2014 for an undisclosed Bay Area community.

TERMS AND DEFINITIONS

Cascadia used the following definitions to present modeling results.

Franchised Tons	Tons of material generated by the residential and commercial sectors collected by Recology through either curbside or roll-off service.
Generation	The total tons of disposal, recycling, and organics material collected by Recology.
Contamination	Materials that Recology does not accept in the curbside recycling or organics collection program that customers place in their recycling or organics collection containers. These contaminants affect the quality of the recycling and/or organics product that Recology recovers from their customers.
Capture Rate	The proportion of recoverable materials that are recovered through Recology curbside collection divided by the proportion of all generation that is a recoverable material that was collected in either the disposal, recycling, or organics streams.
Inbound Recovery Rate	The proportion of curbside recycled and curbside composted tons (including contamination) to franchised generation.
Maximum Recovery Rate	The theoretical recovery rate when totaling current inbound recovery material streams and curbside recoverable materials that are currently in the disposal stream that could be recovered with programmatic, behavioral, educational, collection, and/or processing systems developments.

MODELING METHODS AND FINDINGS

This section outlines the assumptions and methodology Cascadia used to complete the modeling exercise, and presents key findings.

Annual Tons

Residential single family, multifamily, and commercial tons are based on Recology 2015 collection records. The commercial tons were further divided into seven detailed commercial sectors: manufacturing and durable wholesale, food manufacturing and food retail, restaurants, retail, professional services, other services, and other. Cascadia allocated commercial tons among these detailed commercial sectors using per employee per year material generation rates from the “2014 Disposal-Facility-Based Characterization of Solid Waste in California” report by CalRecycle, and Menlo Park employment data. The detailed commercial sector-specific tons were scaled to match the total commercial tons as reported by Recology. Table 1 shows the 2015 single family, multifamily, and commercial generator tons reported by Recology and the modeled tons by detailed commercial sector.

Table 1. 2015 Franchised Tons and Inbound Recovery Rates

	Disposal	Recycling	Organics	Generation	Recovery Rate
Residential	6,615	4,445	7,644	18,703	65%
Single Family	4,390	3,646	7,524	15,560	72%
Multifamily	2,225	799	119	3,143	29%
Commercial	9,992	4,054	5,154	19,200	48%
Manufacturing & Durable Wholesale	460	304	0	764	40%
Food Manufacturing & Food Retail	294	80	150	523	44%
Restaurants	617	188	425	1,230	50%
Retail	554	110	0	664	17%
Professional Services	6,947	3,100	4,439	14,487	52%
Other Services	645	154	107	906	29%
Other	475	120	32	627	24%
TOTAL	16,607	8,499	12,797	37,903	56%

Figure 1 and Figure 2 present the proportion of franchised material collected in 2015 by stream and by generator.

Figure 1. 2015 Total Franchised Materials Collected by Stream

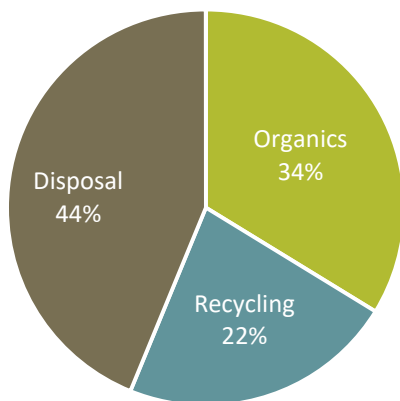


Figure 2. 2015 Total Franchised Materials Collected by Generator

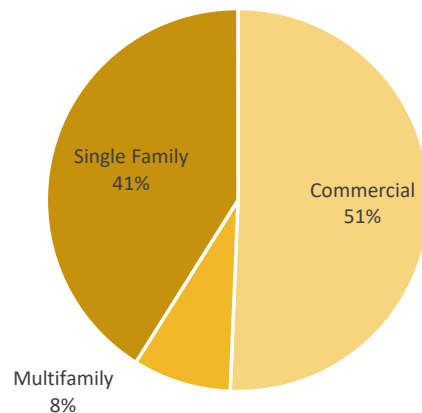


Figure 3 and Figure 4 display 2015 total franchised tons for Menlo Park’s three waste streams and the inbound recovery rate achieved by each generator (Figure 3) and each detailed commercial sector (Figure 4).

Figure 3. 2015 Total Franchised Tons by Generator

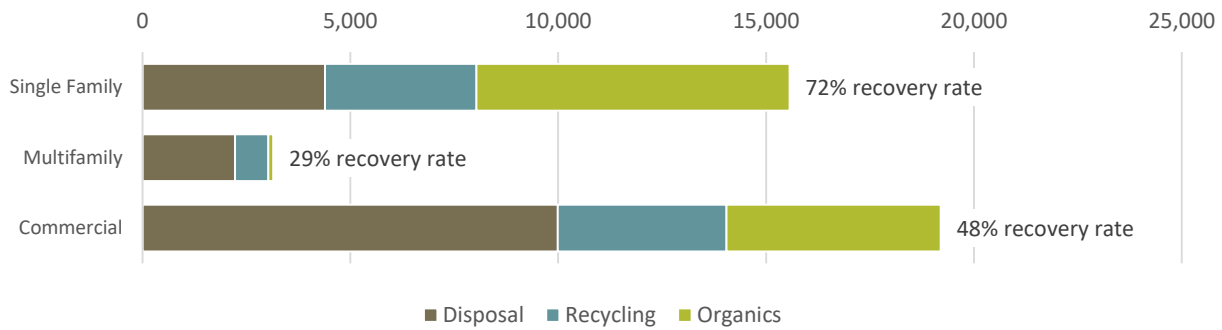
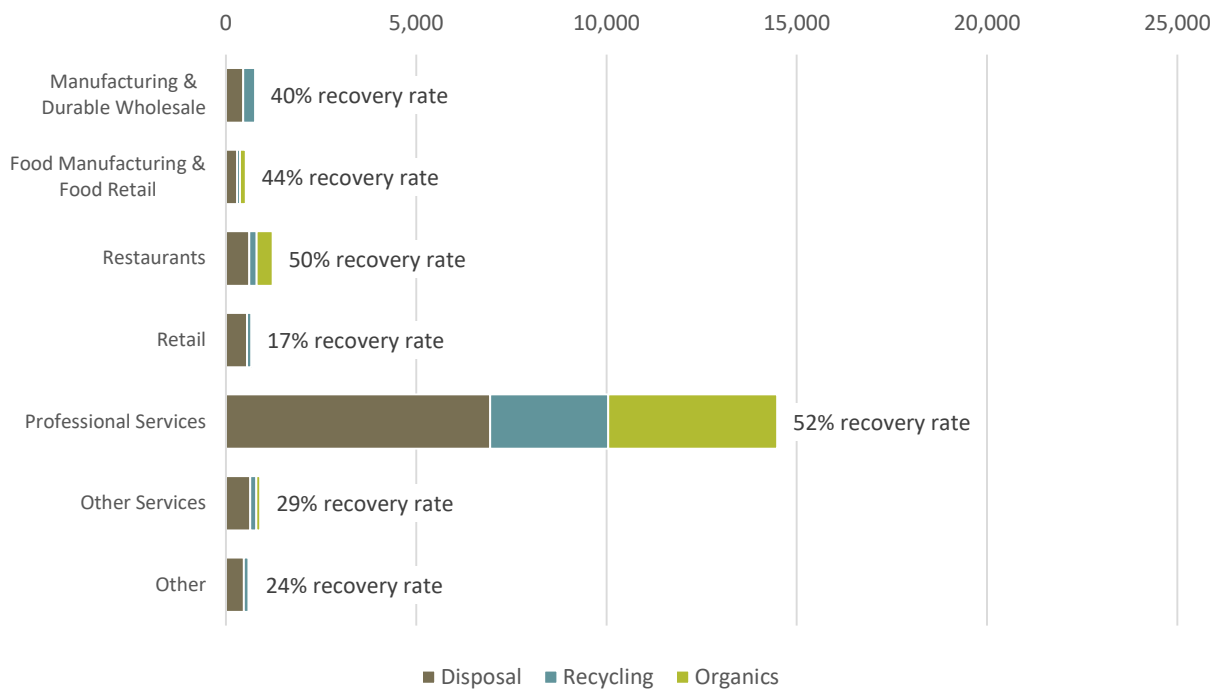


Figure 4. 2015 Total Franchised Tons by Detailed Commercial Sector



Disposal Compositions

Cascadia modeled composition for each sector with composition data collected from the 2014 CalRecycle statewide studies (“[2014 Disposal-Facility-Based Characterization of Solid Waste in California](#)” and the “[2014 Generator-Based Characterization of Commercial Sector Disposal and Diversion in California](#)”) and data from a large waste composition study completed in 2014 for a Bay Area community with similar generation patterns to Menlo Park (the city does not wish to be identified).

Distinguishing characteristics that Cascadia took into account when selecting representative compositions for use in modeling included similarity of business types and sizes (by employment) to Menlo Park, level of urbanization, geographic proximity, and availability of waste collection and diversion systems such as single-stream recycling collection, acceptance of food waste in the organics curbside service, and construction and demolition waste processing.

Cascadia modeled composition using 29 material types. Specific sources and assumptions Cascadia used to model composition by generator are described below.

- **Single Family.** Cascadia modeled single family disposal composition by combining 2014 CalRecycle residential composition data and data from a large waste composition study completed in 2014 for a representative Bay Area community.
- **Multifamily.** Cascadia modeled multifamily disposal composition from 2014 CalRecycle facility-based data from representative regions.
- **Commercial.** Cascadia modeled commercial composition using 2014 CalRecycle commercial composition data from areas in the state with similar diversion programs. Cascadia assigned weighting factors to the available composition data based on Menlo Park's commercial sector employment profiles and proportion of large and small businesses. Cascadia used the same full-time equivalent (FTE) employee threshold used in the CalRecycle study to determine if a business was large or small.
- **Self-haul.** Self-haul includes material that generators disposed directly at transfer stations or the landfill. Cascadia modeled self-haul disposal composition from 2014 CalRecycle self-haul composition data. Tons of self-hauled materials were not available and are not reported.

Detailed disposal composition results by generator are shown in Table 2, Table 3, and Table 4.

Table 2. Detailed Disposal Composition: Residential

Material	Single Family		Multifamily		Total Residential	
	Est. %	Est. Tons	Est. %	Est. Tons	Est. %	Est. Tons
Paper	18.1%	796	22.0%	490	19.5%	1,287
Corrugated Cardboard and Kraft	1.6%	68	3.5%	78	2.2%	146
Newspaper	1.1%	50	2.9%	64	1.7%	114
Other Recyclable Paper	5.4%	237	7.2%	161	6.0%	398
Compostable Paper	9.4%	411	7.3%	163	8.7%	575
Non-Recoverable Paper	0.7%	30	1.1%	24	0.8%	54
Plastic	10.2%	448	10.6%	236	10.3%	684
#1 & #2 Plastic Containers	1.0%	44	1.5%	33	1.2%	76
Other Recyclable Plastics	2.7%	119	2.5%	55	2.6%	174
Recoverable Film	0.6%	28	0.5%	12	0.6%	40
Non-recoverable Film	3.9%	173	4.1%	92	4.0%	265
Non-recoverable Plastics	1.9%	84	2.0%	44	1.9%	128
Glass	2.0%	88	4.3%	95	2.8%	183
Glass Containers	1.8%	81	3.4%	77	2.4%	158
Non-recoverable Glass	0.2%	7	0.8%	18	0.4%	25
Metal	2.7%	119	3.9%	87	3.1%	206
Ferrous Metal	1.2%	54	2.1%	46	1.5%	100
Non-ferrous Metal	0.6%	28	1.0%	22	0.8%	50
Other Recoverable Metal	0.2%	9	0.0%	-	0.1%	9
Non-recoverable Metal	0.6%	27	0.9%	20	0.7%	47
Organics	46.5%	2,043	45.7%	1,016	46.2%	3,059
Food	25.8%	1,133	29.5%	656	27.0%	1,789
Yard Waste	7.4%	323	2.7%	61	5.8%	384
Textiles	4.2%	186	5.4%	119	4.6%	305
Non-recoverable Organics	9.1%	401	8.1%	180	8.8%	581
Construction & Demolition	11.5%	503	5.6%	124	9.5%	628
Recoverable Wood	2.5%	109	1.9%	43	2.3%	152
Carpet	1.8%	77	0.3%	8	1.3%	85
Recoverable C&D	1.4%	62	0.8%	18	1.2%	80
Non-recoverable C&D	5.8%	255	2.5%	56	4.7%	311
Other Materials	8.9%	392	7.9%	175	8.6%	568
Household Hazardous Waste	0.5%	21	0.1%	3	0.4%	24
Electronic Waste	0.7%	30	0.8%	19	0.7%	49
Tires	0.1%	3	0.1%	1	0.1%	5
Bulky Items	2.7%	119	3.8%	84	3.1%	203
Non-recoverable	5.0%	219	3.1%	68	4.3%	288
Totals	100.0%	4,390	100.0%	2,225	100.0%	6,615

Percentages for material types may not total 100% due to rounding.

Table 3. Detailed Disposal Composition: Commercial

Material	Manufacturing & Durable Wholesale		Food Manufacturing & Food Retail		Restaurants		Retail		Professional Services		Other Services		Other		Total Franchised Commercial	
	Est. %	Est. Tons	Est. %	Est. Tons	Est. %	Est. Tons	Est. %	Est. Tons	Est. %	Est. Tons	Est. %	Est. Tons	Est. %	Est. Tons	Est. %	Est. Tons
Paper	22.9%	105	25.6%	75	26.8%	166	26.8%	148	26.9%	1,866	28.3%	183	25.6%	122	25.1%	2,665
Corrugated Cardboard and Kraft	3.6%	17	3.5%	10	2.0%	12	3.1%	17	4.2%	290	4.2%	27	3.7%	18	3.7%	392
Newspaper	0.8%	4	1.7%	5	2.3%	14	1.8%	10	1.8%	125	2.0%	13	1.7%	8	1.7%	179
Other Recyclable Paper	7.4%	34	6.2%	18	4.8%	30	8.3%	46	8.0%	556	8.5%	55	6.7%	32	7.3%	771
Compostable Paper	8.1%	37	8.6%	25	13.5%	84	10.3%	57	9.7%	671	10.7%	69	10.7%	51	9.3%	994
Non-Recoverable Paper	2.9%	13	5.6%	16	4.2%	26	3.3%	18	3.2%	223	2.8%	18	2.8%	13	3.1%	328
Plastic	16.2%	74	15.1%	44	12.3%	76	15.4%	85	12.9%	895	8.3%	53	11.2%	53	12.0%	1,282
#1 & #2 Plastic Containers	0.4%	2	1.0%	3	1.1%	7	1.7%	9	0.7%	51	0.8%	5	1.1%	5	0.8%	82
Other Recoverable Plastics	2.3%	11	1.4%	4	0.5%	3	2.2%	12	2.0%	138	1.1%	7	1.5%	7	1.7%	182
Non-recoverable Film	2.0%	9	2.2%	6	0.2%	1	1.3%	7	0.9%	65	0.5%	3	1.0%	5	0.9%	96
Recoverable Film	4.1%	19	6.3%	18	6.8%	42	5.6%	31	3.3%	231	2.8%	18	4.1%	20	3.6%	379
Non-recoverable Plastics	7.4%	34	4.2%	12	3.7%	23	4.6%	26	5.9%	411	3.1%	20	3.5%	17	5.1%	542
Glass	0.7%	3	2.3%	7	1.5%	9	2.2%	12	1.4%	99	0.6%	4	6.5%	31	1.6%	165
Glass Containers	0.3%	1	2.0%	6	1.3%	8	2.0%	11	0.8%	57	0.5%	3	3.3%	16	1.0%	102
Non-recoverable Glass	0.5%	2	0.3%	1	0.2%	1	0.2%	1	0.6%	42	0.1%	1	3.2%	15	0.6%	63
Metal	5.6%	26	2.2%	6	2.4%	15	3.7%	20	4.9%	338	3.0%	20	2.2%	11	4.1%	436
Ferrous Metal	2.8%	13	1.1%	3	1.6%	10	1.7%	9	1.7%	119	1.3%	8	1.0%	5	1.6%	168
Non-ferrous Metal	1.2%	6	0.5%	2	0.4%	2	0.7%	4	1.5%	105	0.8%	5	0.6%	3	1.2%	126
Other Recoverable Metal	0.2%	1	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.1%	0	0.0%	1
Non-recoverable Metal	1.3%	6	0.6%	2	0.5%	3	1.2%	7	1.6%	114	1.0%	6	0.6%	3	1.3%	141
Organics	20.3%	93	45.5%	134	55.7%	344	32.0%	178	24.3%	1,687	40.9%	264	44.5%	212	27.4%	2,911
Food	8.8%	41	38.2%	112	53.1%	328	20.8%	115	9.2%	639	14.7%	95	24.6%	117	13.6%	1,447
Yard Waste	3.8%	18	2.9%	9	1.1%	7	1.4%	8	7.9%	552	9.3%	60	12.5%	59	6.7%	712
Other Potentially Compostable	2.5%	11	1.1%	3	0.6%	3	4.0%	22	2.2%	156	3.1%	20	2.3%	11	2.1%	227
Textiles	5.2%	24	3.1%	9	0.9%	6	5.8%	32	4.9%	341	13.8%	89	5.1%	24	4.9%	525
Construction & Demolition	30.2%	139	7.3%	21	1.1%	7	17.7%	98	25.8%	1,790	10.7%	69	7.2%	34	20.3%	2,158
Non-recoverable Organics	16.3%	75	4.6%	14	1.0%	6	3.8%	21	10.0%	697	2.8%	18	2.6%	12	7.9%	843
Recoverable Wood	0.5%	2	0.3%	1	0.0%	-	4.5%	25	0.3%	20	1.3%	8	0.4%	2	0.5%	58
Recoverable C&D	2.7%	13	0.8%	2	0.0%	-	1.9%	11	4.9%	340	1.2%	8	1.8%	9	3.6%	382
Carpet	10.6%	49	1.5%	5	0.1%	1	7.4%	41	10.6%	733	5.4%	35	2.4%	12	8.2%	875
Other Materials	4.2%	19	2.1%	6	0.2%	1	2.2%	12	3.9%	272	8.2%	53	2.7%	13	3.5%	377
Non-recoverable C&D	0.6%	3	0.2%	1	0.0%	0	0.5%	3	0.1%	8	1.1%	7	0.1%	0	0.2%	22
Recoverable HHW	0.4%	2	0.2%	0	0.0%	-	0.1%	1	0.9%	64	0.1%	1	0.1%	1	0.6%	69
Non-recoverable HHW	0.0%	-	0.0%	-	0.0%	-	0.0%	-	0.0%	0	0.1%	1	0.0%	-	0.0%	1
Tires	2.4%	11	1.0%	3	0.0%	-	0.9%	5	1.8%	125	0.4%	3	1.4%	6	1.4%	153
Non-recoverable	0.8%	4	0.7%	2	0.2%	1	0.7%	4	1.1%	75	6.5%	42	1.2%	5	1.2%	133
Totals	100.0%	460	100.0%	294	100.0%	617	100.0%	554	100.0%	6,947	100.0%	645	100.0%	475	100.0%	10,637

Percentages for material types may not total 100% due to rounding.

Table 4. Detailed Disposal Composition: Self-haul

Material	Est. %
Paper	3.2%
Corrugated Cardboard and Kraft	1.9%
Newspaper	0.0%
Other Recyclable Paper	1.1%
Compostable Paper	0.1%
Non-Recoverable Paper	0.1%
Plastic	8.7%
#1 & #2 Plastic Containers	0.1%
Other Recyclable Plastics	3.7%
Recoverable Film	0.1%
Non-recoverable Film	0.3%
Non-recoverable Plastics	4.4%
Glass	0.7%
Glass Containers	0.2%
Non-recoverable Glass	0.5%
Metal	3.8%
Ferrous Metal	1.2%
Non-ferrous Metal	0.4%
Other Recoverable Metal	0.0%
Non-recoverable Metal	2.2%
Organics	5.9%
Food	0.3%
Yard Waste	3.8%
Textiles	1.1%
Non-recoverable Organics	0.7%
Construction & Demolition	68.4%
Recoverable Wood	13.6%
Carpet	7.2%
Recoverable C&D	11.8%
Non-recoverable C&D	35.8%
Other Materials	9.3%
Household Hazardous Waste	0.1%
Electronic Waste	0.4%
Tires	0.0%
Bulky Items	8.2%
Non-recoverable	0.6%
Totals	100.0%

Percentages for material types may not total 100% due to rounding.

Disposal Recoverability

To analyze the Menlo Park modeled material compositions by material recoverability, Cascadia assigned each of the 29 material types to one of four recoverability groups. To calculate tons of recoverable disposed material, Cascadia summed the tons of disposed material at the material type level based the material’s assigned recoverability group. The four recoverability groups used for modeling were:

- **Curbside recyclable.** Materials readily accepted for recycling or composting in Recology’s curbside recycling collection system.
- **Curbside compostable.** Materials readily accepted for recycling or composting in Recology’s curbside organics collection system.

- **Other recoverable.** Materials that could be recovered or diverted through other, non-curbside collection programs, such as household hazardous waste (HHW) or construction and demolition (C&D) debris.
- **Non-recoverable.** Any materials not readily accepted for recovery or diversion in Recology’s current curbside collection programs or in other programs currently in place (such as HHW collection and C&D recovery) in Menlo Park.

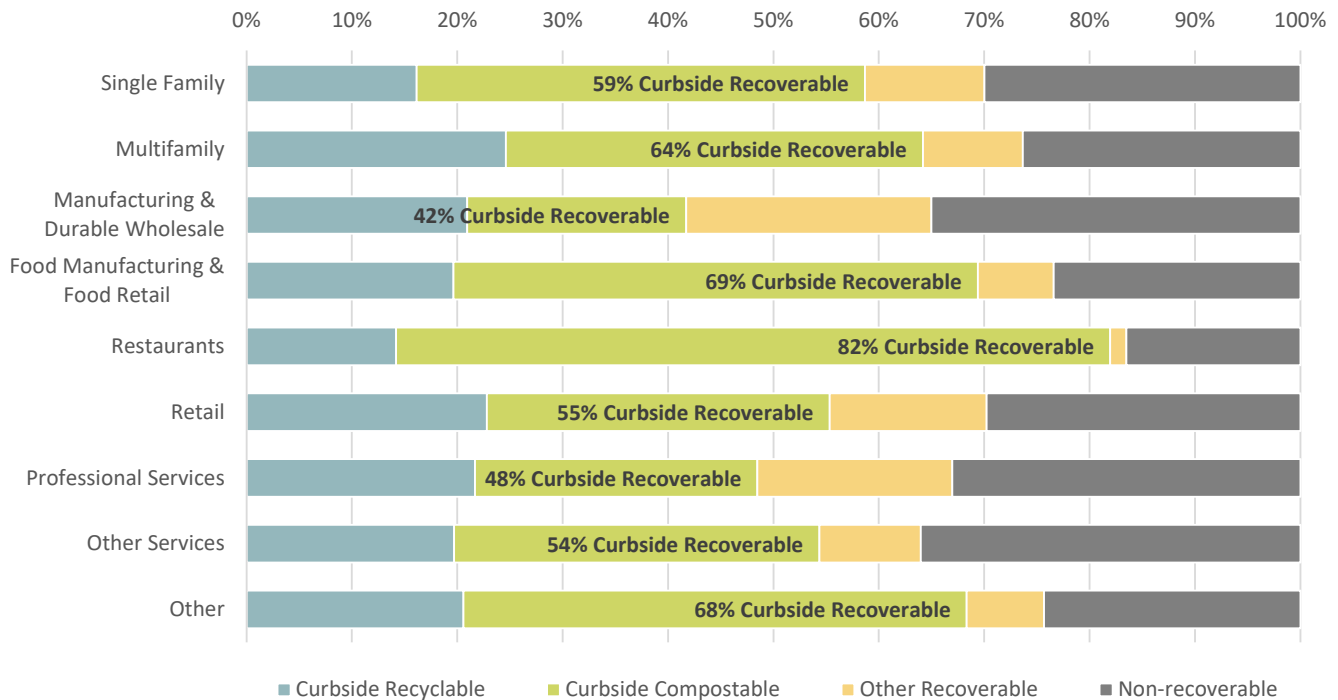
Cascadia also summarized the 29 material types into nine material classes: Recyclable Paper, Compostable Paper, Plastic, Glass, Metal, Compostable Food, Compostable Yard Waste, Other Recoverable, and Non-Recoverable. Material class and recoverability classifications by material type are provided in Table 5.

Table 5. Material Types with Recoverability Classifications

Material Class	Material Type	Recoverability Group	Class by Recoverability
Paper			
	Corrugated Cardboard and Kraft Newspaper	Curbside Recyclable	Recyclable Paper
	Other Recyclable Paper	Curbside Recyclable	Recyclable Paper
	Compostable Paper	Curbside Compostable	Compostable Paper
	Non-Recoverable Paper	Non-recoverable	Non-recoverable
Plastic			
	#1 & #2 Plastic Containers	Curbside Recyclable	Plastic
	Other Recyclable Plastics	Curbside Recyclable	Plastic
	Recoverable Film	Curbside Recyclable	Plastic
	Non-recoverable Film	Non-recoverable	Non-recoverable
	Non-recoverable Plastics	Non-recoverable	Non-recoverable
Glass			
	Glass Containers	Curbside Recyclable	Glass
	Non-recoverable Glass	Non-recoverable	Non-recoverable
Metal			
	Ferrous Metal	Curbside Recyclable	Metal
	Non-ferrous Metal	Curbside Recyclable	Metal
	Other Recoverable Metal	Other Recoverable	Other Recoverable
	Non-recoverable Metal	Non-recoverable	Non-recoverable
Organics			
	Food	Curbside Compostable	Compostable Food
	Yard Waste	Curbside Compostable	Compostable Yard Waste
	Textiles	Other Recoverable	Other Recoverable
	Non-recoverable Organics	Non-recoverable	Non-recoverable
Construction & Demolition			
	Recoverable Wood	Other Recoverable	Other Recoverable
	Carpet	Other Recoverable	Other Recoverable
	Recoverable C&D	Other Recoverable	Other Recoverable
	Non-recoverable C&D	Non-recoverable	Non-recoverable
Other Materials			
	Household Hazardous Waste	Other Recoverable	Other Recoverable
	Electronic Waste	Other Recoverable	Other Recoverable
	Tires	Other Recoverable	Other Recoverable
	Bulky Items	Non-recoverable	Non-recoverable
	Non-recoverable	Non-recoverable	Non-recoverable

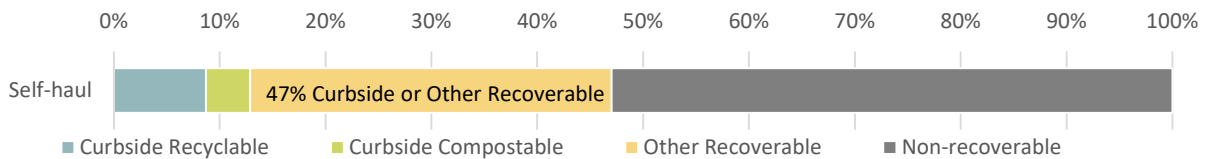
Figure 3 displays the estimated recoverability of Menlo Park’s franchised landfilled materials by residential generators and detailed commercial sectors. More than half of landfilled waste has the potential for recovery through existing programs.

Figure 3: Recoverability of Disposed Materials by Residential Generators and Detailed Commercial Sectors



Self-haul materials includes material disposed directly at the transfer station or landfill by both residential and commercial generators. The recoverability of Menlo Park’s self-haul waste was analyzed separately and is shown in Figure 5.

Figure 5. Self-haul Recoverability



In Figure 6 and Figure 7, estimated tons of Menlo Park’s landfilled waste are presented by material class and generator (Figure 6) and material class and detailed commercial sector (Figure 7). As shown, Recyclable Paper, Compostable Food, Compostable Yard Waste, and Compostable Paper are consistently among the most prevalent disposed materials that could be diverted from landfill, across all generators and detailed commercial sectors.

Figure 6. Disposed Materials by Material Class and Generator

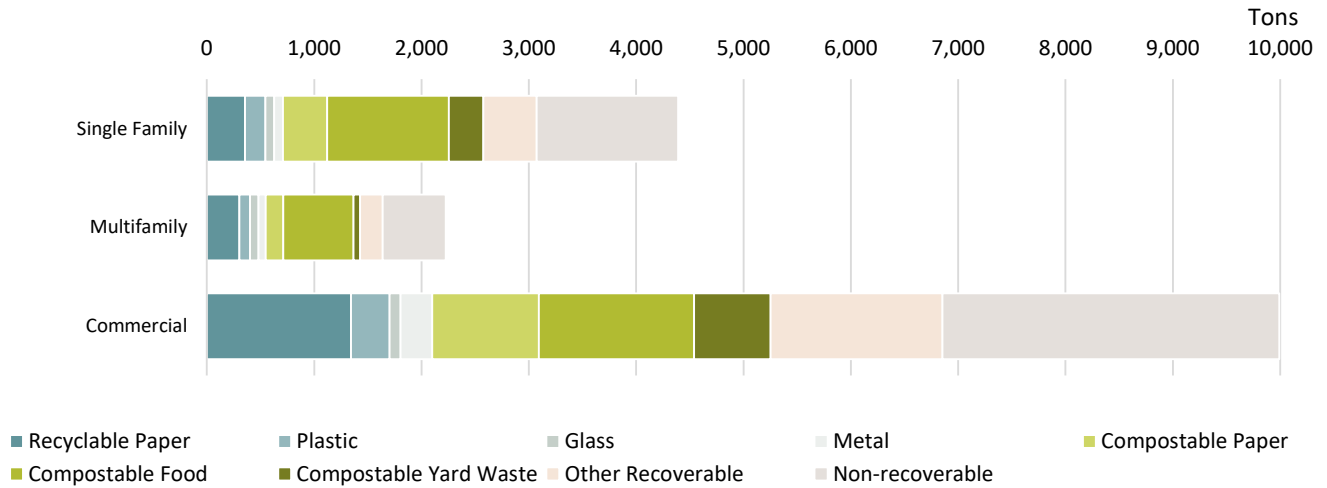
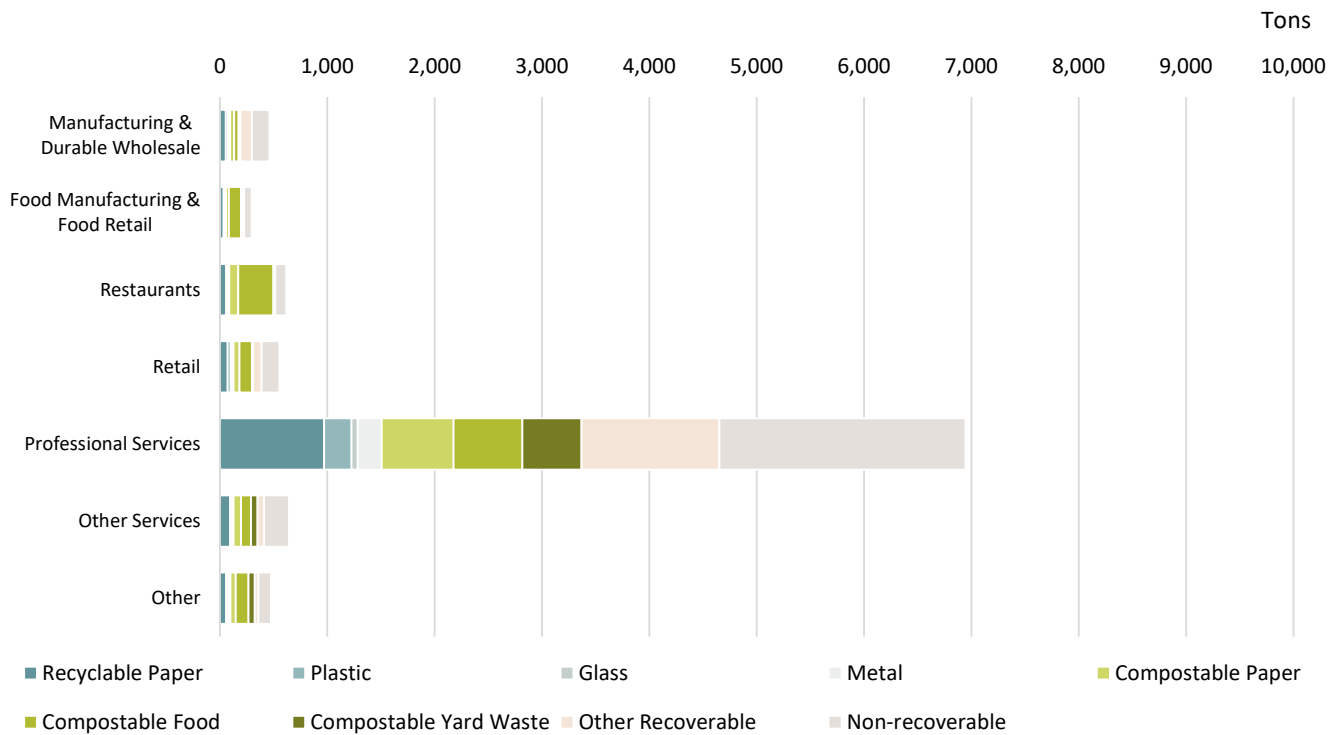


Figure 7. Disposed Materials by Material Class and Detailed Commercial Sector



Baseline Aggregate Average Service Levels

Cascadia modeled baseline aggregate average service levels for each generator to reflect minimum capacity needs. These service levels were based on tons collected, modeled density factors, and Recology subscription data. For this analysis, the aggregate average service level refers to an average calculated over *all* eligible customers in Menlo Park, not only customers who already subscribe to service. The

aggregate average service levels were modeled from the tons of material Recology collected in 2015 to reflect needed capacity, rather than subscribed capacity.

To model aggregate average service levels, Cascadia used the available composition data and published material-specific density factors to estimate a density per stream for each modeled generator group and detailed commercial sector. Cascadia applied the stream-specific density factor to the modeled annual tons to estimate the total volume disposed, recycled, and composted in cubic yards. For single-family, multifamily, and commercial container-based service, Cascadia also compared the estimate of weekly disposal volume to Recology's subscription data. If the modeled disposal volume exceeded the total subscribed volume, Cascadia used the subscribed volume to calculate the aggregate average.

The per stream total volumes of disposed, recycled, and composted material were divided by the appropriate unit—number of single-family Recology accounts, multifamily units, or employee counts eligible for collection service—and number of weeks in the calendar year to estimate the aggregate weekly service levels in cubic yards per week per unit.

Generator-specific details for the calculation of aggregate average service levels are provided below:

- **Single Family**
 - Cascadia used composition data from a large waste composition study completed in 2014 for a representative Bay Area community to estimate the density per stream.
 - The calculated weekly cubic yards of generated single family garbage, recycling, and organics did not exceed the subscribed weekly volume.
 - The aggregate average was calculated over the number of households, determined using Recology Menlo Park customer data.
- **Multifamily**
 - Cascadia used multifamily density factors by stream reported in the 2014 CalRecycle study.
 - The calculated cubic yards of generated multifamily garbage, recycling, and organics exceeded the subscribed weekly volume for garbage by 16%. Cascadia used the subscribed volume reported by Recology to calculate the aggregate average multifamily service level.
 - Total multifamily units were estimated from census data of housing with five or more units, and applying the vacancy rate reported by Department of Finance for the State of California.
- **Commercial**
 - Cascadia estimated stream density factors using commercial density factors that were based on sample data from comparable communities in California during the 2014 CalRecycle study.
 - Calculated weekly volumes could not be compared to subscription levels because the weekly capacity of on-call roll off containers is unknown.
 - The aggregate average service level was calculated for each commercial sector using the sector-specific FTE counts.

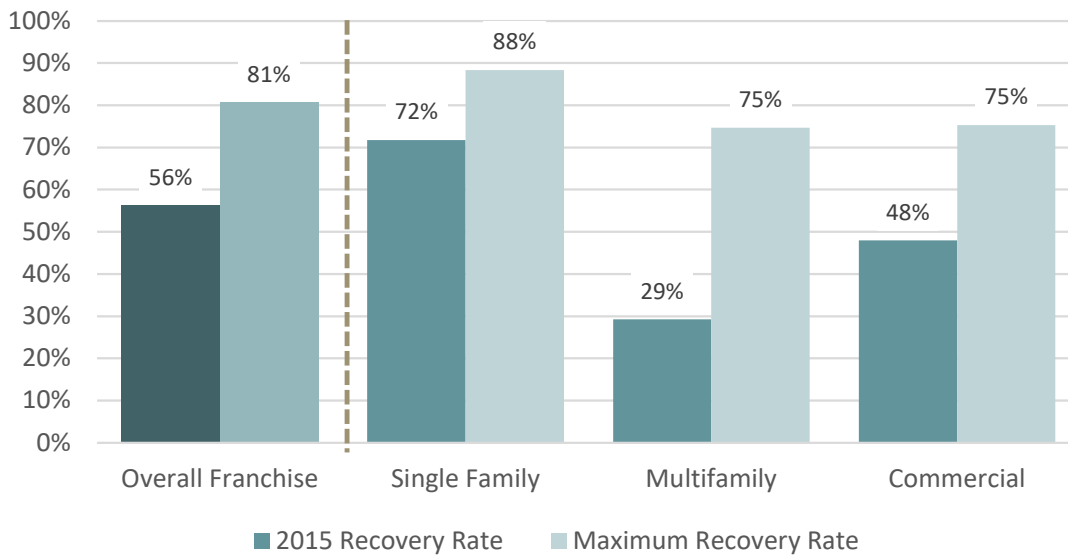
Table 6. Aggregated Average Baseline Capacity Needs by Generator

	Disposal	Recycling	Organics	Generation	
Residential					
Single Family	0.20	0.18	0.23	0.60	cy/hh/wk
Multifamily	0.17	0.13	0.01	0.31	cy/unit/wk
Commercial					
Manufacturing & Durable Wholesale	0.05	0.06	-	0.11	cy/FTE/wk
Food Manufacturing & Food Retail	0.12	0.08	0.05	0.25	cy/FTE/wk
Restaurants	0.15	0.12	0.04	0.30	cy/FTE/wk
Retail	0.15	0.19	-	0.34	cy/FTE/wk
Professional Services	0.09	0.09	0.11	0.29	cy/FTE/wk
Other Services	0.07	0.05	0.01	0.14	cy/FTE/wk
Other	0.11	0.06	0.01	0.18	cy/FTE/wk

Maximum Recovery Rate, Capture Rates, and Projected Recovery Rates

For planning purposes, Cascadia estimated a maximum recovery rate for each sector and overall, as shown in Figure 8. The maximum recovery rate was modeled based on the modeled recoverability of disposed material for each sector. Cascadia summed inbound recovery streams with modeled tons of curbside recoverable materials present in the disposal stream and divided the total by modeled generated tons to calculate the maximum recovery rates.

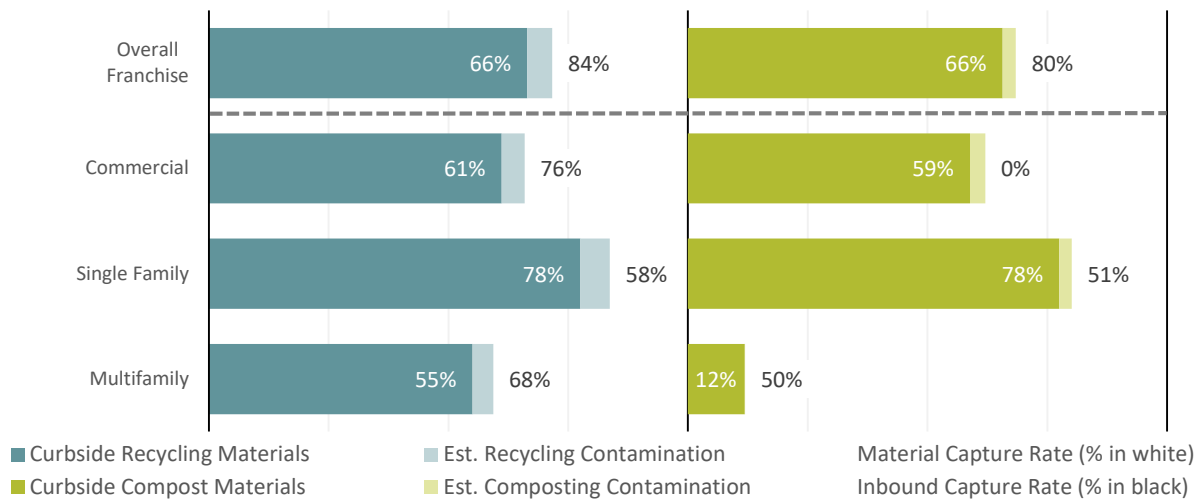
Figure 8. 2015 and Maximum Recovery Rates Overall and by Generator



The capture rate is different from the recovery rate in that the capture rate reflects the proportion of recoverable material that is recovered by the franchised recovery program out of all the recoverable materials that sector generates. The estimated capture rates for recyclable materials and compostable materials are shown in Figure 9. In the figure, the inbound capture rate includes materials collected in the

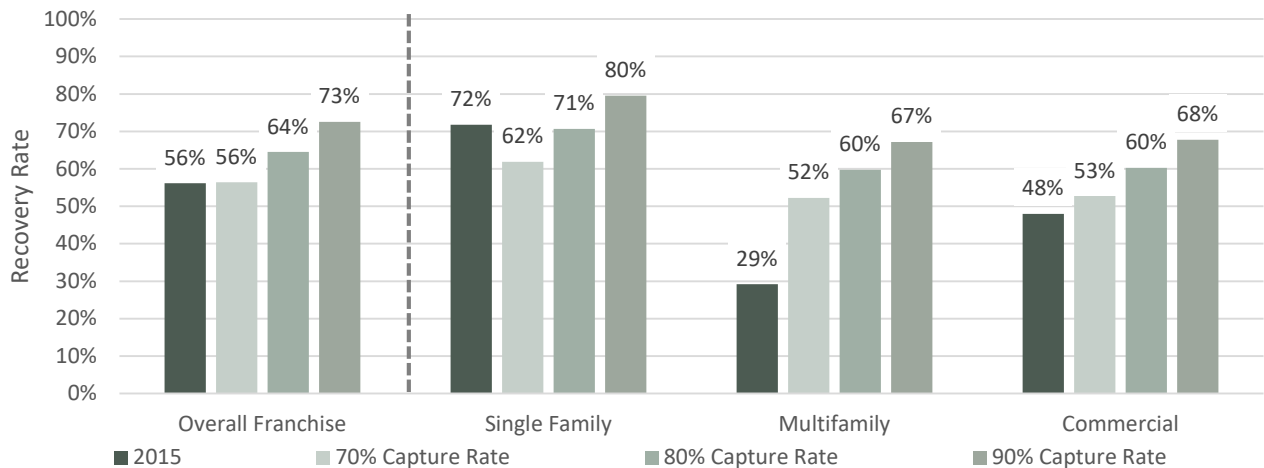
curbside recycling or organics stream. The material capture rate takes into account an estimate of contamination that is present in each of the recovery streams.

Figure 9. 2015 Inbound Capture Rates and Estimated Contamination by Generator



To support the development of the City’s zero waste goals, Cascadia also calculated the franchised recovery rate based on increasing inbound material capture rates by increments of 10%. Figure 10 shows the 2015 baseline recovery rate in comparison to the recovery rate from achieving a 70% capture rate, 80% capture rate, and 90% capture rate. In some cases, the capture rate in 2015 already exceeded these capture rate modeling scenarios.

Figure 10. Franchised Recovery Rate Resulting from Increased Inbound Material Capture Rates by Sector



Commercial TA Profile

For motivated businesses, intermittent recycling and organics notifications – via mailers, website content, and other public marketing channels – can be enough to support establishing a sustainable recycling and organics program. However, many businesses benefit from tailored technical assistance to right-size their collection services, establish internal collection infrastructure that maximizes participation, and train their staff to ensure program participation on an ongoing basis. This profile outlines the key features of an effective site-visit based commercial technical assistance methodology, and estimates technical assistance labor hour inputs and results.

DESCRIPTION OF RECOMMENDED TECHNICAL ASSISTANCE SERVICES

Who: Highly trained zero waste specialist who is aware of local resources, is fluent in community-based social marketing techniques, and has experience in performing waste audits. This specialist can be employed by the hauler, the city, or a third party contractor.

When: Typically, the most effective outreach plans include an initial broad program marketing effort through public education campaigns that introduce and launch services to customers. Recology has already provided this service in Menlo Park. Then, highly targeted, customer focused outreach and education via onsite technical assistance ramps up diversion and participation at targeted businesses. After this highly targeted outreach, light follow-up touches to ensure program maintenance are essential to sustaining program performance.

Where: As much assistance as possible should be site based to tailor recommendations to each business' unique waste generation profile. Recommendations should be driven by data collected during the site visit.

What: An onsite technical assistance site visit is ideal to setting the groundwork for and sustaining waste reduction, recycling, and composting programs. This section provides an overview of best practices before, during, and after commercial technical assistance.

Before

Selecting the right businesses for technical assistance and setting the groundwork for success begins long before a technical assistance representative is onsite.

- Strategically select and target businesses for technical assistance site visits. Targeting techniques can vary based on outreach program goals, but may include prioritizing businesses based on amount of material generated onsite annually, lack of recycling and/or composting collection services onsite, feedback from Recology collection truck drivers about contamination in the recycling/organics stream (or recycling/organics in the garbage), and level of business interest in assistance.
- Once businesses have been selected for assistance, perform initial phone correspondence with businesses to inform them of site visit services available to them, discuss the benefits of receiving assistance, and schedule the site visit. Phone correspondence and site visit should be with a decision maker at the business.
- If technical assistance staff make three unsuccessful contact attempts by phone, the staff person may consider a drop-by visit for business types that do not rely on phone or email communication and are more accessible in-person (for example, small businesses who are in-and-out throughout the day and may not have a staff person dedicated to answering the phone or e-mails). Otherwise, after three unsuccessful

contact attempts by phone, the technical assistance staff may consider the business non-responsive, and remove them from the list of businesses to receive technical assistance.

- When scheduling site visits, ensure they are the day before garbage is collected, and, if possible, the day before or close to the day before recycling and composting collection.

During

The primary goal of a site visit is to collect information to formulate recommendations about establishing or improving the business' recycling and/or organics collection program. This section provides a high level overview of site visit best practices.

- Review and confirm the service level, contact information, and other details that the city/Recology/property manager provided prior to the visit. Ask the property manager/decision maker at the business for an overview of recycling and other material management systems currently in place at the business.
- Visit each collection area or enclosure onsite where Recology-serviced containers are located. Note container fullness, composition of material in containers, location relative to other collection streams (is garbage co-located with recycling and composting?), labeling with signage, and space constraints for adding more or differently sized collection containers. Take photos to document each of the above. Take samples of material that may require additional research to determine recyclability or alternative, recyclable replacement options.
- Visit at least one example of every type of area where materials are generated in the business (such as office, storage, warehouse, break room, kitchen, cafeteria, and restroom). Note container placement and fullness, composition of material in containers, labeling and signage, and space constraints for adding additional collection containers. Take photos to document each of the above.
- Ask questions to determine the system for moving discarded materials from generation points to collection containers, noting custodial vs. employee responsibilities, and type of container liner used, if any.
- Ask questions to understand purchasing policies, assess waste reduction opportunities, and determine where non-recyclable or non-compostable materials can be avoided.
- Document notes in one easy-to-access place, preferably in an electronic form that can be automatically updated to a larger database for ease of tracking and progress reporting.

After

After performing a site visit, it is important to provide the business with a brief written summary of existing conditions onsite and recommendations for improvement. Then, support the decision maker at the business to act on recommendations through coordination with Recology and follow-up correspondence with the business' decision maker that includes carefully crafted persuasive prompts. Other best practices for follow-up communications are detailed below.

- Decide which implementation tools to provide the business. These may include in-person training, indoor container labels, signs, vendor information, funding opportunity information, new employee recycling and composting program notification templates, and container fullness/monitoring forms as appropriate to the specific business.
- Follow up with every business one month after new service implementation to inquire how the program is going. This follow-up conversation will be structured with strategic prompts to spur the decision maker into action and inspire a critical conversation about program progress, challenges, and successes.

The technical assistance representative should schedule an in-person recycling and composting training with every business that is interested in receiving one. This training may take the form of a train-the-trainer session with the decision maker at the business, a training with key employees, or an all-employee meeting. Specific training structures will depend on business type, employee motivation, and space available at the site. However, common training themes should include:

- Use examples of recyclable, compostable, and garbage materials from the business' own material stream as training props.
- Provide prompts specific to the business' recycling and composting program, and facilitate discussion around those prompts, to ensure employees understand the program.
- Provide employees and/or decision makers with guidance for on-going monitoring of recycling/organics programs and tips/tools for communicating with their employees and/or tenants bi-annually.

LABOR HOURS PER GENERATOR (ANNUALLY)

Based on data from a Bay Area-based technical assistance program that uses a similar methodology to that described above, the number of labor hours required to provide businesses with this level of technical assistance is **between 4.5 to 6 hours per generator**.

DIVERSION PER GENERATOR (ANNUALLY)

Based on data from a Bay Area-based technical assistance program that uses a similar methodology to that described above, the amount of new diversion that this technical assistance protocol can generate is **approximately 0.86 tons per year per generator assisted**. Note that tons available for diversion will vary widely based on business type and size.

Faith-Based Communities TA Profile

During zero waste planning workshops, Menlo Park employees and citizens identified faith-based communities as generators of interest for waste reduction and recycling outreach and technical assistance.

Faith-based institutions present unique opportunities to connect to people who operate as part of one tight-knit group. However, the recommended methodology for performing a site visit at a church, synagogue, mosque, or other faith-based community is very similar to the technical assistance methodology outlined in the commercial profile, with a few additions related to leveraging the power of community at these generators. Please reference the Commercial profile for more information about the general recommended approach to technical assistance, which is also applicable to faith-based communities. Additional approaches specific to faith-based communities are discussed below.

- During site visits, be sensitive and responsive to religious norms in the spaces that you visit.
- It is important to consider faith-based communities as event spaces, and assess the frequency and types of events hosted at the site. If there are regular events at the site, consider performing a site visit directly after the event is complete to get a good sense of regular event waste generation and composition.
- Leverage the church community to utilize community-based social marketing strategies – like social diffusion, public and durable commitments, and social norming – to promote behavior change related to waste reduction, recycling, and composting.

- Children are often an integral part of faith-based communities. Design trainings to be interactive for children and adults, if appropriate, or design a separate training for the children in the community. Children are often the catalysts for behavior change in communities and families, and can teach the adults in their lives with infectious enthusiasm.
- If there are residential spaces onsite, like a rectory, use residentially focused outreach strategies for individuals living there.

LABOR HOURS PER GENERATOR (ANNUALLY)

Based on data from a Bay Area-based technical assistance program that uses a similar methodology to that described above to assist faith-based communities and similar event spaces, the number of labor hours required to provide faith-based communities with this level of technical assistance is **between 5 to 7 hours per generator**.

DIVERSION PER GENERATOR (ANNUALLY)

Based on data from a Bay Area-based technical assistance program that uses a similar methodology to that described above to assist faith-based communities and similar event spaces, the amount of new diversion that this technical assistance protocol can generate is **approximately 3.2 tons per year per generator assisted**. Note that this tonnage is much higher than the commercial average because faith-based communities often generate more food than the average commercial business, so the weight of material that they divert is often more for an equivalent volume of material. Note that tons available for diversion will vary widely based on institution size and use profile.

Schools TA Profile

During zero waste planning workshops, Menlo Park employees and citizens identified schools as generators of interest for waste reduction and recycling outreach and technical assistance.

Schools can provide an ideal setting for developing and managing innovative and successful waste reduction and diversion programs. Principals, administrators, custodial staff, and teachers act as both material generators and managers in schools, and are intimately involved in the day-to-day operations and cultures that drive consumption and disposal at school. When recruited and supported as champions and partners, these individuals are uniquely positioned to make the incremental operational and cultural changes that transform the way their school thinks about waste.

Students—from kindergarteners to graduating seniors—are the enthusiastic and creative core of a school. They can serve not only as energetic program champions, but also as vital sounding boards and sources of new ideas. Encouraging students to notice—and take ownership of—the materials they use and discard at school can help to foster a powerful ethos of stewardship and responsibility that they will take home to their families and broader community.

This profile outlines the key features of an effective outreach and technical assistance methodology for schools, and estimates labor hour inputs and results.

DESCRIPTION OF RECOMMENDED TECHNICAL ASSISTANCE SERVICES AT SCHOOLS

Who: Highly trained zero waste specialist who is aware of local resources, is fluent in community-based social marketing techniques, and has experience in performing waste audits and working in an educational setting. This specialist can be employed by the hauler, the city, or a third party contractor.

When: Schools often need deeper technical assistance than other business types. The characteristics that make schools an ideal setting for growing sustainable waste reduction, recycling, and composting programs also require a sustained, train-the-trainer based assistance approach to ensure a coordinated, successful program. After in-person site visits with administrators, training sessions with each key groups in the school – including administrators, custodians, teachers, students, and parents – are essential for program success.

Where: As much assistance as possible should occur onsite at the school, training administrators, faculty, staff, and students to be champions of their own program.

What: This section provides an overview of best practices before, during, and after technical assistance in a school setting. Technical assistance site visits at a school mirror many of the characteristics of site visits at commercial sites and faith-based communities, with some notable exceptions. This section provides site visit guidelines specific to the school setting; please reference the commercial profile for more general guidelines about performing a technical assistance site visit.

Before

The process for selecting the right schools for technical assistance mirrors the process for selecting the right businesses for technical assistance. Reference the commercial profile for more information about marketing technical assistance services.

During

The primary goal of a site visit is to collect information to formulate recommendations about establishing or improving the school's recycling and/or organics collection program. In schools, site visits should have a special focus on engaging individuals who are likely to have historical perspectives about program history. Again, the site visit process at schools mirrors that at businesses, with some additions:

- Start each school site visit with meeting with the principal and other key administrators to introduce the goals of technical assistance and gain a better understanding of school culture, priorities, policies, current programs, and student and neighborhood demographics that define the school's needs, interests, and level of commitment.
- During the meeting, establish a game plan for the school site, identify critical service needs, and define roles and responsibilities for key players at the school.
- Meet with, interview, and engage custodial staff to understand how current programs function on the ground day-to-day, program history, custodial service contract details, and loading dock space and requirements.
- After completing the site assessment and analysis, work with key administrative and custodial staff to develop a recommendations report that documents the school's unique waste profile and operational needs; defines the internal and external resources and roles required for success; and schedules outreach,

education, training, and additional technical assistance necessary to support custodial staff, teachers, students, and vendors responsible for implementing the program at the school site.

Reference the commercial profile for more general guidelines about performing a technical assistance site visit.

After

Again, many of the post-site visit technical assistance that schools need to start and sustain successful programs are the same as for businesses. However, a large differentiator is how to communicate with all of the different generator groups within a school, whether that is via a train-the-trainer session with administrators, an assembly with students, or an all-employee meeting. It is important to clearly communicate with teachers, student groups, student body, and parents to set expectations about their roles in the program, and to generate awareness, understanding, and commitment around waste reduction and waste management programs.

These different audiences have different priorities and goals related to waste management and recycling, so it is important to tailor communications and approaches to meet specific training objectives for each group. Specific training structures will depend on the unique results of the site visit at each school. However, common training themes for each group within a school are outlined in the table below.

Table 1. Training Recommendations for School Generator Groups

School Generators	Training/Outreach Objective	Training Type
School Principals, Administrators	<ul style="list-style-type: none"> – Understand school program needs and priorities – Serve as program advocate – Demonstrate to stakeholders how program values are in line with school needs and priorities – Keep apprised of program activities and results – Provide proactive support for school events and celebrations – Facilitate cross-district collaboration and idea sharing, as appropriate – Sets the program tone/directive – model desired program participation through social diffusion and norming messaging 	<ul style="list-style-type: none"> – Train-the-trainer working/planning session
Custodial Staff	<ul style="list-style-type: none"> – Understand infrastructure, operations, and past programs – Gain buy-in and enlist support – Prioritize operational efficiencies – Foster sense of ownership and pride 	<ul style="list-style-type: none"> – Train-the-trainer working/planning session
Teachers	<ul style="list-style-type: none"> – Identify opportunities for incorporating recycling and resources into grade-appropriate classroom activities and curriculum – Promote creative generation and sharing of ideas and lesson plans – Facilitate opportunities for cross-district, county, and statewide collaboration – Assist with classroom projects and activities, as needed 	<ul style="list-style-type: none"> – Train-the-trainer working/planning session – Give lessons to reinforce in classroom

School Generators	Training/Outreach Objective	Training Type
Student Groups	<ul style="list-style-type: none"> – Generate enthusiasm and pride – Promote grade-level-appropriate participation and ownership of program(s) – Support cross-district and citywide collaborations and competitions – Encourage initiatives that bring different schools and grade levels together (e.g. high schoolers performing recycling skits for elementary schoolers, etc.) – Model desired program participation through social diffusion – Empower student leaders to become program champions 	<ul style="list-style-type: none"> – Presentation and brainstorming sessions during student group meeting times – Lunch monitor training sessions
Students (at large)	<ul style="list-style-type: none"> – Generate enthusiasm and pride – Support active participation in waste reduction, recycling, and organics programs 	<ul style="list-style-type: none"> – Assembly
Parents	<ul style="list-style-type: none"> – Understand student needs and priorities – Demonstrate to students how the value and benefits of waste reduction/management are in line with student needs and priorities; gain buy-in – Provide opportunities for involvement in school activities and events 	<ul style="list-style-type: none"> – Mailers – Incorporate messaging into parent/teacher time on campus, like parent/teacher conferences and back-to-school nights

LABOR HOURS PER GENERATOR (ANNUALLY)

Based on data from a Bay Area-based technical assistance program that uses a similar methodology to that described above, the number of labor hours required to provide schools with this level of technical assistance is **between 8 to 12 hours per school**. Note that this number can vary widely depending on training needs at each school.

DIVERSION PER GENERATOR (ANNUALLY)

Based on data from a Bay Area-based schools technical assistance program that uses a similar methodology to that described above, the amount of new diversion that this technical assistance protocol can generate is **approximately 9.38 tons per year per school assisted**. Note that this tonnage is much higher than the commercial average because schools often generate more food than the average commercial business, so the weight of material that they divert is often more for an equivalent volume of material. Also note that tons available for diversion will vary widely based on school type and student population.

Self-Haul Customer TA Profile

Engaging, educating, and encouraging self-haul customers to divert recyclables, including construction and demolition debris, can be a challenge. It is possible to reach self-haul customers with information before they arrive at the transfer station, via broad-based outreach about the recycling options at the transfer station. However, the best way to ensure that messaging is reaching self-haul customers is engaging with them at the transfer station

when they arrive to drop off their materials. This profile outlines the key features of effectively engaging self-haul customers to divert construction and demolition debris and other recyclables.

Shoreway Environmental Center scale house staff are currently required to inspect each incoming self-haul load, and direct the vehicle for disposal and recycling depending on their load inspection findings. Tipping floor staff also help direct vehicles where to unload, and the facility has dedicated sorters in the public tipping area that sort recoverable materials from the incoming loads of self-hauled material. These dedicated tipping area staff people mostly focus on recovering metals and electronics from self-hauled loads.

DESCRIPTION OF RECOMMENDED TECHNICAL ASSISTANCE SERVICES

Who: Scalehouse staff and floor-based transfer station staff are the only two groups who will likely engage with self-haul customers in person.

When and where: Provide online resources about what materials are recyclable at the transfer station, for motivated customers to reference before they arrive. Then, leverage scalehouse and other transfer station staff interactions with self-haul customers to encourage recycling during the customer's current visit and during future visits.

What: This section provides an overview of best practices before and during transfer station staff interaction with self-haul customers.

Before

For self-haul customers who are already committed to recycling, providing information about what recycling services are available at the transfer station and what they can expect when they arrive at the transfer station is important. According to a survey of almost 1,000 self-haul customers conducted in King County in 2016, only about 15% of self-haul customers look for information about what materials are recyclable at the transfer station before bringing their materials there. Of those customers, almost all looked online for this information.¹

Providing simple online information about what materials the transfer station accepts for recycling, tipping fees for those materials, and any guidelines about how to prepare those materials for recycling (for example, which materials need to be separated for recycling, and which can be kept commingled) will give people who are already motivated to recycle the information that they need to do so.

During

When self-haul customers arrive at the transfer station, maximize opportunities for contact between self-haul customers and employees at the transfer station. This section discusses best practices for engaging customers while they are onsite dropping off materials at the transfer station.

- Simple, large, and multi-lingual signage before the scale house should urge self-haul customers to drop off recyclables before they cross the scale, if appropriate per the facility's set-up.
- Scalehouse staff should prompt every self-haul customer with questions about whether their load contains recyclable materials, and with information about how to recycle those materials. According to Shoreway Environmental Center protocol, scalehouse staff will also perform a load inspection for every self-haul

¹ <https://your.kingcounty.gov/solidwaste/about/documents/customer-survey-2016.pdf>, p. 18-19.

customer. On average, 95 percent of self-haul loads include materials that could be recycled. However, only 8 percent of self-haul customers proactively ask questions about recycling while they are at the scalehouse, according to the 2016 King County Transfer Station Customer Survey.² So, scalehouse staff must proactively ask about recyclables in the self-haul loads and perform load inspections to prompt recycling behaviors in those customers.

- Scalehouse staff recycling prompts with customers could take a variety of forms, but should include both information and motivating messages.
 - Scalehouse staff should ask customers whether they have materials for recycling, and perform a load inspection to confirm. If the customer does, the scalehouse staff person should provide instructions about how and where to recycle those materials once the customer is inside the facility. Ideally, transfer station staff on the floor inside the facility, and instructional signage, will reinforce these instructions once the customer enters the facility.
 - If the customer reports that they do not have materials for recycling, and the scalehouse staff person can neither confirm nor deny this claim with a load inspection, scalehouse staff should be ready to provide messaging about the benefits of recycling. If possible, messaging should include statistics about the percent of the average self-haul load that is recyclable, the money that the customer could save by recycling that material instead of dumping it as garbage, and the environmental impacts of recycling those materials. Scalehouse receipts could even be printed to automatically include this information for loads that will be dumped as garbage. Alternately, scalehouse staff could be equipped with a brochure offering more information about recycling and the facility, to inform the customer's next visit. Any messaging encouraging recycling behavior should emphasize that there are staff on the tipping floor who assist customers in sorting their loads. These staff currently mostly focus on recovering metals and electronics from self-haul loads, but could potentially expand their function to serve a broader role, including picking more materials and engaging more with self-haul customers.
- Tipping floor staff, including tipping floor supervisors and tipping floor sorters, should engage with each self-haul customer at least once during the customer's visit to ensure that they know where to dump their materials, are dumping them correctly, and that they don't need any additional assistance.
 - Tipping floor supervisors/non-sorting staff should offer assistance to direct self-haul customers to the correct location to dump their materials. A checkpoint at the entrance to the tipping floor, where staff physically points the customer to the correct location to start dumping their materials, can accomplish this goal.
 - On-floor sorting staff should serve two purposes: to double check that customers are not disposing of recyclables, and to assist customers in sorting their materials for recycling. In the 2016 King County survey, of self-haul customers who did not separate their loads for recycling (and instead disposed their entire loads as garbage), 36 percent noted that they chose not to recycle because it "takes too long to separate/prepare materials" for recycling. The second most frequent response to this question was that recycling at the transfer station is inconvenient (28 percent of respondents answered in this way). On-floor sorting staff do not currently serve this larger engagement role, but expanding their role to encompass this type of outreach can address these two barriers to recycling by providing assistance to customers who are attempting to recycle.³

² <https://your.kingcounty.gov/solidwaste/about/documents/customer-survey-2016.pdf>, p. 32, 35.

³ <https://your.kingcounty.gov/solidwaste/about/documents/customer-survey-2016.pdf>, p. 35.

Construction and Demolition Contractor TA Profile

Construction and demolition contractors are accustomed to working independently at their job sites. There are a variety of factors that impact contractor efficiency, effectiveness, and profitability, and contractors are accustomed to handling the materials that they generate with these factors in mind. Therefore, contractors do not typically benefit from onsite technical assistance, since their onsite materials management processes are too involved for someone not intimately involved in their work to make recommendations around. However, they do benefit from clear information and guidelines about how to divert recyclable materials, and the penalties that they could suffer if they do not.

This profile outlines the key features of effectively engaging contractors to divert construction and demolition debris and other recyclables.

The recommendations in this section are based on a 2006 study that interviewed and conducted focus groups with C&D industry stakeholders, including generators (construction and demolition contractors), haulers (City contracted and independent haulers), and processors. The goal of the interviews and focus groups was to review potential policy options for expanding C&D recycling. A list of policy options, designed to increase the diversion of C&D waste, was used as an interview guide to elicit reactions to proposed policies and outreach methodologies. Note that these opinions may vary based on local market conditions. Conducting interviews and focus groups with construction and demolition contractors is advisable to test receptivity to any proposed policy options or technical assistance campaigns.

DESCRIPTION OF RECOMMENDED TECHNICAL ASSISTANCE SERVICES

Who: Municipal staff or consultants who are familiar with CALGreen and other similar regulations about diverting recyclable materials from construction and demolition projects.

When and where: Online guides and staff people should be available by phone to guide contractors to comply with local, regional, and statewide construction and demolition diversion requirements.

What: This section provides an overview of best practices for providing C&D contractors with pertinent information about how and why to recycle materials from their jobsites.

Technical assistance for construction & demolition contractors would primarily consist of remote support (via phone assistance and online reference materials) throughout the span of their project. Unlike with other generators, there are not distinct "before," "during," and "after" phases for technical assistance, so this profile discusses technical assistance for C&D contractors in general, rather than in phases.

The King County study referenced for this section found that contractors are enthusiastic about better access to information and benchmarking data about C&D debris recycling, but do not want city staff involved in job site operations in a technical assistance capacity. Generators universally favored being provided with better information about vendors/markets for construction and demolition debris, and benchmarking data for various types of projects, but did not want city staff on-site or felt that they didn't need help with managing waste. Contractors surveyed for this King County study also expressed a desire to verify where materials are going, publicize local success stories, and have access to a comprehensive and frequently updated recycling guide for difficult to market and hazardous C&D materials. Overall, generators requested help with better resources to understand where to send recyclable materials, noting, "...to improve the process, you need to improve the tools."

For the King County study, when asked about requiring a diversion plan, most generators noted that they would be able to “live with” the requirement. Only one generator noted that they would oppose the policy. In general, generators agreed that most contractors are already preparing plans for their own purposes, and a requirement to prepare a plan would not be a large departure from their current operations. Most generators stated that any such requirement would require “teeth” and proper enforcement to be successful.

Generators interviewed for the King County study noted that they would support a ban on select C&D materials, and unanimously emphasized that recycling options for banned materials – including effective, local commingled processing – would need to be in place for a ban to be successfully implemented. The contractors noted that the most logical targets for a ban are materials for which adequate processing and recovery infrastructure exist locally.

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STAFF REPORT

City Council
Meeting Date: 9/12/2017
Staff Report Number: 17-213-CC

Regular Business: **Waive the full reading and adopt an ordinance authorizing an amendment to the CalPERS retirement contract**

Recommendation

Staff recommends that the City Council waive the full reading and adopt an ordinance authorizing an amendment to the City's CalPERS retirement contract to provide Section 20516 (Employees Sharing Additional Cost) of 3 percent for classic local non-management safety members.

Policy Issues

CalPERS requires the governing bodies of member agencies authorize an amendments to retirement contracts in a public meeting, after notice has been given of the agency's intent to amend the contract. The City Council took action July 18, 2017, stating its intent to amend the contract.

Background

Beginning in July 2011, all Memoranda of Understanding (MOUs) between the City and both the Police Officers' Association and the Police Sergeants Association have included a cost sharing provision in which classic safety members contribute 3.00 percent of their pensionable income to the City's contribution toward the CalPERS retirement plan. In the most recent executed MOUs, the City agreed to modify its contract with CalPERS to incorporate this 3.00 percent cost sharing as a Member Contribution for classic safety members.

In May 2017, the City submitted its request to CalPERS to initiate this contract amendment and in June 2017, the City received the necessary documentation to continue the process. In July 2017, the City Council adopted a resolution of intention to approve an amendment to the contract between the Board of Administration, California Public Employees' Retirement System, and the City Council, City of Menlo Park. The affected local safety members held a secret ballot that concluded August 8, 2017.

Of the 34 local safety members eligible to vote, 30 approved of the amendment and one disapproved of the amendment. This margin exceeds the minimum approval threshold of 17 necessary to prepare and execute an ordinance and allowing CalPERS to finalize the amendment, effective no earlier than the first full pay period following adoption.

Analysis

With the adoption of this ordinance, the City Council is fulfilling the contractual obligations set forth in the MOUs between the City and the Menlo Park Police Officers' Association and the Menlo Park Police Sergeants Association, effective December 15, 2015 and August 30, 2016 respectively. Adoption of the

ordinance does not change the net contributions of either the City or its members toward the CalPERS retirement plans, rather the amendment permanently reduces the City's required contributions by 3.00 percent going forward in lieu of the employee paying a portion of the employer's contribution, also referred to as cost sharing.

The City has no additional liability by amending its retirement contract to include this cost sharing amount as a Member Contribution. The change will only affect local safety members who either a) wish to cash out their contributions from the CalPERS system before retirement, in which case they will be eligible to receive their total contributions to CalPERS inclusive of the added 3.00 percent contribution that was previously treated as cost sharing, or b) pass away after electing a retirement option which cashes out contributions to a beneficiary and before exhausting those contributions by drawing retirement benefits. In neither case will the City be required to make any additional contribution toward a member's retirement.

If the City and the members of the local safety bargaining units later agree to change the Member Contribution amounts or otherwise modify the contract, this amendment will not impede those efforts and is fully reversible.

The pending contract amendment does not include PEPRA members due to the difference in cost sharing provisions. While PEPRA safety members also participate in cost sharing, their contribution varies by fiscal year depending on the plan's valuation and subsequent normal cost. This variable contribution cannot be included in a contract amendment in a straightforward manner in accordance with state law, and an amendment to classic safety retirement plans will not affect the City's ability to continue cost sharing with PEPRA safety members in the same manner as before.

Impact on City Resources

There is no impact on City resources from adopting this amendment. The City's CalPERS employer rate will permanently decrease by 3.00 percent for non-management classic local safety members, and the employee rate will permanently increase by 3.00 percent as a Member Contribution unless a subsequent agreement and amendment changes this percentage.

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. Ordinance with exhibit for amendment to contract

Report prepared by:

Dan Jacobson, Interim Finance and Budget Manager

DRAFT – September 12, 2017

ORDINANCE NO. XXXX

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE
CITY COUNCIL OF THE CITY OF MENLO PARK AND THE BOARD OF
ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM**

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

SECTION 1. That an amendment to the contract between the City Council of the City of Menlo Park and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the City of Menlo Park is hereby authorized, empowered and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. 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 City Councilmembers voting for and against the amendment

SECTION 4. This Ordinance shall be published once within fifteen (15) days of its adoption in The Daily News, a newspaper of general circulation, printed, published and circulated in the City of Menlo Park, and shall become effective thirty (30) days from the date of adoption by the City Council or the effective date as determined by CalPERS upon amendment of the retirement contract.

INTRODUCED on the twenty-ninth day of August, 2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the twelfth day of September, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Kirsten Keith, Mayor

ATTEST:

Clay J. Curtin, Interim City Clerk

Exhibit A

Amendment to Contract




EXHIBIT A

California
Public Employees' Retirement System



AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Menlo Park



The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective December 1, 1948, and witnessed October 26, 1948, and as amended effective July 1, 1957, May 1, 1965, October 1, 1965, June 1, 1973, September 28, 1973, July 1, 1974, July 31, 1977, March 6, 1983, March 30, 1986, July 1, 1990, September 26, 1991, June 30, 1994, February 9, 1996, January 5, 2000, June 30, 2001, March 16, 2006, June 25, 2006 November 20, 2011 and February 12, 2012 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 16 are hereby stricken from said contract as executed effective February 12, 2012, and hereby replaced by the following paragraphs numbered 1 through 18 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members entering membership in the miscellaneous classification on or prior February 2, 2012, age 60 for classic local miscellaneous members entering membership for the first time in the miscellaneous classification after February 2, 2012, age 62 for new local miscellaneous members, age 50 for classic local safety members entering membership in the safety classification on or prior to November 20, 2011 and age 55 for classic local safety members entering membership for the first time in the safety classification after November 20, 2011, and age 57 for new local safety members.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

2. Public Agency shall participate in the Public Employees' Retirement System from and after December 1, 1948 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Police Officers (herein referred to as local safety members);
 - b. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **PERSONS COMPENSATED ON AN HOURLY BASIS HIRED ON OR AFTER MAY 5, 1965; AND**
 - b. **FIREFIGHTERS.**
6. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member in employment before and not on or after March 29, 2009 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member in employment on or after March 29, 2009 and not entering membership for the first time after February 12, 2012 in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).
8. The percentage of final compensation to be provided for each year of credited current service as a classic local miscellaneous member entering membership for the first time in the miscellaneous classification after February 12, 2012 shall be determined in accordance with Section 21353 of said Retirement Law (2% at age 60 Full).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Full).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local safety member entering membership in the safety classification on or prior to November 20, 2011 shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
11. The percentage of final compensation to be provided for each year of credited current service as a classic local safety member entering membership for the first time in the safety classification after November 20, 2011 shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).

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12. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Full).
13. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21571 (Basic Level of 1959 Survivor Benefits) for local miscellaneous members only.
 - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 21222.2 (One-Time 5% Increase - 1971). Legislation repealed said Section effective January 1, 1980.
 - d. Section 20425 ("Local Police Officer" shall include employees of a police department who were employed to perform identification or communication duties on August 4, 1972 and who elected to be local safety members).
 - e. Section 21001 (Credit for War Relocation Leave). Legislation repealed said Section effective January 1, 2002.
 - f. Section 20042 (One-Year Final Compensation) for classic local miscellaneous members entering membership on or prior to February 12, 2012 and those classic local safety members entering membership on or prior to November 20, 2011.
 - g. Section 20903 (Two Years Additional Service Credit).
 - h. Section 21573 (Third Level of 1959 Survivor Benefits) for local safety members.
 - i. Section 20475 (Different Level of Benefits). Section 21363.1 (3% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to classic local safety members entering membership for the first time in the safety classification after November 20, 2011.

Section 21353 (2% @ 60 Full formula) Section 20037 (Three-Year Final Compensation) are applicable to classic local miscellaneous members entering membership for the first time in the miscellaneous classification after February 12, 2012.

j. Section 20516 (Employees Sharing Additional Cost):

From an after the effective date of this amendment to contract, 3% for classic local safety members in the Menlo Park Police Officers' Association.

From an after the effective date of this amendment to contract, 3% for classic local safety members in the Menlo Park Police Sergeants Association.

The portion of the employer's contribution that the member agrees to contribute from his or her compensation, over and above the member's normal contribution ("Cost Sharing Percentage"), shall not exceed the Employer Normal Cost Rate, as that rate is defined in the CalPERS Actuarial Valuation for the relevant fiscal year. If the Cost Sharing Percentage will exceed the relevant Employer Normal Cost Rate, the Cost Sharing Percentage shall automatically be reduced to an amount equal to, and not to exceed, the Employer Normal Cost Rate for the relevant fiscal year.

14. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on July 31, 1977. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
15. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
16. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21573 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

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- c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
- 17. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
- 18. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF MENLO PARK

BY _____
ARNITA PAIGE, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk

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STAFF REPORT

City Council

Meeting Date:

9/12/2017

Staff Report Number:

17-211-CC

Informational Item:

Update on bus shelter installation in Belle Haven

Recommendation

This is an informational item and does not require Council action.

Policy Issues

As part of the City Council Work Plan for 2017 (Item No. 67), staff is pursuing installation of new bus shelters in the Belle Haven neighborhood of Menlo Park. The Circulation Element of the General Plan includes policies that support and encourage the use of public transit. The installation of bus shelters would support these policies.

Background

Bus shelters are an amenity provided at major transit stops, providing cover from sun or weather, seating and information about the transit system. Typically, bus shelter and transit stop amenities such as benches, trash cans, maps, and signs are provided by the transit agency that provides the service. Within Menlo Park, public transit service is provided by SamTrans and Alameda County (AC) Transit, which operates the Dumbarton Express bus service.

In 2006, SamTrans, through its contract with Outfront Media, initiated a program to replace existing bus shelters throughout the County with a new design. Outfront Media currently replaces and maintains shelters at no-cost to SamTrans or local agencies by allowing advertisements to be posted within the shelter. The revenue generated by advertisements fully covers the capital cost of installation as well as ongoing maintenance for the shelter.

SamTrans' bus shelter policy states that shelters are considered for installation based on the following criteria:

- Stops serving more than 200 passengers each day
- 75 percent of shelters shall be located in census tracts on routes associated with urbanized areas
- Distribution of shelters county-wide should match the distribution of minority census tracts
- Locations for shelters with advertisements are chosen by the vendor based on the visibility and traffic

Analysis

On March 15, October 25, and December 6, 2016, staff provided updates to the Council on the status of bus shelter installation. The December 6, 2016 update outlined potential locations for bus shelter installation, including Market Place Park, Onetta Harris Community Center that serve SamTrans routes. City crews completed site preparation work at Market Place Park in December 2016 and January 2017 to ready the site for installation. Ordering, production and delivery of the bus shelter took several months, and the

shelter at Market Place was installed on July 22, 2017.

Staff has also ordered two additional shelters in mid-July directly from the same vendor that supplies the SamTrans shelters, Tolar Manufacturing. As noted above, ordering, production and delivery of the shelter typically takes 3 to 4 months. Delivery is still currently expected by mid-October, consistent with the last update on August 22, 2017.

In the meantime, City crews will continue to work to complete site preparation work at Onetta Harris Community Center to prepare for installation. Staff will also continue to coordinate with AC Transit, which operates Dumbarton Express bus service on Willow Road, to determine feasibility of shelters at stops on Willow Road at Newbridge Street, Ivy Drive and/or Hamilton Avenue. Additional coordination with Caltrans may also be required depending on the specific location.

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

None

Report prepared by:

Nicole H. Nagaya, Assistant Public Works Director



STAFF REPORT

City Council

Meeting Date: 9/12/2017
Staff Report Number: 17-209-CC

Informational Item: Update on the Willow Road and U.S. 101 interchange construction

Recommendation

This is an informational item and does not require Council action.

Policy Issues

The Willow Road Interchange Project (Project) was included in the City's 2012-13 Capital Improvement Program (CIP) and is item no. 45 on the 2017 City Council Work Plan. The Project is currently in construction and this report is intended to keep the Council updated on the progress, as changes to the interchange configuration will occur in the next several weeks.

Background

Caltrans is updating the interchange at Willow Road and U.S. 101 from its current "full cloverleaf" style to a "partial cloverleaf" style. This will eliminate the short merge weaves both on Willow Road and the freeway. The project is replacing the existing interchange with a new, wider bridge; adding sidewalks, bicycle lanes and separated bicycle lanes on both sides of Willow Road; and adding two signalized intersections. Caltrans awarded the construction contract in February 2017, and construction began in May 2017. Construction is expected to last approximately two years.

Analysis

Prior to the beginning of the Caltrans construction, PG&E performed utility relocation work in preparation for the Project on electric and gas lines in the Bay Road and Van Buren Road area. That work is now complete and Bay Road and Van Buren Road are both completely open to traffic at all times.

The Caltrans construction of the Project is to be performed in three stages. Stage 1 is currently occurring and is anticipated to be completed at the end of September. Items to be completed in Stage 1 include:

- Shifting roads and ramps to temporary locations
- Installing temporary lighting
- Beginning of demolition of existing bridge

Stage 2 is scheduled to begin at the end of September 2017 or early October 2017. Changes and impacts expected as Stage 2 begins include:

- Operation of two temporary traffic signals on Willow Road at the northbound and southbound ramps;
- Change in ramp locations (all on- and off-ramps for northbound 101 will be on the north side of Willow Road, all on- and off-ramps for southbound 101 will be on the south side of Willow Road);
- Construction of new sound walls on all four quadrants of the interchange;

- Continuation of demolition of outside of bridge structure; and
- Intermittent lane and shoulder closures.

Stage 3 is anticipated to begin spring 2018 and will include tasks such as completion of bridge construction, completion of new ramp location installations, pavement restoration, street lighting installation, signage installation and striping installation.

For the duration of the bridge demolition and construction, Caltrans is providing a free shuttle 24 hours a day for pedestrians and bicyclists needing to cross the bridge. Sidewalks are closed on both sides of Willow Road and bicyclists are encouraged to avoid the crossing during construction. Alternatively, pedestrians and bicyclists can use the Ringwood Avenue bridge.

Outreach to the community is being done through a variety of methods. Caltrans has delivered notices to local residents about upcoming construction activities and will continue to do so for major construction activities. City staff is utilizing various City outreach methods including City Council Digest articles (<https://www.menlopark.org/list.aspx?PRVMSG=342>), Weekly Construction News Updates (<http://www.menlopark.org/223/Construction-News-Updates>), emails to businesses, emails to Menlo Park Police Department and Menlo Park Fire Protection District, webpage updates (<http://www.menlopark.org/1127/Willow-RoadUS-101-Interchange>) and attendance at neighborhood public meetings.

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

None

Report prepared by:
Angela R. Obeso, Senior Transportation Engineer

Report reviewed by:
Nicole H. Nagaya, Assistant Public Works Director



STAFF REPORT

City Council

Meeting Date: 9/12/2017
Staff Report Number: 17-212-CC

Informational Item: Update on the Dumbarton Transportation Corridor Study

Recommendation

This is an informational item and does not require Council action.

Policy Issues

As part of the City Council Work Plan for 2017 (Item No. 46) preparing for the Transportation Master Plan, the City has been engaged with SamTrans as part of the ongoing Dumbarton Transportation Corridor Study. The Circulation Element of the General Plan includes policies that support and encourage the use of public transit and revitalizing the Dumbarton Corridor.

Background

The revitalization of the Dumbarton Corridor for transportation purposes has long been envisioned by peninsula communities and regional commuters. In 1994, SamTrans purchased the Dumbarton Rail right-of-way and the bridge crossing the San Francisco Bay between Redwood City and Newark. In the late 1990s and early 2000s, planning-level studies of activating rail service along the existing right-of-way were initiated, and station locations were identified by local communities including the City of Menlo Park. The San Mateo County Transportation Authority (SMCTA) identified funding to support this ongoing work in the 2004 renewal of Measure A, a half-cent sales tax measure for transportation improvements within the County. In 2004, voters passed Regional Measure 2 (RM2), a \$1 bridge toll measure for seven state-owned bridges in the Bay Area, which identified projects that reduce congestion or improved travel in the bridge corridors. The Dumbarton Corridor was identified as a potential project to receive funding. Project feasibility, planning and environmental review was initiated by SMCTA with the RM2 funding. However, in 2012, while the SMCTA completed the administrative draft environmental impact statement/environmental impact report (EIS/EIR), the funding plan was deficient and SMCTA and the Federal Transit Authority decided not to pursue public review or certification of the EIS/EIR and placed the project on indefinite hold.

Following this action, in 2013, Metropolitan Transportation Commission voted to repurpose the remaining RM2 funds to the BART extension to Fremont and San Jose. Very limited funding remains in RM2 for improvements to the Dumbarton Corridor. However, traffic congestion and regional transportation needs in the Corridor have continued to grow, with directional commuter traffic between the Dumbarton, US 101, and mid-Peninsula cities creating significant quality of life issues in several Menlo Park neighborhoods, particularly Belle Haven, the Willows, and Suburban Park, Flood Triangle and Lorelei Manor.

In 2015, Facebook, Inc. provided funding to SamTrans for the Dumbarton Transportation Corridor Study (Study), a feasibility study of transportation improvement options on the Dumbarton Highway Bridge and its approaches as well as improvements to the Dumbarton Rail Bridge to the south. SamTrans published the draft report on August 14, 2017. A copy of the study is available on the SamTrans website at the following

link

(http://www.samtrans.com/Planning/Planning_and_Research/DumbartonTransportationCorridorStudy.html).

The draft Executive Summary is included in Attachment A. The section below summarizes the efforts to prepare the draft Study, its recommendations, and anticipated City comments on the draft Study.

Analysis

The Study identifies potential improvements to both the Highway and Railroad bridges, based on the following needs:

- Worsening roadway congestion
- Worsening jobs-housing imbalance
- Lack of regional transit connectivity
- Increasing threats to economic growth
- Increasing safety concerns

Improvement alternatives were identified through a two-step process: development of a comprehensive list of potential modifications to the Highway bridge, Railroad bridge, both bridge approaches, and other transbay crossing options that would not require either bridge. These improvements were then screened against four goals of the Study:

- Enhance mobility for local and regional travelers
- Cost-effective improvements with return on investment
- Manage and minimize environmental impacts and financial risk, and maximize safety
- Ensure local communities are protected from adverse impacts

The improvements that screened the highest against these goals were carried forward for additional review and evaluation. Ten alternatives for bus and rail improvements were assembled from these improvements for further modeling purposes and analysis, as described in Chapter 7 of the Study:

1. No Build (2020)
2. Short-Term Enhanced Bus on Highway Bridge (2020)
3. No Build (2030)
4. Long-Term Enhanced Bus on Highway Bridge with Reversible Express Lanes (2030)
5. Long-Term Enhanced Bus on Highway Bridge with One Express Lane in Each Direction (2030)
6. Busway on Rail Bridge (2030)
7. Rail Shuttle on Rail Bridge (2030)
8. Rail Commuter Single-Track on Rail Bridge (2030)
9. Rail Commuter Double-Track on Rail Bridge (2030)
10. Combination Bus and Rail (2030)

Further, the Study described a potential multi-use pathway along the peninsula rail right-of-way that could be coupled with any of the alternatives above where the physical space constraints of the corridor would allow.

Summary of SamTrans' Draft Recommendations

The improvement alternatives and goals of the Study were developed with community input through a series of meetings in 2016 and 2017. The draft recommendations were presented at a series of community workshops, including those in the City of East Palo Alto on August 15, 2017, a presentation to the City of Menlo Park Council on August 22, 2017, and scheduled future community workshop at the Menlo Park Senior Center on Monday, September 25, 2017 at 6:30 pm. The draft recommendations of the Study

include a phased approach to improvements over an approximately 20 year timeframe, and are summarized below.

- Short-term (2020) improvements to enhance bus service and Highway bridge approach improvements, including new bus routes serving Menlo Park and Redwood City
- Mid-term improvements:
 - Express lanes on the Highway bridge and arterial approaches
 - Modifications to toll payment collection methods (all-electronic tolling)
 - Implementing bus-only lanes on Bayfront Expressway and Willow Road
 - Constructing grade separations at Willow Road and University Avenue intersections with Bayfront Expressway
 - US 101/Marsh Road express lane direct connector
 - Expanded park-and-ride facilities at Ardenwood in Newark
 - Adding a direct connector (ramps) between the Dumbarton Rail right-of-way and US 101 for buses to speed the connection to 101 Express lanes
 - Implementing Rail Shuttle service between Redwood City and Newark
- Long-term improvements:
 - Increasing frequency of bus service
 - Extending Rail Shuttle service from Newark to Union City

Anticipated City Comments

Staff is preparing a draft comment letter and anticipates returning to the City Council on September 26, 2017 for approval prior to submitting comments by the end of September. Based on a preliminary review of the Study and past Council input and direction on these efforts, staff anticipates commenting on the following key areas:

- Desirability of a bicycle and pedestrian pathway along the peninsula right-of-way
- Support for:
 - Alternatives that improve quality of life, especially those that would provide multi-modal transportation options for local residents
 - A balanced approach to reducing congestion and reducing single occupant vehicle (SOV) travel in the Corridor
 - Near-term improvements that could be implemented as soon as possible, such as transit signal priority, expansion and improvement of bus service and improved/expanded park-and-ride facilities in the East Bay to encourage carpooling on the Highway bridge
 - Long-term improvements to capitalize on the regional rail connections with ACE, Capitol Corridor and Caltrain service
 - Improvements that encourage vehicular traffic connection at US 101/Marsh Road interchange to reduce travel demand on Willow Road and the impact on the Belle Haven neighborhood, including Express Lanes on Bayfront Expressway, Marsh Road and US 101
- Request for additional information on:
 - Grade separation concepts at Willow Road and University Avenue and Bayfront Expressway, including an estimate of the height of any bridge structures that could be constructed with such alternatives
 - Bus stop locations that could serve the Belle Haven neighborhood in Alternatives 2, 4, 5, 6 and 10
- Summary of technical comments on the travel forecasting and alternatives concepts, especially related to the City's approval of ConnectMenlo Land Use and Circulation Elements in November 2016 and

Facebook's recent pending application for development of the Willow Campus

Staff will be attending the SamTrans hosted community meeting on September 25, 2017, and will continue to refine the comments to incorporate feedback from the community as the public review period continues through September 2017.

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. Executive Summary for draft Dumbarton Transportation Corridor Study

Report prepared by:

Nicole H. Nagaya, Assistant Public Works Director

1 Executive Summary

The Dumbarton Transportation Corridor Study (DTCS) is a feasibility study that evaluates potential multimodal transportation improvements within the Dumbarton Corridor in the South San Francisco Bay Area that can improve mobility between southern Alameda County (East Bay) and San Mateo County / northern Santa Clara County (the Peninsula). DTCS was led by the San Mateo County Transit District (SamTrans), which purchased the Dumbarton Rail Bridge and right-of-way (ROW) between Redwood Junction and Newark Junction in 1994, anticipating eventual reinstatement of rail service in the Corridor. In addition to studying potential transit services on the Rail Bridge, the DTCS examined improvements to the Dumbarton Highway Bridge and its approaches. SamTrans worked collaboratively with project partners including Facebook, the San Mateo County Transportation Authority (TA), Alameda County Transportation Commission (Alameda CTC), and the Alameda-Contra Costa Transit District (AC Transit) over the course of the study. SamTrans also conducted stakeholder and public outreach at two major study milestones, with a third round of outreach planned in August 2017, to gather input from affected communities.

The DTCS study area includes cities in San Mateo, Santa Clara and Alameda counties that immediately surround and include the Dumbarton Highway and Rail Bridges. Tier 1 cities are directly affected by transportation facilities on this Corridor while Tier 2 cities are indirectly affected by congestion along the Dumbarton Corridor. **Table 1-1** lists the study area cities and **Figure 1-1** shows the DTCS study area.

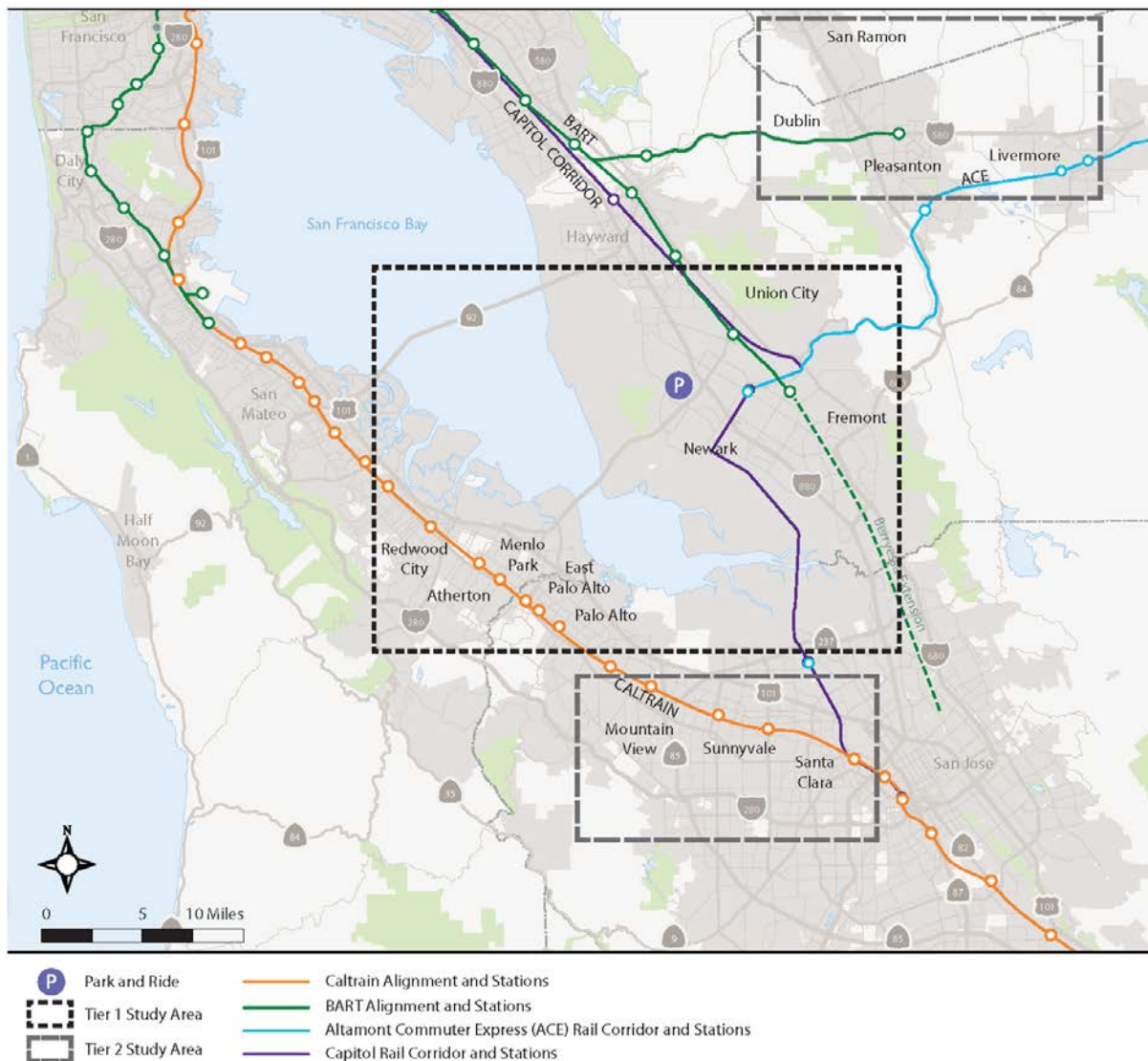
Table 1-1: Dumbarton Transportation Corridor Study Area Cities

Peninsula Tier 1 Cities	East Bay Tier 1 Cities
<ul style="list-style-type: none"> • Redwood City • Menlo Park • East Palo Alto • Palo Alto • Stanford (Census-Designated Place) • Atherton 	<ul style="list-style-type: none"> • Union City • Newark • Fremont
Peninsula Tier 2 Cities	East Bay Tier 2 Cities
<ul style="list-style-type: none"> • Mountain View • Sunnyvale • Santa Clara 	<ul style="list-style-type: none"> • San Ramon • Dublin • Pleasanton • Livermore

The Corridor has been the subject of feasibility studies since the early 1990s, all part of an attempt to address the growing demand for travel between the East Bay and Peninsula and lack of a high-capacity transit option across the southern portion of the Bay. Traffic congestion and the jobs-housing imbalance between the two sides of the Bay has grown and are projected to worsen if the Corridor isn't improved to move more people, especially during the peak commute travel periods.

Since the last Corridor study conducted in 2012, the transportation landscape has continued to change. Regional rail ridership reached all-time highs and several regional projects have advanced, such as the Caltrain Peninsula Corridor Electrification Project and Bay Area Rapid Transit (BART) extension to San Jose, though they have not been fully realized. Meanwhile, major employers have developed their own commuter shuttle and ferry programs in response to the lack of attractive and reliable cross-county commute options for their employees and the need to manage the travel demand destined for their worksites. In addition, the rise of ridesharing and transportation network companies provides people with other travel options. It is yet to be seen whether this new mode replaces transit trips or fills a void in first and last mile connections to transit stations, particularly rail.

Figure 1-1: Dumbarton Transportation Corridor Study Area



One thing that has not changed is that existing alternative transportation modes cannot reliably accommodate growing travel demand while providing travel times that are reasonably competitive with the automobile. As a result, a growing desire to rethink transportation solutions has resulted in the current effort to develop a multimodal transportation strategy that could be implemented through a partnership between the public and private sectors.

DTCS recommends operational and infrastructure improvements related to the Dumbarton Rail Bridge as well as the Highway Bridge and its approaches that would be phased over time. As such, it identifies short- and long-term transportation alternatives that contribute to an ultimate vision for a multimodal Corridor that meet the needs for regional mobility while mitigating impacts on local communities. For the purposes of this study, short-term improvements are considered to be those that can be implemented by or around 2020 and long-term improvements are those that can be implemented by or around 2030. DTCS also includes a preliminary analysis of funding and financing opportunities given the potential to implement the improvements with private financing.

1.1 Need and Purpose

There are a number of indicators that highlight the need for transportation improvements in the Dumbarton Corridor:

Worsening Roadway Congestion. The existing highway capacity in the Dumbarton Corridor is not sufficient to accommodate current and forecasted peak-hour demands at high levels of service. Nearly all major arterials within the DTCS area currently operate at LOS E or F during the morning and evening peak periods. This has produced increasing unpredictability in travel patterns and travel times that threaten the region's quality of life.

Worsening Jobs Housing Imbalance. A major driver behind the congestion increase in the Dumbarton Corridor is accelerated job growth in Silicon Valley combined with limited housing supply on the Peninsula. Between 2010 and 2014, San Mateo County added 54,600 jobs compared to 2,100 new housing units. This jobs/housing imbalance has resulted in significant commuting into San Mateo County from surrounding areas. Regional forecasts show employment growth will outpace population growth through 2020 and beyond.

Lack of Regional Transit Connectivity. Another driver of congestion is that existing transit systems do not support east-west connectivity in the South Bay. The Dumbarton Highway Bridge is the primary choice for travelers between southern Alameda County and San Mateo and Santa Clara counties but lacks substantial transit options, forcing a higher mode share for the automobile.

Increasing Threats to Economic Growth. As congestion increases due to the jobs/housing imbalance, the region's economy is compromised as employers' ability to attract and retain needed talent is affected. Lengthening commutes result in a less efficient economy that could have ripple effects on the region's overall quality of life. In addition to the traditional means of looking at costs, there are social costs to be borne by the commuters, businesses, and overall environmental health if traffic congestion is not addressed.

Increasing Safety Concerns. The Dumbarton Rail Bridge is a potentially significant asset for the San Francisco Bay Area but is non-functional because of historic incidents and inadequate maintenance. Failure to repurpose the Rail Bridge would represent a wasted opportunity to provide needed transportation infrastructure. It also represents a safety hazard in its current condition and could require substantial funding to remove if not repaired.

As a result of this need, the following are the DTCS goals or purpose:

- Identify capital improvements and operational programs in the Dumbarton Corridor that enhance multimodal mobility for local and regional travelers, with an emphasis on improving person throughput by expanding transit service.
- Pursue cost-effective capital, operational and maintenance improvements with a return on investment, if feasible, including the effective repurposing of the Dumbarton Rail Bridge.
- Manage and minimize environmental impacts and financial risk, and maximize safety.
- Ensure local communities in the East Bay and Peninsula are protected from adverse impacts related to the development and operation of regional mobility solutions.

Additional detail about the purpose and need of the study are included in **Chapter 3**.

1.2 Existing and Future Conditions

Traffic congestion in the study area is the primary reason for studying and implementing transportation solutions in the Corridor. As shown in **Figure 1-2** and **Figure 1-3**, average speeds on major arterials in the morning and evening peak periods are low, resulting in significant vehicle and person delay. Regional Plan Bay Area forecasts by the Association of Bay Area Governments, as projected by the San Mateo City/County Association of Governments (C/CAG) – Santa Clara Valley Transportation Authority (VTA) travel demand model, predict that both population and employment of the DTCS cities will grow by 27 percent between 2013 and 2040, or 290,000 residents and 190,000 jobs. The continued pattern of relatively affordable housing in the East Bay and employment growth on the Peninsula will exacerbate the congested conditions on the region’s roadways if attractive alternatives are not implemented.

Due to constrained ROW and potential environmental and community impacts, increasing the roadway and highway capacity through widening is very limited and undesirable. Alameda and Santa Clara County have both constructed express lanes to increase the person throughput of high-occupancy vehicle (HOV) lanes, by allowing single-occupant vehicles (SOVs) to pay a toll to use lanes otherwise only available to HOVs. More express lane solutions are being considered throughout the region, including in San Mateo County, to address the congestion on highways by encouraging HOV travel and providing access for transit vehicles where they currently compete with SOVs.

Figure 1-2: Morning Peak Period (8:30 AM) Average Speeds on Major Arterials (2016)

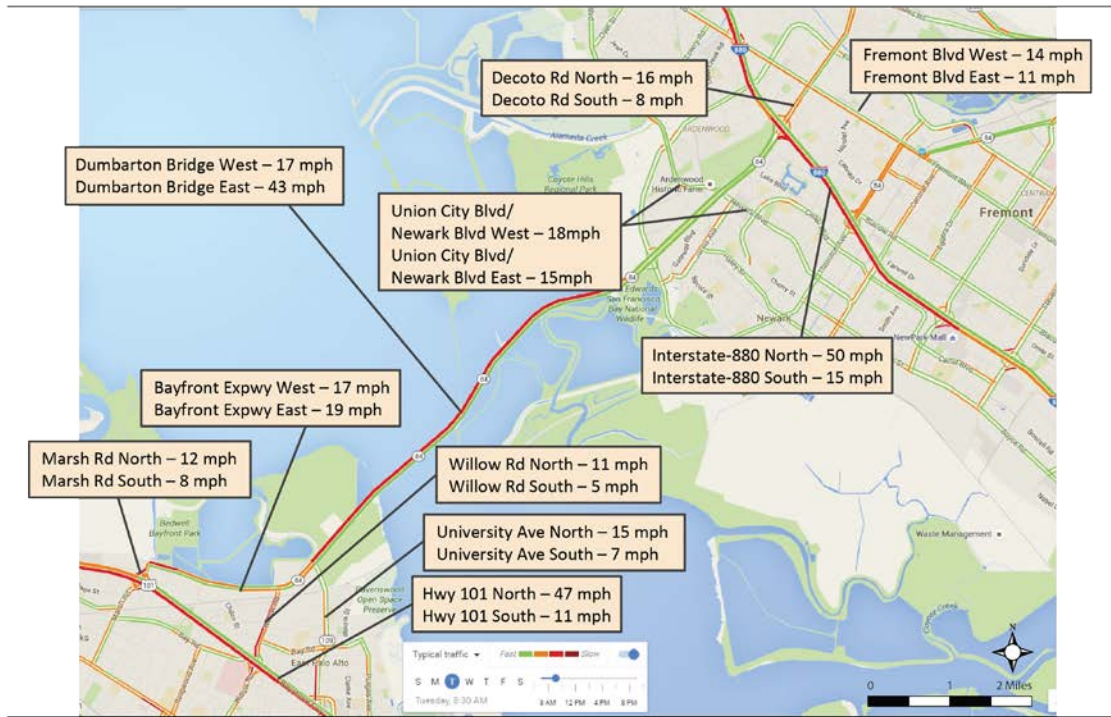
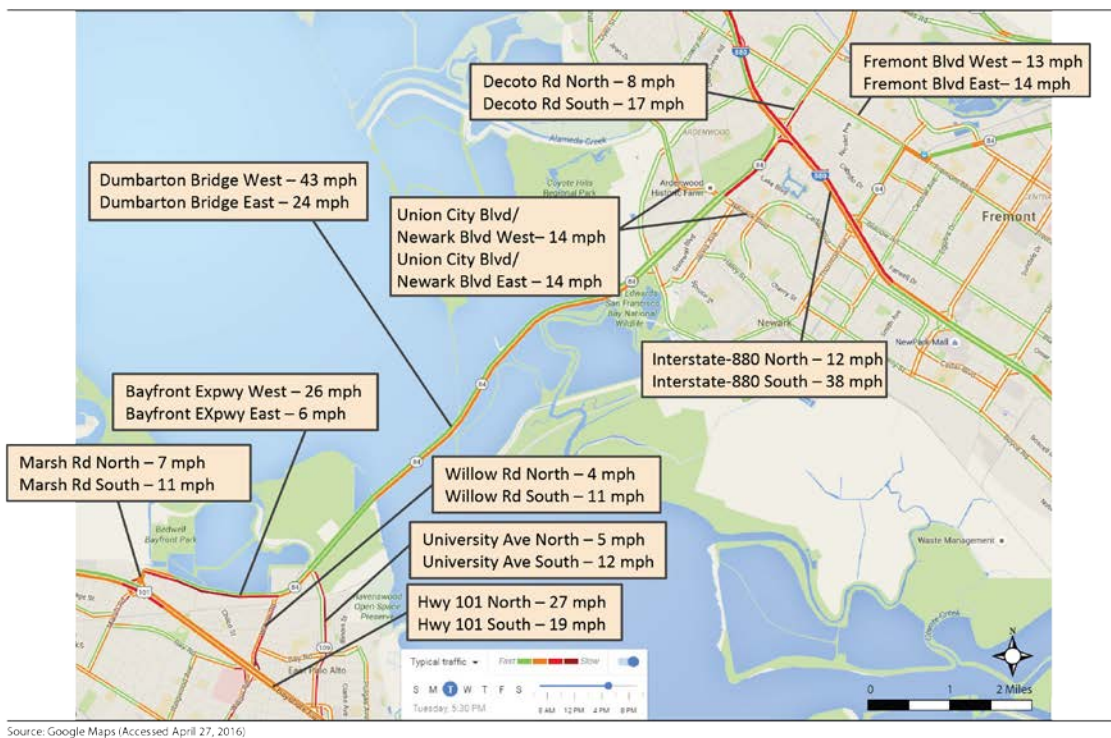


Figure 1-3: Evening Peak Period (5:30 PM) Average Speeds on Major Arterials (2016)



The Dumbarton Corridor includes approximately 18 miles of existing rail infrastructure in the Peninsula and East Bay, including the Dumbarton Rail Bridge across the southern part of the San Francisco Bay. The Dumbarton Rail Bridge carries a single railroad track over approximately 1,400 feet of steel truss structure, including a large swing bridge designed to allow watercraft to clear the crossing. Adjacent to the Rail Bridge is the Dumbarton Highway Bridge, which carries State Route (SR) 84 over the San Francisco Bay, and is the shortest such crossing at approximately two miles long. The Highway Bridge connects Menlo Park on the Peninsula to Fremont on the East Bay. The tolled Highway Bridge provides three lanes in each direction except a segment with seven lanes at the toll plaza. There is also a separate two-way bicycle and pedestrian lane along the south side of the Highway Bridge.

In terms of public transit service, most services only run on either side of the Bay with the exception of transbay bus service. There are currently three transbay express bus routes that operate on the Dumbarton Highway Bridge: the Dumbarton Express (DB), Dumbarton Express 1 (DB1), and Stanford University's Line U. While these routes serve Stanford University and major employment destinations in Palo Alto, they do not directly serve several other major activity and employment centers on the Peninsula such as Menlo Park, Redwood City and portions of Santa Clara County. Due to limited operating funds, transit service is often infrequent and not well-integrated or timed with other existing transit networks. Multiple transfers with potentially long wait times are required to reach some key destinations and buses experience the same congestion-related delays as auto drivers.

Private employer-sponsored shuttle services around the region, which provide limited stop bus travel to large employers have mushroomed within the last five years. The Bay Area Council and the Metropolitan Transportation Commission (MTC) performed a study, which summarized private shuttle data from 35 shuttle sponsors from 2012–2014. The data show that shuttles carried over 9.6 million passengers in 2014, and if private shuttles were treated as one transit system they would represent the seventh-largest transit system in the Bay Area. The data also show that up to 50 shuttles per day traveled between San Mateo and Alameda Counties during the survey period. Several employers have also contracted with private ferry operators to provide commuter service for employees where bus travel is too lengthy and impractical. City-mandated limits on automobile trips to the campuses of large employers have spurred the need for these employer-sponsored services.

As shown in **Figure 1-1** multiple passenger rail services exist in and around the study area. Passenger rail service in the East Bay that crosses county lines includes the BART District, which serves employment destinations in Alameda/Contra Costa/San Francisco Counties; Altamont Commuter Express (ACE), which connects the Central Valley / Tri-Valley with employment destinations in Santa Clara County (San Jose); and Capital Corridor, which originates in the Sacramento area and serves destinations in Alameda/West Contra Costa/Santa Clara Counties (San Jose). BART is an urban transit system and while service is relatively frequent throughout the day, it makes many stops and trains to San Francisco are especially crowded during the peak periods. ACE and Capitol Corridor are well-suited for traveling longer distances but have very limited service in the off-peak periods.

Caltrain serves destinations along the Peninsula in San Francisco, San Mateo, and Santa Clara Counties. Past and currently proposed Dumbarton rail alternatives have included use of the Caltrain mainline to provide service to these destinations. Caltrain mainline capacity is limited, however. While the modernization of Caltrain will certainly improve this situation with a modern signal system and electrified fleet of high-performance vehicles, the track and terminal capacity are constrained and would not change without further investment in infrastructure in the Corridor that would be difficult to accommodate within a narrow ROW. In addition, plans are being developed for high-speed trains to share the Caltrain corridor as part of the statewide high-speed rail network, which increases the demand for rail capacity in the Corridor.

The issue of rail line capacity, or ability of a rail line to handle daily train volume with minimum delay, is a fundamental consideration regarding the potential implementation any rail service. In the East Bay, potential Dumbarton Corridor trains going to and from a terminus adjacent to the Union City BART station would touch on three UP lines: the Coast Subdivision (between Oakland and San Jose via North Elmhurst and Newark), the Niles Subdivision (between Oakland and Newark via Niles Junction), and the Oakland Subdivision (between Oakland, Union City Niles Junction, and Stockton). The 2016 *Alameda County Goods Movement Plan* looked at anticipated 2020 average daily trains (freight and passenger) and the capacity of the lines above measured in terms of trains per day. The area of potential capacity concern for Dumbarton Corridor trains is with regard to crossing the UP Coast Subdivision at Newark to reach the Niles Subdivision running east to Niles (see **Figure 1-4**). This crossing is already at or near capacity and Dumbarton Corridor trains would need a new connection between the Niles Subdivision east of the Fremont Centerville Station and the Oakland Subdivision running north to Union City.

Additional detail about existing and future conditions can be found in **Chapter 4**.

Figure 1-4: Freight Rail Subdivisions in the DTCS Study Area



1.3 Alternatives Development

The alternatives were developed in a two-step process, starting with consideration of a wide range of initial improvement options applicable to the Highway Bridge and its approaches, the Rail Bridge and other transbay crossing options that would not require either bridge. The initial screening, as described in **Chapter 6**, determined which initial improvement options would be carried forward for further analysis. Initial improvement options carried forward for further analysis were then packaged as alternatives, developed in greater detail, and evaluated again in a comparative analysis (**Chapter 11**).

Short-term and long-term initial improvement options for the Highway and Rail Bridge (screened in the initial screening process) are summarized below as well as in **Chapter 5**.

While there are no short-term improvements on the Highway Bridge itself, there are approach improvements that could enhance mobility in the Corridor with an emphasis on bus transit and other high-occupancy vehicles (HOVs). These options include improvements to the Dumbarton Bridge toll plaza, park-and-ride facilities, roadway infrastructure, traffic and transit operations, transit service, bicycle and pedestrian access, as well as other strategies to improve mobility and access. Long-term options for the Highway Bridge and its approaches build upon the short-term

improvements and include major infrastructure and operational improvements to enhance traffic and transit operations in the study area such as bus-only, HOV, or express lanes, grade separations, direct connect flyovers, etc.

The initial short-term Rail Bridge improvements include several bicycle and pedestrian multiuse path options, which use the Dumbarton Corridor ROW on the Peninsula. Long-term Rail Bridge improvements include a variety of modes that make up the universe of possible long-term transit options including commuter rail, Bus Rapid Transit, Light Rail Transit, BART, Personal Rapid Transit, Group Rapid Transit, People Mover, hyperloop, ferry, and gondola.

All initial improvement options were qualitatively evaluated based on the project goals defined above and in **Chapter 3**. Based on these criteria, the best performing initial improvement options were packaged into a final set of ten project alternatives:

- Alternative 1: No Build (2020)
- Alternative 2: Short-Term Enhanced Bus on Highway Bridge (2020)
- Alternative 3: No Build (2040)
- Alternative 4: Long-Term Enhanced Bus on Highway Bridge with Reversible Express Lanes (2030)
- Alternative 5: Long-Term Enhanced Bus on Highway Bridge with One Express Lane in Each Direction (2030)
- Alternative 6: Busway on Rail Bridge (2030)
- Alternative 7: Rail Shuttle on Rail Bridge (2030)
- Alternative 8: Rail Commuter Single-Track on Rail Bridge (2030)
- Alternative 9: Rail Commuter Double-Track on Rail Bridge (2030)
- Alternative 10: Combination Bus and Rail (2030)

Alternatives 1 and 2 present short-term conditions, including the No Build Alternative (2020) as well as enhanced bus service on the Highway Bridge and corresponding approach improvements. Alternatives 3-10 represent long-term conditions. Alternative 3 presents the long-term No Build condition (2030), to be used as a baseline for analysis. Both No Build Alternatives assume that no improvements will be made to the Dumbarton Highway Bridge and the removal of the Dumbarton Rail Bridge along with any necessary environmental mitigation. Alternatives 4 and 5 provide further enhanced bus service with different express lane options on the Highway Bridge as well as additional approach improvements. Alternatives 6–10 include development of the Rail Bridge and associated ROW. Specifically, Alternative 6 provides enhanced bus service on the Rail Bridge. Alternative 7 provides a commuter rail “shuttle” service on the Rail Bridge. Alternatives 8 and 9 provide commuter rail “commuter” service, with Alternative 8 being single-tracked across the Rail Bridge and Alternative 9 being double-tracked across the Rail Bridge. Alternative 10 provides an optimized combination of alternatives on the Highway Bridge and Rail Bridge.

Most arterial improvements were only included in the alternatives that propose enhanced bus service on the Highway Bridge (Alternatives 2, 4 and 5). However, several approach improvements were considered to be essential in reducing congestion in the Menlo Park area and are therefore included in the Rail Bridge alternatives as well. These approach improvements include Willow Road Express Lanes and grade separations at Willow Road/Bayfront Expressway and University Avenue/Bayfront Expressway. Approach improvements included in each alternative are described in more detail in the following sections.

To the extent possible, rail alternatives were defined as they were previously studied in the *Dumbarton Rail Corridor Environmental Impact Report*, including alignments, station locations, and operations. Key changes to the alternatives for the DTCS include the addition of intermediate stops at Palo Alto, Mountain View, and Sunnyvale in the Rail Commuter Alternatives (Alternatives 8 and 9) to better serve major employment destinations in the South Bay. Another change from the previous analysis was the investigation of a double-track alternative on the Rail Bridge (Alternative 9). This option was applied to the “highest capacity” rail option—the Rail Commuter (Alternative 8)—but could potentially be applied to the Rail Shuttle Alternative (Alternative 7) as well.

Additionally, there is a bicycle and pedestrian multiuse path option on the Dumbarton Rail ROW from Redwood City to East Palo Alto. This option could be paired with any of the alternatives described above. The bicycle and pedestrian multiuse path is not evaluated with the other alternatives as it is difficult to estimate ridership for the facility (see **Appendix K**) and many of the metrics used to analyze various high-capacity transit modes are not applicable to a bicycle and pedestrian multiuse path. Rather, it is assumed that the bicycle and pedestrian multiuse path would be pursued if there is sufficient ROW within the Rail Corridor. Generally, the ROW can only accommodate two modes in its typical 100-foot width. **Appendix D** describes this in more detail.

- An eleventh alternative (Alternative 11), which assumed a higher employment land use scenario, was also analyzed and included the same rail service in Alternative 9. The purpose of this alternative and associated travel demand model run was to assess what the relative difference might be for each alternative should higher employment projections be realized in the study area. This alternative is primarily included for exploratory purposes and is not included in the scoring and ranking of alternatives in the comparative analysis.
- See **Chapter 7** and **Chapter 10** for further details about the various components included in each alternative. These alternatives were further defined from an operations and design standpoint, costed, and analyzed using a travel demand model. Using this information, the alternatives were evaluated in a more rigorous comparative analysis described in **Chapter 11**.

1.4 Conceptual Design and Cost Estimates

Five to ten percent design was generally completed for the alternatives that were advanced beyond the initial screening. Conceptual designs include bus options across either the Dumbarton Highway Bridge or Dumbarton Rail Bridge and ROW; highway and approach options that include express lanes along the Dumbarton Highway Bridge and Bayfront Expressway (SR 84), a tunnel for Willow Road express lanes, bus-only lanes along Willow Road, grade separations at Bayfront Expressway/Willow Road and Bayfront Expressway/University Avenue, and express lane connectivity to US 101; and rail options to introduce Dumbarton rail service across the San Francisco Bay using the Rail Bridge and ROW. Designs developed for connectivity to US 101 assume that the existing HOV lanes on US 101 would be converted to express lanes in the future.

Conceptual designs were not developed for Alternatives 1 through 3, because capital improvements are not proposed as part of the No Build Alternatives (Alternatives 1 and 3) and Alternative 2 primarily contains transit and operational improvements. Conceptual designs for Alternatives 4 through 10 were developed for the specific components that comprise each alternative. Each alternative is subdivided into multiple variations — a base alternative and permutations of that base. To the extent feasible, design elements may be eliminated or added to the alternatives, and as a result several variations of one or more different options that could be considered to improve mobility in the study area have been identified. **Chapter 8** contains additional details about the conceptual designs.

Operations and maintenance (O&M) costs and capital costs were developed for each alternative except for Alternatives 1 and 3 because they do not include capital improvements. Annual O&M costs for transit alternatives were based on the proposed service frequencies, operating hours, and travel times specified in the operating plans described in **Chapter 7**.

The development of probable capital expenditure costs utilized two approaches: reliance on previous cost estimates developed as part of the unpublished 2012 *Dumbarton Rail Corridor (DRC) Project Draft Environmental Impact Statement/Environmental Impact Report* for rail components of the alternatives; and development of new cost estimates for roadway and transit components not studied previously or substantially modified by this study. The opinion of probable capital costs is intended to allow comparisons between alternatives only and are not indented for budgetary or funding purposes.

Table 1-2 summarizes the O&M and capital costs for Alternatives 2 and 4 through 10. Although costs were developed for variations of several of the alternatives, costs for the base alternatives only are presented below. Additional details about cost estimation methodology and results are included in **Chapter 9**.

Table 1-2: Summary of O&M and Capital Costs

Alternative	O&M Costs ¹ (million \$)	Capital Costs (million \$)
Alternative 2: Short-Term Enhanced Bus on Highway Bridge (2020)	\$11.5	\$15.3
Alternative 4: Long-Term Enhanced Bus on Highway Bridge with Reversible Express Lanes (2030)	\$19.6	\$1,098.1
Alternative 5: Long-Term Enhanced Bus on Highway Bridge with One Express Lane in Each Direction (2030)	\$19.8	\$1,060.8
Alternative 6: Busway on Rail Bridge (2030)	\$16.1	\$1,221.2
Alternative 7: Rail Shuttle on Rail Bridge (2030)	\$41.1	\$1,756.1
Alternative 8: Rail Commuter Single-Track on Rail Bridge (2030)	\$37.2	\$1,829.9
Alternative 9: Rail Commuter Double-Track on Rail Bridge (2030)	\$43.4	\$1,957.2
Alternative 10: Combination Bus and Rail (2030) Alternatives 5 and 9	\$61.5	\$2,403.9

¹ Baseline transit service costs

Source: CDM Smith and HDR Engineering, 2017

1.5 Travel Forecasting

To estimate the transportation benefits of the DTCS's alternatives, the C/CAG-VTA travel demand model was used to project how each alternative would perform in terms of transbay travel, vehicle throughput, total transit ridership, congestion, and other characteristics. Land use, population, and employment assumptions in the model are consistent with the MTC Plan Bay Area Regional Transportation Plan (RTP), known as Transportation 2035. However, some assumptions were modified to match observed growth trends that were not anticipated in the RTP. The model is designed to produce macro-level forecasts for 2020 and 2040, which varies slightly from the established long-term horizon year of 2030. More detail about the travel demand model and results can be found in **Chapter 10**.

All of the transportation alternatives show substantial increases in transit ridership over 2013 conditions. This includes both public service and private shuttle buses operated by major employers. Total transit ridership as shown in **Table 1-3** includes trips that use those services to cross the Bay (transbay trips) and trips that remain on one side of the Bay, such as those between the Redwood City Caltrain Station and the planned Willow Road station in Menlo Park. Transbay ridership is shown in **Table 1-4**.

Increasing congestion on the Dumbarton Highway Bridge will continue to erode the effectiveness of transbay transit services that use it. Without any action to increase capacity and efficiency for transit modes, congestion on the Dumbarton Highway Bridge and approaches will reduce its competitiveness. The forecasts predict lower transit ridership in the 2040 No Build scenario than the 2020 No Build scenario. This demonstrates that without the enhancements provided in the bus alternatives, transbay Dumbarton transit service is predicted to degrade significantly between 2020 and 2040 as buses are increasingly delayed in congested conditions.

In total, the bus alternatives generate about 25 percent more ridership than the rail alternatives. This is due in part by more frequent bus service: ten-minute peak headways for four different transbay bus routes versus 15-minute headways for the Rail Shuttle (Alternative 7) and 60-minute headways for the Rail Commuter alternatives (Alternatives 8 and 9). In addition, the bus

alternatives provide direct service to multiple destinations and in the case of the One Express Lane in Each Direction (Alternative 5), diminish the corridor capacity for autos. This reduction induces a modal shift from auto to transit. One Express Lane in Each Direction reduces the peak direction single-occupant car carrying capacity of the Dumbarton Highway Bridge the most, providing a single express lane in each direction in place of existing mixed-flow lanes. As a result, Alternative 5 induces about five percent greater transit use than Reversible Express Lanes (Alternative 4), which provides one peak-direction express lane in addition to three general-purpose lanes in the peak direction, providing more capacity.

Table 1-3: Daily Transit Ridership for All Alternatives

Alternative	Rail	Bus	Private Shuttles	Transfers	Total
Base Year 2013	0	2,700	1,700		4,400
Short-Term (2020) Alternatives					
Alternative 1: No Build 2020	0	4,800	5,900	0	10,700
Alternative 2: Enhanced Bus on Highway Bridge	0	10,200	6,200	500	15,900
Long-Term (2040) Alternatives					
Alternative 3: No Build 2040	0	3,500	5,200	0	8,700
Alternative 4: Enhanced Bus on Highway Bridge with Reversible Express Lanes	0	22,300	5,400	2,600	25,100
Alternative 5: Enhanced Bus on Highway Bridge with One Express Lane in Each Direction	0	23,800	5,500	2,900	26,400
Alternative 6: Busway on Rail Bridge	0	23,700	4,600	3,000	25,300
Alternative 7: Rail Shuttle on Rail Bridge	13,900	3,300	6,300	1,100	22,400
Alternative 8: Rail Commuter Single-Track on Rail Bridge	12,500	1,000	6,900	0	20,400
Alternative 9: Rail Commuter Double-Track on Rail Bridge	15,300	1,100	6,800	0	23,200
Alternative 10: Combination Bus and Rail (Alternative 5 and Alternative 9)	11,400	18,600	5,000	2,100	32,900
Alternative 11: High-Employment (with Alternative 9)	27,100	1,100	6,600	100	34,700

Source: Fehr & Peers, 2017

Table 1-4 Daily Transbay Ridership for all Alternatives

Alternative	Rail	Bus	Private Shuttles	Total
Base Year 2013	0	2,600	1,700	4,300
Alternative 1: No Build 2020	0	4,300	5,900	10,200
Alternative 2: Enhanced Bus on Highway Bridge	0	7,500	6,200	13,700
Alternative 3: No Build 2040	0	3,400	5,200	8,600
Alternative 4: Enhanced Bus on Highway Bridge with Reversible Express Lanes	0	14,900	5,400	20,300
Alternative 5: Enhanced Bus on Highway Bridge with One Express Lane in Each Direction	0	15,800	5,500	21,300
Alternative 6: Busway on Rail Bridge	0	14,000	4,600	18,600
Alternative 7: Rail Shuttle on Rail Bridge	9,100	200	6,300	15,600
Alternative 8: Rail Commuter Single-Track on Rail Bridge	8,400	200	6,900	15,500
Alternative 9: Rail Commuter Double-Track on Rail Bridge	8,800	200	6,800	15,800
Alternative 10: Combination Bus and Rail (Alternative 5 and Alternative 9)	5,600	12,700	5,000	23,300
Alternative 11: High-Employment (with Alternative 9)	20,300	100	6,600	27,000

Source: Fehr and Peers

An important consideration in the comparison of the bus and rail alternatives is the overall corridor travel demand throughput and the consequent levels of traffic congestion on the Dumbarton Highway Bridge and approaches. As previously mentioned, One Express Lane in Each Direction (Alternative 5) reduces the capacity of the Dumbarton Highway Bridge and approaches for automobile travel by converting general-purpose lanes to express lanes. As a result, for all traffic combined, congestion in terms of total vehicle-hours delay and per person minutes delay is substantially worse for this express lane alternative. Vehicle-hours of delay are also almost twice as high in the One Express Lane in each Direction Alternative compared to the Reversible Express Lanes Alternative (Alternative 4), and higher than the busway and rail alternatives, which use the Dumbarton Rail Bridge and preserve existing capacity on the Dumbarton Highway Bridge. Trends observed related to total vehicle-hours of delay are generally similar when examining per person minutes delay.

In terms of transit ridership and overall corridor performance, the Busway Alternative (Alternative 6) offers the combined benefit of increasing corridor throughput through use of the Dumbarton Rail Bridge, avoiding exacerbation of traffic congestion by preserving existing Highway Bridge lanes, and providing direct single-seat service connections for major origin-destination pairs including Union City and Fremont BART, Altamont Commuter Express (ACE), Redwood City Caltrain, and the major Corridor employers such as Stanford, Facebook and Google. Adding a direct connection in the form of a new US 101 interchange at the Dumbarton ROW crossing and allowing private shuttles to use the Dumbarton Rail Bridge along with public Busway services would raise the transbay transit ridership level for the Busway to the highest among the single-mode alternatives.

In the rail alternatives, train services attract about two-thirds of the demand that public express buses would carry in the express lanes alternatives. Among the rail alternatives, Rail Commuter

Double-Track (Alternative 9) carries the most ridership by collecting transbay trips, local trips within the Dumbarton Corridor (e.g., Redwood City Caltrain Station to Facebook), and trips along the Peninsula to San Francisco and San Jose. Strictly focusing on transbay ridership, the Rail Shuttle (Alternative 7) carries the highest rail ridership due to its higher frequencies compared with the Rail Commuter alternatives. The range of rail forecasts, 12,500 to 15,300 daily riders, is within the range found on comparable segments of existing Bay Area rail services, such as BART through Union City to Fremont and Caltrain through Redwood City, Menlo Park, and Palo Alto.

The rail alternatives also offer the corridor throughput and traffic congestion control advantages as well as the ability to establish a fixed and visible public transit investment in the Corridor suited to stimulating compact transit-oriented development in one of the region's primary job-growth markets. While a high-employment scenario would boost the projected ridership of all alternatives, Alternative 11 confirms the incremental benefits of pairing robust transit infrastructure and high-density development in the East Palo Alto, Menlo Park, and Redwood City employment centers. If the projections of the Corridor's major employers bear out and densities reach the high levels accommodated in the cities' general plans, the rail alternatives could see transit ridership exceed that of the other alternatives.

The Combined Bus and Rail Alternative (Alternative 10) consists of the highway improvements and express bus service from One Express Lane in Each Direction (Alternative 5) and the rail service from the Rail Commuter Double-Track (Alternative 9)—the highest-ridership individual bus and rail alternatives. As such, it can be viewed as a best-case scenario for transit crossing the Dumbarton Corridor. Within the Bus and Rail Alternative, while the bus and rail elements trade-off against one another and do not perform as well individually as they do in the One Express Lane in Each Direction and Rail Commuter Double-Track scenarios, the combined benefits of the two modes increase total transit ridership by 21 to 52 percent. In other words, the Bus and Rail Alternative is forecast to have slightly lower bus ridership than One Express Lane in Each Direction and lower rail ridership than Rail Commuter Double-Track, but the Combined Bus and Rail Alternative exhibits the highest aggregate and transbay ridership for any alternative based on *Plan Bay Area* employment projections.

The high-employment scenario (Alternative 11) differs from the Rail Commuter Double-Track only in its land use assumptions, and not in the transportation networks. Nevertheless, the high-employment scenario is forecast to generate approximately 50 percent more total transit riders as compared to the Rail Commuter Double-Track. This increase is commensurate with the 150 percent increase in employment within the Corridor cities of Menlo Park, Palo Alto, Redwood City, and Mountain View in the high-employment forecast. Transbay transit ridership for the high-employment scenario is approximately 170 percent of Rail Commuter Double-Track transbay transit ridership. The forecasts also assume businesses in this area will be subject to trip caps requiring them to achieve higher transit shares. The substantial increase in transfers to Dumbarton Rail from ACE in the high-employment scenario highlights a need for the Altamont corridor to absorb the housing growth required to support such a large increase in employment.

Forecasting suggests that ACE will be a significant source of ridership for any Dumbarton transit service, particularly for the rail alternatives. These forecasts also predict a significant increase in total ACE ridership from the current 5,000 daily riders to 8,000 - 10,000 daily riders (and 20,000

in the high growth alternative). These forecasts are consistent with ACE planning, which suggests a doubling of ridership by 2020. They also suggest that a high-quality transit connection from the Central Valley and Tri-Valley region to the high-employment areas in Silicon Valley would serve a currently un-met need. Thus, ensuring that the connection is as easy as possible with high-frequency express buses (as in Alternatives 4, 5, and 6) or a timed transfer to rail (as in Alternatives 7, 8, 9, and 10) is an important component of these large transfer volumes.

1.6 Comparative Analysis

The mobility benefits of the alternatives were evaluated quantitatively and qualitatively based on the four project goals and a set of accompanying metrics as described below:

- **Goal: Enhance mobility** – Mobility of the alternatives was measured by examining estimated daily transbay transit ridership, peak hour load factor, transbay passengers per seat mile in the peak period, minutes of delay per person in the peak period, and operational benefit;
- **Goal: Pursue cost-effective improvements with a return on investment** – Cost-effectiveness and return on investment was measured by considering annualized capital cost per new user, annual operating and maintenance cost per new user, and fundability;
- **Goal: Minimize environmental and financial risk, and maximize safety** – The measures of success for this goal included an assessment of environmental impacts, financial risk, and safety;
- **Goal: Avoid disproportionate burden and disparate impacts** – SamTrans has policies that specify thresholds for determining whether a given action, or project, has a disproportionate burden on low-income populations versus non-low-income populations or a disparate impact on minority populations. Because the alternatives are still conceptual, the assessment of how the alternatives meet this goal are high-level and would require more analysis as projects are developed further.

The comparative analysis was conducted for the long-term alternatives only. Generally, it is assumed that short-term improvements (Alternative 2) would be pursued as there are limited enhancements that can provide increased mobility and congestion relief in the short-term. Each alternative was scored based on the metrics stated above using available information on ridership, capacity, costs, etc.

Alternatives 4 through 10 would meet the DTCS goals to varying degrees. Overall, the Combined Bus and Rail (Alternative 10) and the Busway on the Rail Bridge (Alternative 6) scored the highest with 60 and 57 total points, respectively. These alternatives were followed by the Enhanced Bus on the Highway Bridge with One Express Lane in Each Direction (Alternative 5) at 55 points. Alternative 10 ranked highest or equally best under three of the four DTCS study goals. As a result, Alternative 10, which presents a combination of roadway, bus, and rail improvements, is considered the top-ranking alternative with the greatest potential to enhance Corridor mobility, while also factoring in cost-effectiveness and financial feasibility, managing risk, maximizing safety, and minimizing environmental and community impacts to the extent possible.

Based on the findings of the comparative analysis, DTCS recommends moving forward with Alternative 10 using a phased approach.

Additional information about the comparative analysis can be found in **Chapter 11**.

1.7 Key Findings

The Dumbarton Corridor is a complex network of existing transportation infrastructure paired with unutilized potential that offers a variety of options, each with distinct advantages and disadvantages that cater to different travel markets. By improving Corridor efficiency and travel time reliability, short-distance commuters coming from the Union City / Fremont / Newark (Tri-Cities) area to Peninsula employment destinations would be attracted by a one-seat ride via enhanced bus service on the Highway Bridge. Roadway improvements that allow HOVs to bypass SOVs encourage carpooling and also improve speed and reliability for buses. Long-distance travelers from the Central Valley / Tri-Valley and Capitol Corridor (beyond the BART service area) could drive demand for rail service if there were timed connections with ACE.

The following are some key findings:

- The Highway Bridge approaches in the morning and evening peak periods are severely congested and could benefit from improvements that encourage HOVs and transit use, by providing these vehicles a bypass through congested areas (i.e., the toll plaza, and at Bayfront Expressway intersections at University Avenue and Willow Road). Improvements at the approaches are likely to do more for alleviating congestion than converting general-purpose lanes on the Highway Bridge to express lanes. Addressing capacity on the Highway Bridge alone will not alleviate traffic congestion in the Dumbarton Corridor, as this study confirms that the chokepoints where congestion occurs are at the approaches to the Dumbarton Highway Bridge. With proposed approach improvements, the express lanes alternatives perform well but one configuration of express lanes – the One Express Lane in Each Direction (Alternative 5) – would increase congestion in the study area for general traffic and SOVs. This alternative is preferred, however, because it encourages transit and HOV travel over SOV travel in the general-purpose lanes and is a more sustainable long-term option for mitigating the impacts of growth on the transportation network.
- Bus alternatives would produce 25 percent more ridership because of high-frequency service and direct service to many major job centers. Enhanced bus on the Highway Bridge (Alternatives 4 and 5) is good at providing service from the Tri-Cities to the Peninsula with a one-seat ride. However, when travelling on roadways in mixed traffic, bus service is subject to delays and unreliability caused by traffic congestion. Providing a dedicated busway on the Rail Bridge and ROW (Alternative 6) and building a connector to the planned US 101 express lanes can potentially improve travel time and reliability for bus routes, especially the Mountain View/Sunnyvale route, which is proposed to travel on US 101 for a substantial distance (over 12 miles each way). However, the Busway Alternative still would operate in mixed flow traffic in the East Bay. If paired with express lanes improvements, the Busway on the Rail Bridge could offer the opportunity for East Bay freeway express buses to link from express lanes on I 880 to express lanes on US 101.

- Rail alternatives as defined in this study do not perform as well from a ridership standpoint because they are less frequent. However, the rail alternatives may provide substantially more ridership potential in the future given the nature of fixed-guideway investments that are independent of highway and arterial conditions and the alternatives' ability to broaden travel markets by attracting longer-distance commuters. Ridership estimates are on par with existing services in similar areas such as BART in Fremont and Union City and Caltrain between Redwood City and Palo Alto. Improvements, such as double-tracking across the Rail Bridge, would provide added operational flexibility that would contribute to the reliability of rail travel. ACE transfers are an important source of rail ridership in the travel behavior forecast, signifying that the Tri-Valley/Central Valley to Peninsula market is likely underserved. The potential for Dumbarton to connect to a larger regional rail network is compelling as the region's employment and housing supply continue to grow in different areas of the Bay Area.
- The most cost-effective alternatives are those that can attract enough riders and or users to cover operating and maintenance costs. DTCS showed that the bus alternatives performed the best in terms of a cost-effectiveness standpoint. However, the bus alternatives do not perform as well from a fundability perspective. Further, DTCS suggested that the Busway on Rail Bridge Alternative (Alternative 6) does well from a mobility / ridership standpoint, but the cost to retrofit the Rail Bridge for less long-term capacity and the inability to connect with the regional rail system is a costly tradeoff.
- The rail alternatives, while most costly, have the greatest potential for private investment and long-term ridership gains. While the bus alternatives serve the Union City / Fremont / Newark market very well and do not require as many connecting complementary bus services for the last mile of travel, the rail alternatives, particularly the Rail Commuter Double-Track Alternative (Alternative 9), bring the most value by connecting the Peninsula with travelers from farther away. By connecting to the ACE and Capitol Corridor routes, the rail alternatives can safely and reliably connect travelers from cities such as Stockton and Sacramento, to destinations as far north or south on the Peninsula as possible. Using the Rail Bridge for rail service allows the Highway Bridge to continue accommodating enhanced bus service. Further, converting the Rail Bridge to a bus-only facility would preclude the possibility of serving the long-distance market that the rail alternatives can.
- In addition to causing substantial environmental impacts, demolition and removal of the Rail Bridge would eliminate a much-needed Bay crossing in the region. Therefore, the DTCS concludes that rebuilding the Rail Bridge is necessary to improve mobility in the Dumbarton Corridor and in the region. The DTCS also considered increasing the share of transit and HOV trips in the future and found that a combined approach (bus, highway improvements and rail) fared the best in terms of reducing automobile mileage.
- After the initial screening, all alternatives were considered to have the same low level of disproportionate burden and disparate impacts. The improvement projects identified in this study will be evaluated further in the environmental clearance phase to closely analyze the potential impacts of each project on the communities in which they are located.

- The comparative analysis showed that the alternatives that performed best were a combination of bus, roadway, and rail improvements. While not all permutations of these combinations were modeled in this phase of the study, there is evidence that there is a demand for all modes in the Corridor. Further, the results suggest that these modes could complement, rather than compete, with one another -especially if there continues to be a high number of employees commuting from the East Bay (or beyond) to the Peninsula. While the required capital investment in the Corridor will be significant, the opportunity to involve partners from the private sector is unprecedented, and the urgency to address the congestion is critical to health of the Bay Area economy.

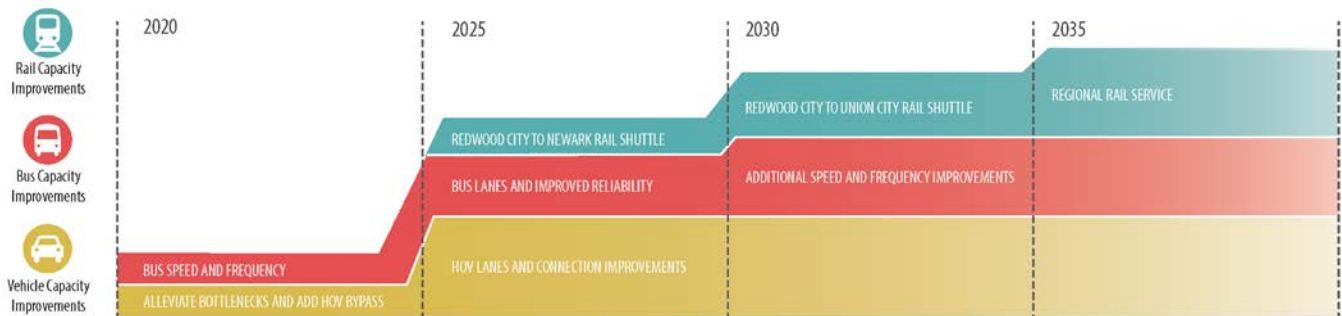
1.8 Recommendations

Based on a comprehensive assessment of mobility, cost-effectiveness, environmental, financial and safety considerations, in addition to equity, the recommended long-term solution focuses on improvements to both the Dumbarton Highway and Rail Bridges as well as local roadways. This is a departure from the “either/or” approach of typical alternatives analyses, including previous studies of the Dumbarton Corridor where “the Project” was defined as a rail project and the alternative was a form of bus service. This is the first time that a combination of rail, enhanced bus service, express lanes and other roadway improvements comprise a Dumbarton project alternative, although these elements were also analyzed separately for their individual benefits. While the required capital investment in the Corridor will be significant, the opportunity to involve partners from the private sector is unprecedented, and the urgency to address congestion is critical to the health of the Bay Area economy.

This multimodal, multifacility approach can serve different travel markets that use the Corridor and represents a more sustainable solution to long-term travel challenges through its focus on fixed-guideway investments that are independent of the arterial and highway network. In addition, roadway and highway improvements designated for transit and HOVs can increase the person throughput in the area. It should be noted that the No Build Alternative is not considered a viable option, as it would ultimately involve dismantling the Dumbarton Rail Bridge and mitigating the potential environmental impacts associated with this action, requirements by the U.S. Coast Guard if the Rail Bridge is not rehabilitated.

Due to the complexity and multitude of improvements needed to make a significant impact on mobility in the Corridor, a phased approach is proposed. **Figure 1-5** illustrates how the improvements could be phased over time.

Figure 1-5: Timeline of Phased Improvements in the Dumbarton Corridor



Source: CDM Smith 2017

Short-term improvements that could be implemented by 2020 include a handful of enhanced bus service and corresponding Highway Bridge approach improvements. These improvements include the following:

- Adding two new transbay bus routes from Union City BART to Menlo Park/Redwood City and Mountain View/Sunnyvale while increasing the frequency of Route DB and Route DB1 bus service to every 15 minutes and extending the peak period of service to 4 hours in the morning, and 4 hours in the evening
- Adding transit signal priority and queue jump lanes to Decoto Road from I 880 east to Union City BART or where possible given ROW constraints
- Constructing an HOV bypass lane on the westbound approach to the Highway Bridge at Newark Boulevard
- Highway Bridge toll booth removal at the FasTrak lanes and a FasTrak extension to Paseo Padre Parkway
- Adding transit signal priority and queue jump lanes to Bayfront Expressway and Willow Road where possible
- Implementing bus-only lanes on Bayfront Expressway

If pursued aggressively in the short-term, mid-term projects targeted for the 2025 timeframe could include the following:

- Implementing one express lane in each direction on the Highway Bridge with supporting arterial express lanes and other improvements:
 - Implementing eastbound express lanes from the Highway Bridge toll plaza to I 880/Decoto Road
 - Converting the FasTrak lane to an express lane
 - Constructing flyover connections between the I 880 and SR 84 express lanes

- Instituting all-electronic tolling to cross the Highway Bridge
 - Constructing express lanes on Bayfront Expressway from the Highway Bridge to Marsh Road
 - Implementing peak bus-only lanes on Willow Road, in lieu of Willow Road express lanes
 - Constructing a Willow Road / Bayfront Expressway grade separation
 - Constructing a University Avenue / Bayfront Expressway grade separation
 - Pursuing a US 101 / Marsh Road express lanes direct connector, in lieu of Willow Road express lanes with an express lanes connection to US 101 at Willow Road
 - Expanding the Ardenwood park-and-ride facility (including an express lanes direct connector at Newark Boulevard)
- Operating enhanced bus service from University Avenue to the Dumbarton Rail ROW to planned US 101 express lanes via a direct connector, which could speed bus service and enhance reliability.
 - Implementing Rail Shuttle service between Redwood City and Newark until unknowns related to regional freight rail and connections to the Union City BART station are resolved. The Rail Shuttle is proposed to be double-tracked to allow for additional capacity into the future. With coordination, this interim rail terminus at Newark could begin to forge connections with ACE and Capitol Corridor. This phase would include a new Newark Park-and-Ride facility.

In the mid-to-long-term with a target year of 2030, improvements would include the following:

- Increasing the frequency of enhanced bus service to 10 minutes in the peak period and 15 minutes in the off-peak period
- Extending the Rail Shuttle from Newark to Union City to connect with BART

In the long-term (i.e., 2035 or beyond), commuter rail service that interlines with the Caltrain mainline is desirable to offer a one-seat ride to commuters traveling between the Tri-Valley / Central Valley to the Peninsula and up to San Francisco or down to San Jose. This option would require further investment in the Dumbarton Corridor to electrify the line in addition to new electric rolling stock that will be compatible with the Caltrain mainline. Additionally, the Caltrain mainline will also require upgrades at Redwood Junction and other locations to minimize the potential impacts to mainline operations.

Another option considered in the DTCS included converting part of the Dumbarton ROW on the Peninsula to a bicycle and pedestrian multiuse path that could operate next to either bus or rail service. Because of limited ROW on the Peninsula, this option is not recommended for

implementation. However, alternative and more localized bicycle and pedestrian improvements are recommended. These are described in **Chapter 5** as well as below:

- Pursuing an alternative to the bicycle and pedestrian multiuse path on the Dumbarton ROW. The Bay Trail option described in Chapter 5 proposes to use sections of the current and proposed Bay Trail between Seaport Boulevard and University Avenue with on-street connections as required. Starting at the Redwood City Caltrain Station, a new Class II bikeway would be constructed on Broadway, connected to a similar path heading north on Chestnut Street. A Class I bikeway would then follow the Rail Corridor under US 101 to Blomquist Street, tying into the planned section of the Bay Trail on Cargill Levee between Seaport Boulevard and Bayfront Park¹ and the existing section of the Bay Trail between Bayfront Park and University Avenue, ultimately leading to the Highway Bridge. This option would have a total length of 5.9 miles to University Avenue.
- Upgrading the existing bicycle and pedestrian lane on the Highway Bridge (including extending the Class I facility on Marshlands Road and implementing pavement and striping improvements along the entire facility)
- Pursuing improvements identified in county and city bicycle and pedestrian plans with the potential to enhance local and regional access to the Dumbarton Highway Bridge from key origins within the study area.

Appendix M contains additional information about the capital and operating and maintenance costs of these proposed improvements phased over time.

1.9 Financing Options

To complete a full plan of funding and finance for the recommended DTCS infrastructure improvements, approximately \$2.58 billion in capital and \$90 million in annual operating funding will need to be identified for full build-out. Given the size of the project cost, multiple existing and new sources and strategies will need to be pursued to deliver this phased set of complex operational and infrastructure recommendations. SamTrans evaluated nine such strategies, summarized in **Table 1-5**.

¹ Bay Trail proposed segment No. 2089.0

Table 1-5: Funding and Financing Strategies for the Dumbarton Transportation Corridor Study Recommendations

	Strategy	Anticipated Revenue
1	Dedicate funding currently available for Dumbarton-related improvements	\$150 million
2	Seek additional state and regional funding	\$200–\$300 million
3	Seek additional local funding	Unknown at this time
4	Acquire private contributions	Unknown at this time
5	Pursue federal grant funding	Unknown at this time
6	Pursue federal and state financing	Unknown at this time
7	Explore Value Capture	\$250–\$930 million
8	Identify elements that would be attractive for a Public Private Partnership (P3)	Unknown at this time
9	Use fares to cover transit operating costs	\$62–\$76 million/year
TARGETED TOTAL		\$2.58 billion

- Strategy #1** - The Measure A sales tax provides funding for transportation improvements in San Mateo County. Approximately \$30 million is currently available under Measure A for Dumbarton-related station facilities and Rail Corridor improvements in the communities of Redwood City, Menlo Park, and East Palo Alto in conjunction with the Dumbarton Corridor. Measure BB funds the 2014 Alameda County Transportation Expenditure Plan, which includes \$120 million for “Dumbarton Corridor Area Improvements.” While rail improvements are not included, the funds may be applied to improvements encompassing express bus services in the Dumbarton Corridor connecting southern Alameda County and the Peninsula, transit-oriented development and priority development areas, and improved local streets and bicycle and pedestrian infrastructure within the cities of Fremont, Newark, and Union City.

The 2014 Alameda County Transportation Expenditure Plan also includes \$300 million for “Community Development Investments,” which target immediate-term opportunities for enhancing access, improving safety, and creating new infrastructure and supporting construction at BART stations, as well as station area development and Transit-Oriented Development (TOD) at sites identified for early implementation throughout Alameda County. Four eligible station areas are identified in the Expenditure Plan, including “South County Station Areas and Priority Development Areas,” which encompass Dumbarton TOD infrastructure improvements. Because the funding amount for Dumbarton TOD infrastructure improvements are not defined in the Expenditure Plan, SamTrans could work with the Alameda CTC to apply these revenues for station-related improvements.

- Strategy #2** - State and regional funding options include SB 1 (the Transportation Infrastructure and Economic Investment Act), AB 32 as part of the “cap-and-trade” program, programs through MTC, and Regional Measure 3.

- **Strategy #3** - In California, county sales taxes are commonly used to raise new funds for transportation and are increasingly standing in for federal funding. San Mateo County could impose a new sales tax for countywide infrastructure improvements subject to 50 percent plus one vote approval from County cities on the 2018 general election ballot.
- **Strategy #4** - SamTrans may have access to contributions from private partners, including Facebook, which has the ability to build momentum with other companies with an interest in providing enhanced mobility and access for its employees. This effort could replicate the current example of Amazon buying transit assets (rail sets) for the City of Seattle and Sound Transit, in exchange for service improvements and advertising space (train cars).
- **Strategy #5** - SamTrans could pursue federal grant funding under the Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula funds, FTA Section 5339 Bus and Bus Facilities Program funds, Federal Highway Administration's Congestion Mitigation and Air Quality funds through MTC for bus retrofit projects to install clean air emission devices on urban coaches, United States Department of Transportation's Infrastructure for Rebuilding America competitive grant program. There is also the possibility of applying for FTA Section 5309 funds (Core Capacity, New Starts, Small Starts), depending on the project element and funding amount sought.
- **Strategy #6** - Federal credit assistance can take one of two forms: loans, where project sponsors borrow federal highway funds directly from a state DOTs or the federal government; and credit enhancements, where a state DOT or the federal government makes federal funds available on a contingent (or standby) basis. These would include the federal Transportation Infrastructure Finance and Innovation Act of 1998, the Federal Railroad Administration's Railroad Rehabilitation & Improvement Financing program, the federal Grant Anticipation Revenue Vehicles program, federal Transit Revenue Bonds, and the State of California Infrastructure and Economic Development Bank (IBank).
- **Strategy #7** - Value capture includes many types of revenue generating mechanisms, including special assessment district financing, tax increment financing, and development impact fees. As opposed to real estate developments, regional transportation improvements like the DTCS recommendations are more difficult to associate value generated by it directly to individuals and businesses. However, value capture tools can still play a very important part in project funding.
- **Strategy #8** - Two general forms of (P3) structures are common: availability payment- and concession-based P3s. In availability payment-based P3s, the public authority contracts with a private sector entity to provide a public good, service or product at a constant capacity for a given payment (capacity fee) and a separate charge for usage of the public good, product or service (usage fee). In concession-based P3s, the government grants the private sector the right to build, operate, and charge public users of the public good, infrastructure, or service, a fee or tariff, which is regulated by public regulators and the concession contract.
- **Strategy #9** - User fees such as transit fares are a logical funding source for transportation projects and should play a larger role. The costs to run efficient electric rail systems are low

enough that it's common for fares to cover operating costs—and even throw off additional funds that can be reinvested in capital programs.

1.10 Next Steps

In regard to preliminary recommendations, SamTrans will continue to seek feedback and consensus from communities and public stakeholders around the Dumbarton Corridor.

Additionally, the Metropolitan Transportation Commission is undertaking a study of short-term HOV/transit priority treatments and express lanes in the Dumbarton Corridor. This effort will delve into the operational details of these potential improvements to a greater extent than this broad planning study.

Additional phases of work in 2018 are needed to progress the program proposed in the DTCS. These phases would include the following:

- Additional regional travel behavior forecasting in an attempt to better quantify the potential benefit of the rail alternatives, especially with more streamlined connections with ACE and Capitol Corridor
- Coordination with CalSTA, Altamont Commuter Express, Capitol Corridor and Union Pacific Railroad (UP)
- In addition to the funding strategy and public-private partnership opportunities discussed in Chapters 13 and 14, an in-depth public-private partnership analysis to investigate the viability of the rail alternatives (in addition to other alternatives) given more regional-based rail connections and operating plans
- Additional analysis of a busway or enhanced bus on the Rail Bridge as a secondary option
- Additional analysis of a busway or enhanced bus on the Rail Bridge as a phasing option (regulatory requirements and processes and coordination with UP)
- Design and environmental documentation

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