



## REGULAR MEETING AGENDA

**Date:** 12/5/2017  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

- A. Call to Order**
- B. Roll Call**
- C. Pledge of Allegiance**
- D. 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.

- E. Presentations and Proclamations**

- E1. Presentation on recycled water by West Bay Sanitary District staff

- F. Commissioner Reports**

- F1. Library Commission quarterly update
- F2. Environmental Quality Commission quarterly update

- G. Consent Calendar**

- G1. Adopt an ordinance amending Chapter 5.69 of the Menlo Park Municipal Code to reauthorize Public, Education, and Government (PEG) access fees that apply to AT&T and Comcast under their respective State video franchises (Staff Report #17-307-CC)
- G2. Adopt a resolution approving the City Council Community Funding Subcommittee's recommendations regarding the 2017-18 community funding allocation (Staff Report #17-299-CC)
- G3. Adopt a resolution accepting fiscal year 2017-2018 State Supplemental Local Law Enforcement Grant (COPS Frontline) in the amount of \$100,000; and approve a spending plan (Staff Report #17-302-CC)
- G4. Reject all bids for the Sand Hill Reservoir Mixer Installation Project (Staff Report #17-301-CC)
- G5. Adopt a resolution of support for and authorization to submit an application for Measure A Pedestrian and Bicycle Program funding for the Menlo Park Bicycle and Pedestrian Enhancement Project and if awarded, authorize the City Manager to enter into necessary funding agreements to

accept the funds (Staff Report #17-293-CC)

G6. Approve the settlement agreement between the City of Menlo Park and the City of East Palo Alto (Staff Report #17-305-CC)

G7. Accept the City Council meeting minutes for May 23, October 17, 2017 (Attachment)

## **H. Regular Business**

H1. Adopt a resolution authorizing the installation of temporary traffic calming modifications to the Willows neighborhood due to construction impacts of the Willow Road/US 101 interchange; and appropriate \$275,000 from the Measure A fund for the Bayfront Expressway, Willow Road, and Marsh Road adaptive signal timing project (Staff Report #17-294-CC)

H2. Authorize the City Manager to submit a list of transportation projects to be considered for inclusion in the *Get Us Moving* San Mateo County Expenditure Plan (Staff Report #17-303-CC)

H3. Authorize submittal of a comment letter on the Final Dumbarton Transportation Corridor Study (Staff Report #17-295-CC)

H4. Approve the 2018 City Council meeting schedule (Staff Report #17-304-CC)

H5. Discussion and direction on next steps for addressing complaints related to unregulated and unmaintained newsracks in Menlo Park (Staff Report #17-292-CC)

H6. Approve a resolution to amend the City's salary schedule effective December 10, 2017 (Staff Report #17-298-CC)

## **I. Informational Items**

I1. El Camino Real/Downtown Specific Plan-Maximum Allowable Development (Staff Report #17-300-CC)

I2. Update on bus shelter installations in Belle Haven (Staff Report #17-296-CC)

I3. 3rd Quarter Update on 2017 City Council Work Plan (Staff Report #17-306-CC)

## **J. City Manager's Report**

## **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 [menlopark.org/agenda](http://menlopark.org/agenda) and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at [menlopark.org/notifyme](http://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 11/30/2017)

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.

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## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-307-CC

**Consent Calendar:** **Adopt an ordinance amending Chapter 5.69 of the Menlo Park Municipal Code to reauthorize Public, Education, and Government (PEG) access fees that apply to AT&T and Comcast under their respective State video franchises**

### Recommendation

Staff recommends that the City Council adopt an ordinance amending Chapter 5.69 of the Menlo Park Municipal Code to reauthorize a fee to support Public, Education, and Government (PEG) access that apply to AT&T and Comcast under their respective State video franchises.

### Policy Issues

In 2008, the City Council adopted an ordinance establishing a PEG fee of \$0.88 per residential subscriber per month. The City is required to reauthorize this fee by ordinance at the expiration and renewal of each state video franchise. The proposed ordinance provides for the continued payment of a PEG fee by AT&T and Comcast.

### Background

In 1983, the cities of Menlo Park, Palo Alto, East Palo Alto, the Town of Atherton and portions of San Mateo and Santa Clara counties entered into a Joint Exercise of Powers Agreement (JPA) for purposes of obtaining cable television service for residents, businesses and institutions within these jurisdictions. The JPA gives the City of Palo Alto the sole authority to grant and administer the cable franchise process on behalf of its members. Palo Alto, on behalf of the JPA members, provides for such activities as franchise and PEG fee collection, PEG oversight, customer service and the like with respect to all state franchise holders.

The Digital Infrastructure and Video Competition Act of 2006 (DIVCA) went into effect January 1, 2007. DIVCA established a state franchising system administered by the Public Utilities Commission for video service providers. DIVCA allows the City to exact a fee from video service providers with state-issued franchises for Public, Education, and Governmental channel purposes. In 2008, the City Council adopted an ordinance, amending Chapter 5.69 of the Menlo Park Municipal Code, to establish a PEG fee of \$0.88 per residential subscriber per month.

At the time, the City had the option of selecting its existing PEG fee of \$0.88 per subscriber or establishing a fee of 1 percent of the video service provider's gross video service revenues. The City adopted the \$0.88 PEG fee because it yielded 30 percent more than the 1 percent fee. DIVCA requires the City to reauthorize the \$0.88 PEG fee by ordinance at the expiration and renewal of each state video franchise. The term of a state franchise is 10 years.

The introduction and first reading of this proposed ordinance occurred at the November 14, 2017, City Council meeting.

### **Analysis**

AT&T's State Video Franchise was renewed March 30, 2017. Comcast's State Video Franchise is set to renew January 2, 2018. Staff is proposing that the City adopt an ordinance reauthorizing a PEG support fee of \$0.88 per residential subscriber per month that will apply to AT&T and Comcast under their respective renewed State Video Franchises.

Menlo Park and the JPA have designated the Media Center, as their Community Access Organization, to operate and manage PEG channels and to promote PEG access. Menlo Park's PEG fees received from AT&T and Comcast are dedicated to and go to the Media Center for these activities. Federal law restricts the use of PEG fees to capital expenditures.

On May 10, 2016, following a review of the Cable Franchise and PEG Fee Audit, the Media Center was instructed to ensure the PEG fee program complies with federal Cable Act provisions. The Media Center currently placing PEG fees in a restricted account that can only be used for capital expenditures.

### **Impact on City Resources**

The proposed ordinance provides for the continued payment of AT&T and Comcast PEG fees to be used by the Media Center for appropriate capital expenditures. There is no impact to any City of Menlo Park fund balances.

### **Public Notice**

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

### **Attachments**

A. Draft ordinance

Report prepared by:  
Clay J. Curtin, Assistant to the City Manager

**ORDINANCE NO. xxxx**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING SECTION 5.69.070 [PEG CHANNEL CAPACITY AND SUPPORT] OF CHAPTER 5.69 [VIDEO SERVICE PROVIDERS] OF TITLE 5 [BUSINESS LICENSES AND REGULATIONS] OF THE MENLO PARK MUNICIPAL CODE TO REAUTHORIZE A FEE TO SUPPORT PUBLIC, EDUCATION, AND GOVERNMENT ACCESS**

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

**SECTION 1. FINDINGS AND DETERMINATIONS**

A. Menlo Park requires holders of State Video Franchises to pay a fee of \$0.88 per residential subscriber per month to support Public, Education, and Government (PEG) access.

B. The City is required to reauthorize this fee by ordinance at expiration and renewal of each state video franchise.

C. The City reauthorizes the support fee for PEG access as required with the renewal of the AT&T State Video Franchise renewal on March 30, 2017, and the Comcast State Video Franchise renewal on January 2, 2018.

**SECTION 2.** Section 5.69.070 [PEG Channel Capacity and Support] of Chapter 5.69 [Video Service Providers] of Title 5 [Business Licenses and Regulations] of the Menlo Park Municipal Code is hereby amended to read, as follows:

**“5.69.070 PEG Channel Capacity and Support.**

(a) PEG Channel Capacity.

(1) A state franchisee shall designate and activate seven (7) PEG channels on its network. The state franchisee shall designate and activate the seven (7) PEG channels within three (3) months from the date that the state franchisee receives a state franchise to provide video service in an area including the City; provided, however that this three-month period shall be tolled for such a period, and only for such a period, during which the state franchisee’s ability to designate or provide such PEG capacity is technically infeasible, as provided in California Public Utilities Code Section 5870(a).

(2) A state franchisee shall provide an additional PEG channel when the standards set forth in California Public Utilities Code Section 5870(d) are satisfied by the City or any entity designated by the City to be responsible for PEG access channel capacity and support.

(b) PEG Support.

(1) Amount of PEG Support Fee.

(A) Except as provided in subparagraphs (b)(1)(B) and (C), every state franchisee within the jurisdictional boundaries of the City shall pay a PEG support fee to the City in the amount of eighty-eight cents (\$0.88) per month per subscriber within the jurisdictional boundaries of the City.

(B) Upon the expiration of the Comcast Franchise or its earlier termination pursuant to Section 5840(o)(3) of the California Public Utilities Code, every state franchisee operating within the jurisdictional boundaries of the City shall pay a new PEG support fee to the City in the amount of eight-eight cents (\$0.88) per month per subscriber within the jurisdictional boundaries of the City.

(C) The PEG support fee established by the City pursuant to paragraph (b)(1)(B) shall expire with respect to a particular state franchisee upon the expiration of that state franchisee's state franchise, and the City shall, by ordinance, reauthorize the PEG support fee for that state franchisee upon such expiration.

(2) The PEG support fee shall be used by the City for PEG purposes consistent with state and federal law.

(3) A state franchisee shall remit the PEG support fee to the City quarterly, within forty-five (45) days after the end of each calendar quarter. Each payment shall be accompanied by a summary explaining the basis for the calculation of the PEG support fee.

(4) If a state franchisee fails to pay the PEG support fee when due, or underpays the proper amount due, the state franchisee shall pay a late payment charge at an annual interest rate equal to the highest prime lending rate during the period of delinquency, plus one percent (1%) or the highest rate allowed by California law, whichever is lower.

(c) PEG Carriage and Interconnection.

(1) State franchisees shall ensure that all PEG channels are receivable by all subscribers, whether they receive digital or analog service, or a combination thereof, without the need for any equipment other than that needed to receive the lowest cost tier of service. PEG access capacity provided by a state franchisee shall be of similar quality and functionality to that offered by commercial channels on the state franchisee's lowest cost tier of service unless the PEG signal is provided to the state franchisee at a lower quality or with less functionality.



(2) If a state franchisee and an incumbent cable operator cannot reach a mutually acceptable interconnection agreement for PEG carriage, the City shall require the incumbent cable operator to allow the state franchisee to interconnect its network with the incumbent cable operator's network at a technically feasible point on the state franchisee's network as identified by the state franchisee. If no technically feasible point of interconnection is available, the state franchisee shall make interconnection available to the PEG channel originator and shall provide the facilities necessary for the interconnection. The cost of any interconnection shall be borne by the state franchisee requesting the interconnection unless otherwise agreed to by the parties.

(d) An incumbent cable operator's obligation to provide and support PEG channel facilities and institutional networks and to provide free cable service to schools and other public buildings shall continue until the expiration of the incumbent cable operator's existing franchise.

(e) PEG support fee reauthorizations.

(1) On expiration and renewal of AT&T's state franchise on March 30, 2017, the city hereby reauthorizes the PEG support fee set forth in (b) (1) above.

(2) On expiration and renewal of Comcast's state franchise on January 2, 2018, the city hereby reauthorizes the PEG support fee set forth in (b) (1) above."

SECTION 3. This ordinance is the ordinance that may be adopted in accordance with the requirements of Section 5840(n) of the California Public Utilities Code, which requires the adoption of an ordinance to establish a PEG support fee upon the expiration or termination of the Comcast Franchise.

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

SECTION 5. The City Council hereby finds that this ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines, because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of this ordinance.

SECTION 6. This ordinance shall take effect thirty (30) days after its passage and adoption. Within fifteen (15) days of its adoption this ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published

in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the fourteenth day of November, 2017.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the fifth day of December, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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Kirsten Keith  
Mayor

ATTEST:

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Clay J. Curtin  
Interim City Clerk

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

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-299-CC

**Consent Calendar:** **Adopt a resolution approving the City Council Community Funding Subcommittee's recommendations regarding the 2017-18 community funding allocation**

**Recommendation**

The City Council Community Funding Subcommittee recommends that the City Council adopt a resolution (Attachment A) approving the proposed 2017-18 Community Funding allocation in the amount of \$266,000 and appropriate an additional \$91,000 to the Community Programs budget to cover the additional grants awarded.

**Policy Issues**

The Subcommittee's recommendation is consistent with the City Council's current Community Funding Program Policy, and well within the allowance for allocation up to 1.7 percent of property tax revenue (roughly \$282,000).

Subcommittee Members Mayor Keith and Councilmember Carlton both indicated they had no affiliations with any of the applicant organizations.

**Background**

The City of Menlo Park adopted a formal policy guiding allocation of General Fund dollars to community organizations in 1996 (see "Community Funding Program Guidelines," Attachment B) to leverage City funds in response to the human service needs of Menlo Park residents.

The policy guidelines stipulate that eligible programs must address a verified community need and have a significant Menlo Park client base. Priority service areas include emergency assistance for those who are homeless or low-income; assistance to the disabled; help for seniors to be independent; senior day care support; youth services including recreational and summer academic support; crisis and family counseling; and substance abuse prevention. Applicants must maintain accounting records with an independent audit at least once every two years.

Each fiscal year, according to the policy, no more than 1.7 percent of General Fund property tax revenue may be allocated to the Community Funding Program. This ceiling would amount to slightly over \$282,000 for the 2017-18 fiscal year.

The General Fund budget for fiscal year 2017-18 includes \$175,000 for eligible community programs selected for funding, consistent with the amount awarded last year. In addition, the City has previously

funded several nonprofit housing programs each year that are now included in the community funding program budget.

**Analysis**

Mayor Kirsten Keith and Councilmember Carlton were appointed as the Community Funding Subcommittee for fiscal year 2017-18. The Subcommittee is charged with evaluating funding requests and making recommendations to the full City Council as to the allocation of the funds budgeted for the community funding program.

This year, the City provided notice of the grant program to agencies that received funding in prior years as well as additional organizations referred by City Council members and staff. Twenty-six agencies responded with requests totaling \$422,940. Several new agencies submitted applications this year, as well as organizations that did not apply last year. The applicant agencies provide services such as counseling, crisis intervention, employment assistance, shelter, hospice services, community health, risk reduction education, youth and senior services.

The Subcommittee reviewed the weighted criteria established to assess the applications against factors aligned with the Community Funding Policy such as: verified program results; impact on the Menlo Park community; percentage of total budget spent on administrative overhead; receipt of City funding in previous years; community need for the program; unduplicated service or, if duplicated, evidence of collaboration; and alignment with City Council goals for the program. Assessment criteria are included with the application packet each year in order to encourage applications that are more complete.

All agencies that applied for funding this year were allocated at least \$500 except two: Crime Prevention Narcotics and Drugs Education Center who has not done an organizational audit which is a grant requirement and One East Palo Alto which will receive funding through a City partnership to hire Menlo Park teens for summer jobs in various City programs.

The largest grants, for \$35,000, were to Star Vista for youth counseling services at Menlo Atherton High School and \$25,000 to Peninsula Conflict Resolution Center for a youth restorative justice and leadership program in partnership.

In total, the Subcommittee is recommending \$266,000 in funding awards for this year, given the outstanding needs in the community and the City’s strong financial picture.

The table below outlines funding allocations approved by the City Council in fiscal year 2016-17, requests for fiscal year 2017-18, and the Subcommittee recommendation.

Item	2016-17 Allocation	2017-18 Request	2017-18 Subcommittee recommended
Acknowledge Alliance	\$0	\$24,000	\$20,000
Boys and Girls Club of the Peninsula	\$20,000	\$30,000	\$15,000
Center for Independence of the Disabled	\$5,000	\$25,000	\$10,000
Community Overcoming Relationship Abuse (CORA)	\$5,000	\$7,500	\$7,500

Crime Prevention Narcotics and Drugs Education Center	\$0	\$20,000	\$0
Family Connections	\$0	\$15,000	\$10,000
HIP Housing	\$17,500	\$17,500	\$17,500
Jobs for Youth	\$0	\$1,500	\$1,500
Jobtrain	\$0	\$10,000	\$10,000
Legal Aid San Mateo County	\$5,000	\$5,000	\$5,000
LifeMoves	\$17,500	\$17,500	\$17,500
My New Red Shoes	\$0	\$1,000	\$500
Nuestra Casa	\$4,000	\$6,000	\$5,000
Ombudsman Services of San Mateo Co.	\$1,200	\$3,000	\$2,000
One East Palo Alto	\$0	\$20,000	\$0
Pathways Home Health / Hospice	\$7,500	\$10,000	\$7,500
Peninsula Conflict Resolution Center	\$25,000	\$60,000	\$25,000
Peninsula Volunteers, Inc.	\$22,000	\$40,000	\$22,000
Ravenswood Education Foundation	\$10,000	\$12,000	\$10,000
Rebuilding Together Peninsula	\$0	\$10,000	\$8,000
Riekes	\$0	\$10,000	\$8,000
Service League of San Mateo County	\$3,000	\$3,000	\$3,000
Star Vista	\$37,440	\$37,440	\$35,000
Vista Center for the Blind	\$8,000	\$10,000	\$10,000
Youth Community Service	\$8,000	\$15,000	\$8,000
<b>Total</b>	<b>\$204,140</b>	<b>\$255,500</b>	<b>\$266,000</b>

Additional information about each organization's application is available in the Administrative Services Department.

### Impact on City Resources

The fiscal year 2017-18 adopted budget included an appropriation of \$175,000. Staff suggests an additional appropriation of \$91,000 from undesignated General Fund balance.

**Environmental Review**

This is not subject to California Environmental Quality Act requirements.

**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. City Council policy on community funding

Report prepared by:  
Natalie Bonham, Recreation Supervisor

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO  
PARK APPROVING THE CITY COUNCIL COMMUNITY FUNDING  
SUBCOMMITTEE RECOMMENDATIONS REGARDING  
ALLOCATION OF FISCAL YEAR 2017-18 COMMUNITY FUNDING**

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

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby approve the City Council Community Funding Subcommittee recommendations regarding the allocation of fiscal year 2017-18 community funding in the amount of \$266,000, as more particularly set forth in the staff report presented to the City Council on December 5, 2017.

I, Clay J. Curtin, Interim City Clerk of the City of Menlo Park, do hereby certify that the foregoing resolution was approved at a regular meeting of the City Council held on the fifth day of December, 2017, and adopted 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 fifth day of December, 2017.

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Clay J. Curtin  
Interim City Clerk

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**COMMUNITY FUNDING PROGRAM**

City Council Policy #CC-01-1996

Effective 06/04/1996

**Purpose**

To provide guidelines for the award of monetary support to local nonprofit agencies whose programs respond to the human service needs of Menlo Park residents. This funding is not intended for use as the sole support of any agency. All recipients of financial assistance grants enter into a contractual agreement with the City detailing the specific objectives to be accomplished as a result of the grant.

**Policy**

## 1. Goals and Philosophy

The City of Menlo Park recognizes that:

- 1.1 The availability of basic human service programs is a key determining factor in the overall quality of life of Menlo Park residents;
- 1.2 The most cost-effective and efficient manner to insure that these services are available to local residents is through the development of agreements with existing nonprofit agencies;
- 1.3 Contractual agreements with nonprofit agencies allow the City to influence the human service programs offered to Menlo Park residents; and
- 1.4 Financial assistance grants demonstrate the City's support of the activities of specific nonprofits and make it possible for these agencies to leverage additional funds that will benefit local residents.

## 2. Eligibility

- 2.1 All applicants must be formally incorporated nonprofit entities and must be tax exempt (under Section 501(c)(3) of the IRS Code, and Section 2370(d) of the California Revenue and Taxation Code).
- 2.2 All applicants must be agencies based in Menlo Park or agencies that provide services throughout the County of San Mateo who can demonstrate a significant Menlo Park client base.
- 2.3 All applications must provide a service that is not a duplication of an existing public sector program, OR if the service is duplicated, the applicant must show why it is not an unnecessary duplication of service.
- 2.4 All applicants shall maintain accounting records that are in accordance with generally accepted accounting practices. The agency must have an independent audit performed at least once every two years.
- 2.5 The agency must have bylaws that define the organization's purposes and functions, its organization and the duties, authority and responsibilities of its governing body and officers.
- 2.6 Governance of the agency should be vested in a responsible and active board that meets at least quarterly and establishes and enforces policies. The board should be large enough and so structured to be representative of the community it serves. It should have a specific written plan for rotation or other arrangements to provide for new members.

- 2.7 The agency must provide for adequate administration of the program to insure delivery of the services. The agency must provide that it has a written job description for each staff position and an organizational chart approved by the board. One individual should be designated as the full time director of the agency.
- 2.8 No less than 85 percent of City funds granted must be used for direct services as opposed to administrative costs.
- 2.9 City grants can represent no more that 20 percent of an applicant's total operating budget.
- 2.10 All recipients agree to actively participate in City efforts to coordinate and to improve human services within the City.
- 2.11 The program described must respond to a verified community need as defined by the City Council:

Disabled. Emphasizes support of programs that will allow the disabled to actively participate in their community and maintain independence from institutional support.

Emergency Assistance and Low Income Support. Emphasizes support of programs that can meet emergency needs for people in crisis such as victims of homelessness, rape, and domestic violence and the basic needs such as food, etc., for low-income residents.

Seniors. Emphasizes support of programs which serve predominantly low income, frail and minority seniors; and those programs which make it possible for seniors to continue to be independent and active community participants.

Youth. Emphasizes support of delinquency prevention services including recreation; crisis and family counseling; substance abuse prevention; child care and acculturation of ethnic minorities.

### 3. Procedure

Any agency requesting financial assistance must complete the required application and submit it to the Administrative Services Department. The City Council Community Funding Subcommittee is responsible for reviewing all proposals and submitting recommendations for funding to the City Council.

### 4. Funding

Grants are funded by the General Fund. Each fiscal year, no more than 1.7 percent of general fund property tax will be allocated to the Community Funding Program.



## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-302-CC

**Consent Calendar:** Adopt a resolution accepting fiscal year 2017-2018 State Supplemental Local Law Enforcement Grant (COPS Frontline) in the amount of \$100,000; and approve a spending plan

### Recommendation

Adopt a resolution accepting the fiscal year 2017-2018 State Supplemental Local Law Enforcement Grant (SLESF COPS Frontline) in the amount of \$100,000 and approve a spending plan.

### Policy Issues

The proposed action and spending plan require City Council authorization.

### Background

In 1997, the California State Legislature created the Citizen's Option for Public Safety (COPS) Program. This is a noncompetitive grant whereby cities and counties receive state funds to augment public safety expenditures. Effective in the year 2000, cities were guaranteed a minimum grant award of \$100,000.

The COPS funds must be used for front-line municipal police services and must supplement and not supplant existing funding. The funds cannot be used for administrative overhead costs in excess of ½ percent of the total allocation. The allocation may not be used to fund the costs of any capital project or construction project that does not directly support front-line law enforcement.

### Analysis

The 2017-2018 COPS Frontline Grant award is in the amount of \$100,000. This grant is included in the City's Fiscal Year 17/18 budget and a spending plan must now be approved by City Council. Staff recommends that the funds be expended in the following areas as shown below:

#### Individual officer safety, training and duty equipment

- Forty-five (45) Viewu LE5 body worn camera (\$24,000)
- Four (4) OTS high-definition thermal digital monoculars (\$12,800)
- Fifty-five (55) Blackhawk Titan Hydration Packs (\$11,000)
- Miscellaneous individual protective and training equipment for in-service Defensive Tactics instruction (\$4,800)

Use of grant funds for updated body worn cameras, monoculars and hydration packs will allow for greater field effectiveness and accountability. The thermal imaging digital monoculars will enhance the department's capabilities when searching for missing or wanted persons in large areas during low light periods.

Individual Defensive Tactics protective and training equipment will reduce injuries and allow for additional training opportunities.

Traffic safety and enforcement equipment

- Three (3) Turbo Data / ticketPRO nForcer Mobile Ticketing System (\$17,400)
- Two (2) SMG 4000 Maxtrix electronic sign boards with radar attachment (\$32,000)

Use grant funds for traffic safety and enforcement equipment will allow the department the means to better address traffic complaint areas and increase enforcement of traffic laws within the City.

SLESF FY17-18 Expenditure Plan Summary

• Individual Officer Safety and Duty Equipment	\$52,600
• Traffic Safety and Enforcement Equipment	\$49,400
	TOTAL \$102,000

The Police Department has strategically used grant funds to support the department's technology initiatives, previously unbudgeted items and new field equipment. This year's spending request continues to strengthen the department's ability to provide public safety services. The philosophy of securing alternative funding sources to finance new technologies and equipment has allowed the Police Department to maintain a progressive approach to policing, while simultaneously supporting the need for a cost-conscious approach to the use of General Fund monies.

**Impact on City Resources**

The fiscal year 2017-2018 grant funds must be spent or encumbered by June 30, 2019. There are no matching requirements for this grant. Purchases will be made in accordance with the City's adopted purchasing policies.

**Environmental Review**

The proposed action 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

Report prepared by:  
William A. Dixon, Police Commander

**RESOLUTION NO. XXXX**

**RESOLUTION OF THE CITY OF MENLO PARK ACCEPTING THE STATE SUPPLEMENTAL LOCAL LAW ENFORCEMENT GRANT OF \$100,000, APPROVING THE USE OF THE FUNDS IN ACCORDANCE WITH STATE REQUIREMENTS**

WHEREAS, the California State Legislature created the Citizen's Option for Public Safety (COPS) Program in fiscal year 1996-97; and

WHEREAS, effective September 8, 2000, cities were guaranteed a minimum grant award of \$100,000; and

WHEREAS, the City must create a Supplemental Law Enforcement Special Fund (SLESF) for the grant funds; and

WHEREAS, the funds cannot be used for administrative overhead exceeding 0.5 percent or allocated to fund the costs of any capital project or construction project that does not directly support frontline law enforcement; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Menlo Park does hereby accept the State Supplemental Local Law Enforcement Grant of \$100,000; and

BE IT FURTHER RESOLVED, that the City Council approves the use of State Supplemental Local Law Enforcement Grant funds in accordance with state requirements, as outlined below:

- Traffic Safety and Enforcement Equipment \$49,400
- Individual Officer Safety and Duty Equipment \$52,600

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

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Clay J. Curtin, Interim City Clerk

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## STAFF REPORT

**City Council**

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-301-CC

**Consent Calendar:**

**Reject all bids for the Sand Hill Reservoir Mixer Installation Project**

**Recommendation**

Staff recommends that the City Council reject all bids received for the Sand Hill Reservoir Mixer Installation Project.

**Policy Issues**

This project is consistent with the 2016 General Plan goal to promote the implementation and maintenance of sustainable development, facilities and services to meet the needs of Menlo Park's residents, businesses, workers and visitors. In addition, the project is also included in the City Council's 2017 Work Plan.

The proposed project is consistent with the Open Space/ Conservation, Noise and Safety Element of the Menlo Park General Plan, Goal OSC5, which states: "Maintaining and improving water quality is essential to protect public health, wildlife and watersheds, and to ensure opportunities for public recreation and economic development in Menlo Park."

**Background**

Menlo Park Municipal Water owns and operates two water reservoirs that are located near Sand Hill Road, west of Interstate 280, in unincorporated San Mateo County. Potable water is pumped into the reservoirs and distributed to Menlo Park Municipal Water customers in the Sharon Heights area and to the SLAC National Accelerator Laboratory.

To improve water quality in an efficient manner, staff proposed the installation of mixers to aid in the circulation of water in the reservoirs. Currently, the lack of mixing requires that staff monitor and change the water levels and pumping from the reservoirs depending on the operating conditions. The proposed project involved the installation of a mixer in each of the reservoirs and solar panels on the roof of Reservoir No. 2 since there is no electrical service at the facility. The solar panels would provide power to the mixers. With the mixers, the operation of the reservoirs and water quality would be improved.

**Analysis**

Staff advertised the bid package October 27, 2017, and opened bids November 15, 2017. One bid was received from Spiess Construction Co., Inc. for an amount of \$521,550. This amount is more than two times the cost estimate received from the mixer manufacturer.

Staff recommends that the bid be rejected since only one (1) bid was received, which is significantly over the cost estimate for the project. Typically, projects receive multiple bids, allowing the City to select the

lowest bidder. However, the single bid and high cost are reflective of the current economic environment and the high demand for construction contractors.

### **Impact on City Resources**

Staff will evaluate the next steps. It may be prudent to re-advertise the project later when the economic environment is competitive for public projects.

### **Environmental Review**

This action is not a project under State of California Environmental Quality Act.

### **Public Notice**

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

### **Attachments**

None

Report prepared by:

Sally Salman, Assistant Engineer

Pam Lowe, Senior Civil Engineer

Report reviewed by:

Azalea Mitch, City Engineer





## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-293-CC

**Consent Calendar:** Adopt a resolution of support for and authorization to submit an application for Measure A Pedestrian and Bicycle Program funding for the Menlo Park Bicycle and Pedestrian Enhancement Project and if awarded, authorize the City Manager to enter into necessary funding agreements to accept the funds

### Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) supporting the Menlo Park Bicycle and Pedestrian Enhancement Project (Project), authorize staff to submit a grant application to the San Mateo County Transportation Authority (TA) Measure A Pedestrian and Bicycle Grant Program (Program), and if awarded, authorize the City Manager to enter into necessary funding agreements to accept the funds.

### Policy Issues

The proposed project is consistent with policies stated in the 2016 General Plan Circulation Element. These policies seek to maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe and active community and quality of life throughout Menlo Park.

### Background

As the number of existing and future transportation related projects in the City continues to rise, staff is constantly looking for grant opportunities to help fund these projects. In July 2017, staff originally submitted a grant application for the proposed project that included a motion of support from the Complete Streets Commission. That application was not successful. Staff is resubmitting the proposed application with minor modifications to be competitive for the Measure A Pedestrian and Bicycle Program.

On November 6, 2017, the TA issued a Call for Projects for the Measure A Pedestrian and Bicycle Program. The Measure A Program is funded through a half-cent County sales tax through Year 2033 intended for transportation improvements. A total of up to approximately \$5 million has been allocated for the 2017 Pedestrian and Bicycle Program. The Measure A Pedestrian and Bicycle Program has a maximum award per jurisdiction of \$1 million. The TA requires a resolution of support from the City Council for the City's application for the Measure A Pedestrian and Bicycle Program funds.

## **Analysis**

The purpose of the Project is to provide intersection and facility improvements to the City of Menlo Park's bicycle and pedestrian infrastructure to close gaps in the existing multimodal transportation system and to enhance visibility at intersection crossings. This Project includes enhancements and upgrades to intersection crossings, sidewalks and accessible ramps at multiple locations throughout the City resulting in improved safety and connectivity to and from schools, parks, transit stations, and other destinations across the City and neighboring jurisdictions.

The Project was identified based on several factors including proximity to schools, high-activity areas, pedestrian and bicycle demand, cost and transportation network gap closures. In July 2017, the Project was listed in an unsuccessful grant application that included a motion of support from the Complete Streets Commission. In addition to the Project, a number of other improvements were identified and discussed at the July 12, 2017, Complete Streets Commission meeting to document needs for future funding opportunities. The following improvements have been identified for this funding consideration:

### *Coleman Avenue Sidewalk Improvements*

The proposed project on Coleman Avenue will construct approximately 70 feet of new curb, gutter, and sidewalk on the west side of Coleman Avenue at the intersection with Santa Monica Avenue. In addition to sidewalk construction, new ADA compliant curb ramps to improve access and complete the gap in the pedestrian network within Menlo Park would be constructed. Coleman Avenue provides improved walking access to Willow Oaks School, bus stops for both Laurel and Upper Laurel School, and other nearby parks and destinations.

### *Pierce Road Sidewalk Improvements*

The proposed improvements on Pierce Road will install curb, gutter, sidewalks, driveways, and ADA compliant curb ramps to complete several gaps, approximately 1075 feet, in the pedestrian network between the Ringwood Avenue/U.S. 101 pedestrian overcrossing and the alleyway east of Carlton Avenue (~2,900 ft.), providing safer and more accessible walking routes to: Belle Haven Elementary School, Menlo Atherton High School, Beechwood School, Boys & Girls Clubs of the Peninsula, Menlo Park Belle Haven Community Library, Onetta Harris Community Center, Flood Park, Market Place Park, Kelly Park and transit stops.

### *Middle Avenue and Blake Street Crosswalk Enhancements*

The proposed crosswalk enhancements will include restriping the existing crosswalk, installing a Rectangular Rapid Flashing Beacon (RRFB) system and installing ADA compliant curb ramps to improve visibility, enhance connectivity and provide safe routes to nearby schools, transit stops, parks and activity centers, including Little House Activity Center, Hillview Middle School, Jack W. Lyle Park, Nealon Park and downtown Menlo Park.

### *Middle Avenue and San Mateo Avenue Crosswalk Enhancements*

The proposed crosswalk enhancements will involve restriping the existing crosswalk, installing a RRFB, installing bicycle markings, and installing ADA compliant curb ramps to improve visibility, enhance connectivity and provide safe routes to nearby schools, parks, activity centers, transit stops, and the San Mateo Avenue pedestrian and bicycle bridge linking to Palo Alto. Destinations include Oak Knoll Elementary, Hillview Middle School, Jack W. Lyle Park, Stanford Shopping Center, Lucile Packard

Children’s Hospital and Stanford Hospital.

*San Mateo Avenue/Wallea Drive and Ringwood Avenue Bike Route Markings*

The proposed improvements will include installing sharrows (Class III-Bike Route Markings) and signage along San Mateo Avenue between the San Mateo Avenue pedestrian and bicycle bridge and Valparaiso Avenue, and along Ringwood Avenue between the Ringwood Avenue/U.S.101 pedestrian overcrossing and Bay Road to increase bicycle awareness and connectivity to the bicycle network. These routes are identified in the 2005 Comprehensive Bicycle Development Plan and improvements are identified in the 2016 General Plan Circulation Element and in the San Mateo County Comprehensive Bicycle and Pedestrian Plan.

Grant Request and Next Steps

Staff is proposing to use the grant to help complete both the design and construction phases for the Project. The grant application for the Project is being prepared in accordance with the goals and objectives established by the City Council under the 2016 General Plan Circulation Element. The City will have two years to design and three years to construct the Project, which is a total of five years starting from the funding award date. As mentioned above, the Complete Streets Commission voiced support in July 2017 for this project for a previous, unsuccessful grant application. The Commission is scheduled to consider a formal vote for support for this application at its December 13, 2017, meeting. The Project application is due December 15, 2017, along with an approved resolution of support by the City Council, and final approval by the TA Board is tentatively scheduled for March 2018.

**Impact on City Resources**

City funds and staff resources would be required to support this Project. A local match for the Measure A Pedestrian and Bicycle Program is required and is proposed to be funded through the local Measure A funds the City is allocated for transportation projects annually. Staff is proposing a grant request of \$805,600, with a match of 20 percent, as summarized below.

Grant Request Proposal Summary			
	Design	Construction	Total
Measure A Pedestrian and Bicycle Program Request	\$ 134,200	\$ 671,400	\$ 805,600
Proposed City 20% Local Match (local Measure A funds)	\$ 33,600	\$ 167,800	\$ 201,400
Total Estimated Cost	\$ 167,800	\$ 839,200	\$1,007,000

If this grant application is successful, staff would include the Project in a future fiscal year as part of the City’s annual Capital Improvement Program and budgeting process. This would allow the City to advance the necessary funds and staff resources for local match to take advantage of the Measure A grant funds. It may affect the timely completion of previously funded projects.

**Environmental Review**

This City Council action is not subject to the current California Environmental Quality Act (CEQA) guidelines. The Project components are categorically exempt under Class 1 of CEQA. Class 1 allows for

minor alterations of existing facilities, including highways and streets, sidewalks, gutters, bicycle and pedestrian access, and similar facilities, as long as there is negligible or no expansion of use.

### **Public Notice**

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

### **Attachments**

A. Resolution of Support

Report prepared by:

Kevin Chen, Associate Transportation Engineer

Report reviewed by:

Kristiann Choy, Senior Transportation Engineer

**RESOLUTION NO. XXXX**

**ADOPT A RESOLUTION OF SUPPORT FOR AND AUTHORIZATION TO SUBMIT AN APPLICATION FOR MEASURE A PEDESTRIAN AND BICYCLE PROGRAM FUNDING FOR THE MENLO PARK BICYCLE AND PEDESTRIAN ENHANCEMENT PROJECT AND IF AWARDED, AUTHORIZE THE CITY MANAGER TO ENTER INTO NECESSARY FUNDING AGREEMENTS TO ACCEPT THE FUNDS**

WHEREAS, there are existing network gaps in the pedestrian and bicycle infrastructure and existing crosswalks that need enhanced visibility throughout the City; and

WHEREAS, the project scope will:

- Close missing pedestrian infrastructure network gaps on sections of Coleman Avenue and Pierce Road,
- Close missing bicycle infrastructure network gaps on Ringwood Avenue and San Mateo Avenue-Wallea Drive,
- Enhance visibility at existing crosswalks on Middle Avenue at Blake Street and at San Mateo Avenue; and,

WHEREAS, it will cost \$1,007,000 to implement the project scope; and

WHEREAS, the City wishes to sponsor and seeks \$805,600 for the design and construction of the project scope; and

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

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

WHEREAS, the TA issued a Call for Projects for the Measure A Pedestrian and Bicycle Program on November 6, 2017; and

WHEREAS, the TA requires a governing board resolution from the City in support of the City's application for \$805,600 in San Mateo County Measure A Pedestrian and Bicycle Program funds for the project scope; and

WHEREAS, the TA requires a governing board resolution from the City committing the City to the completion of the project scope, including the commitment of matching funds in the amount of \$201,400 needed for implementation.

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

1. Fully supports the project and goals to close existing pedestrian and bicycle infrastructure network gaps and to enhance visibility at existing crosswalks.
2. Directs staff to submit an application for TA Measure A Pedestrian and Bicycle Program funds for \$805,600 for the project scope.
3. Authorizes the City Manager to execute a funding agreement with the San Mateo County Transportation Authority to encumber any TA Measure A Pedestrian and Bicycle Program funds awarded.
4. Let it be known the City of Menlo Park commits \$201,400 to the completion of the project scope, including the commitment of \$201,400 of matching funds needed for implementation, if awarded the requested TA Measure A Pedestrian and Bicycle Program funds.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Menlo Park, California, held on the fifth day of December, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City, this fifth day of December, 2017.

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Clay J. Curtin  
Interim City Clerk



## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-305-CC

**Consent Calendar:** Approve the settlement agreement between the City of Menlo Park and the City of East Palo Alto

### Recommendation

Staff recommends that the City Council approve the proposed settlement agreement between the City of Menlo Park and the City of East Palo Alto to fully and finally resolve the litigation regarding the recent General Plan Update.

### Policy Issues

The recommended action is consistent with the City Council's approval of new General Plan Land Use and Circulation Elements at the end of the robust community process referred to as ConnectMenlo. It is also consistent with the new Office (O), Life Sciences (LS) and Residential Mixed-Use (R-MU) zoning adopted by the City Council to implement the vision of the General Plan Land Use Element. The adoption of the General Plan was a major accomplishment for the City of Menlo Park and settling this lawsuit pursuant to the terms of the proposed settlement agreement would allow the City to continue moving forward to implement the live/work/play vision crafted through the ConnectMenlo process.

### Background

The City of Menlo Park conducted a multiyear and comprehensive community process to update the General Plan Land Use and Circulation Elements. The result was a vision for a live/work/play environment in the former M-2 Area that maintained the character and values that Menlo Park has long embraced. On November 29, 2016, the Menlo Park City Council certified the Environmental Impact Report ("EIR") for the General Plan Update and approved the new General Plan Land Use and Circulation Elements. On December 6, 2016, the Menlo Park City Council adopted three new zoning districts -- Office (O), Life Sciences (LS), and Residential Mixed-Use (R-MU) -- to implement the new land use designations in the General Plan Land Use Element.

On December 29, 2016, the City of East Palo Alto filed suit challenging these approvals. Specifically, the City of East Palo Alto alleged that Menlo Park violated the California Environmental Quality Act ("CEQA") in certifying the EIR. East Palo Alto alleged that Menlo Park violated CEQA because the EIR underestimated the amount of new employment and failed to analyze adequately the traffic impacts that would result from development under the General Plan Update.

### Analysis

The negotiating team for the City of Menlo Park (Alex McIntyre, William McClure and Leigh Prince) participated in multiple settlement conferences with the negotiating team for the City of East Palo Alto. The

result of those discussions is the proposed settlement agreement (Attachment A). The key terms of the settlement agreement are as follows:

1. Reciprocal Environmental Review for Future Development Projects. Menlo Park will prepare an EIR for any project located in the Office (O), Life Science (LS) or Residential Mixed Use (R-MU) district that exceeds 250,000 net new square feet and would require a use permit, that proposes bonus level development, that proposes a master plan project, or that may have a significant environmental impact. These are the type of projects that would generally require the preparation of an EIR. Menlo Park may, with the exception of housing and traffic (which were the focus of East Palo Alto's challenge), simplify the environmental review for future development projects by incorporating analysis and discussions from the General Plan Program EIR. East Palo Alto will prepare an initial study for future development projects to determine the appropriate level of environmental review and will conduct that review, which can be simplified by incorporating by reference analysis and discussions from the General Plan Program EIR.
2. Reciprocal Traffic Studies. Menlo Park and East Palo Alto will work together to ensure that future development projects' potentially significant traffic impacts on the other jurisdiction are analyzed and mitigated.
3. Reciprocal Fair Share Mitigation Impact Fees. Menlo Park or East Palo Alto, whichever is the lead agency, will require a development project that has a significant impact on an intersection(s) in the other jurisdiction to pay a fair share mitigation impact fee to be used to implement the mitigation measures(s) that will reduce traffic impacts caused by the project.
4. Reciprocal Trip Cap Projects. If Menlo Park or East Palo Alto imposes a trip cap, that city shall share monitoring and compliance information and a percentage of penalties based on the traffic analysis.
5. Reciprocal Study of Multiplier Effect. When the preparation of an EIR is required as described above, Menlo Park or East Palo Alto, as applicable, will conduct a Housing Needs Assessment, which to the extent possible, will include an analysis of the multiplier effect for indirect and induced employment.

### **Impact on City Resources**

Settling the lawsuit will limit City resources expended to defend the litigation. Because in the settlement agreement the City of Menlo Park is essentially agreeing to comply with CEQA, it is not anticipated that the settlement agreement will result in any greater impact on City resources than would otherwise be anticipated.

### **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. Settlement agreement

Report prepared by:  
Leigh Prince, Assistant City Attorney



## **SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS**

This Settlement Agreement and Release of Claims (“**Agreement**”) is between the City of East Palo Alto (“**East Palo Alto**”) and the City of Menlo Park (“**Menlo Park**”) (individually, a “**Party**” or collectively, the “**Parties**”). The Parties enter into this Agreement for the purpose of resolving *City of East Palo Alto v. City of Menlo Park*, San Mateo County Superior Court Case No. 16CIV03062 (the “**Action**”) without further expense or dispute.

### **RECITALS**

A. On November 29, 2016, the Menlo Park City Council certified the Environmental Impact Report (“**EIR**”) for the General Plan Update and approved the new General Plan Land Use and Circulation Elements.

B. On December 6, 2016, the Menlo Park City Council adopted three new zoning districts (Office [O], Life Sciences [LS], and Residential Mixed-Use [R-MU]) to implement the new land use designations in the General Plan Land Use Element.

C. On December 29, 2016, East Palo Alto filed suit challenging the above described approvals, alleging that Menlo Park violated the California Environmental Quality Act (“**CEQA**”) in certifying the EIR. East Palo Alto alleged that Menlo Park violated CEQA because the EIR underestimated the amount of new employment and failed to adequately analyze the traffic impacts that would result from development under the General Plan Update.

D. After multiple settlement conferences, the Parties now mutually seek to resolve the Action without the need for further legal proceedings, and believe this Agreement is fair, reasonable, and in the best interests of the Parties and the public.

### **AGREEMENT**

In consideration of the foregoing recitals, the mutual covenants and promises set forth in this Agreement, and other good and valuable consideration, receipt of which is hereby acknowledged, the Parties agree to all of the following conditions and terms:

#### **1. Definitions.**

**1.1** “Bayfront Area” shall have the same meaning as in the General Plan Land Use Element adopted on November 29, 2016.

**1.2** “Development Project” means any plan to construct, remodel, renovate, expand, demolish, convert, or otherwise create a new use or change the use of a property.

**1.3** “Effective Date” means the date this Agreement is fully executed by both Parties and is binding and effective.

## **2. Obligations of the Parties.**

**2.1 EIR for Future Development Projects in Menlo Park.** Menlo Park prepared a Program EIR pursuant to 14 Cal. Code Regs. (“**CEQA Guidelines**”) Section 15168. Due to its programmatic nature, the EIR certified by the Menlo Park City Council for the General Plan Update did not evaluate impacts that would be peculiar to any specific Development Project. Therefore, Menlo Park will require preparation of an EIR for a specific Development Project as follows:

- (a) That is located in those portions of the Bayfront Area that were rezoned on December 6, 2016 to Office (O), Life Science (LS), or Residential Mixed Use (R-MU); and
- (b) That satisfy any one of the following:
  - (1) Exceed 250,000 net new square feet and would, therefore, require a use permit;
  - (2) Propose bonus-level development pursuant to Menlo Park Municipal Code Section 16.43.060, 16.44.060 or 16.45.060;
  - (3) Propose a master plan project pursuant to Menlo Park Municipal Code Section 16.43.055, 16.44.055 or 16.45.055; or
  - (4) May have a significant environmental impact.
- (c) The requirement to prepare an EIR does not apply to any Development Project that is statutorily exempt from environmental review under CEQA.

Notwithstanding the foregoing and with the exception of the housing and traffic impact analyses, any project specific EIR for a Development Project may be streamlined pursuant to CEQA Guidelines Section 15168(d) which allows for the simplification of future EIRs by incorporating by reference analysis and discussions from the Program EIR.

**2.2 Project Specific Environmental Review, East Palo Alto.** In October 2016, East Palo Alto adopted a General Plan Update, referred to as Vista 2035. In connection with this General Plan Update, East Palo Alto certified a Program EIR pursuant to CEQA Guidelines section 15168. As set forth in the EIR for Vista 2035, if a Development Project would have effects that were not examined in the Program EIR, or not examined at an appropriate level of detail to be used for the later activity, an initial study would need to be prepared to determine the appropriate environmental document. If East Palo Alto finds that, pursuant to Section 15152 of the CEQA Guidelines, new effects could occur or new mitigation measure would be required on a subsequent Development Project, additional environmental documentation will be required. In making

this determination, East Palo Alto will apply the standards relating to subsequent EIRs at CEQA Guidelines Sections 15162-15164 and Public Resources Code Section 21166. Any project specific EIR for a Development Project may be streamlined pursuant to CEQA Guidelines Section 15168(d) which allows for the simplification of future EIRs by incorporating by reference analysis and discussions from the Program EIR. The requirement to prepare an EIR under this section 2.2 does not apply to any Development Project that is statutorily exempt from environmental review under CEQA or for which East Palo Alto has found the application complete and already initiated environmental review as of the Effective Date of this Agreement.

**2.3 Project-Specific Traffic Studies.** Menlo Park and East Palo Alto shall work together to ensure that a Development Project's potentially significant traffic impacts on the other jurisdiction are analyzed and mitigated.

**2.4 Fair Share Mitigation Impact Fees.**

- (a) Menlo Park will require a Development Project that has a significant impact on an intersection(s) in East Palo Alto to pay a fair share mitigation impact fee to East Palo Alto. This fee may be used to implement the mitigation measure(s) identified in the Development Project's traffic study or other mitigation measure(s) identified by East Palo Alto that will reduce traffic impacts caused by the Development Project.
- (b) East Palo Alto will require a Development Project that has a significant impact on an intersection(s) in Menlo Park to pay a fair share mitigation impact fee to Menlo Park. This fee may be used to implement the mitigation measure(s) identified in the Development Project's traffic study or other mitigation measure(s) identified by Menlo Park that will reduce traffic impacts caused by the Development Project.

**2.5 Development Projects With Trip Caps.**

- (a) If Menlo Park imposes a trip cap on a Development Project in the Bayfront Area, upon request by East Palo Alto, Menlo Park will provide to East Palo Alto copies of all monitoring reports regarding compliance with the trip cap on a quarterly basis.
- (b) Menlo Park will share any penalties assessed as a result of violations of the trip cap with East Palo Alto on a pro-rata basis, calculated based on the Development Project's traffic study's determination of the percentage of traffic from the Development Project that travels through East Palo Alto.
- (c) If East Palo Alto imposes a trip cap on a Development Project that will have a significant impact on traffic in Menlo Park, upon request by Menlo Park, East Palo Alto will provide to

Menlo Park copies of all monitoring reports regarding compliance with the trip cap on a quarterly basis.

- (d) East Palo Alto will share any penalties assessed as a result of violations of the trip cap with Menlo Park on a pro-rata basis, calculated based on the Development Project's traffic study's determination of the percentage of traffic from the Development Project that travels through Menlo Park.

**2.6 Study of Multiplier Effect.** When the preparation of an EIR is required pursuant to this Agreement, concurrent with the preparation of the EIR, Menlo Park or East Palo Alto, whichever is the lead agency for the Development Project, will conduct a Housing Needs Assessment ("**HNA**"). The scope of the HNA will, to the extent possible, include an analysis of the multiplier effect for indirect and induced employment by that Development Project and its relationship to the regional housing market and displacement. Nothing in this section indicates an agreement that such an analysis is required by CEQA.

**3. No Admission of Liability.** Menlo Park and East Palo Alto understand that liability for the matters encompassed by the Action is disputed by the Parties and that this Agreement is a compromise and shall not be construed as an admission of any fact, claim or allegation of liability or responsibility on the part of the Parties, or any of them.

**4. Dismissal.** Within five (5) business days of the Effective Date, East Palo Alto shall dismiss the Action without prejudice and the Parties shall jointly request that the Court enter this Agreement as the final judgment in the action and reserve jurisdiction to enforce the Agreement pursuant to California Code of Civil Procedure Section 664.6.

**5. Enforcement.** Any Party may file a motion to enforce the Agreement pursuant to California Code of Civil Procedure Section 664.6. Prior to filing such a motion, the Party claiming a breach of the Agreement shall provide the other Party no less than thirty (30) days' notice of its intent to file the motion. Within that thirty (30) days period, the Parties shall meet and confer to attempt to resolve the dispute informally before filing the motion.

**6. Mutual Release.** Except for the rights and obligations expressly created by this Agreement, each Party, and all of its predecessors, successors, and assigns, fully, finally and forever releases each other Party, and all of its predecessors, successors, and assigns, from any and all known or unknown, direct or indirect, actual or potential, suspected or unsuspected claims, demands, causes of action, damages, claims for attorneys' fees, interest, expenses, costs, contracts, orders, execution, and liabilities for claims relating to or arising out of the subject matter of this Agreement.

Each Party is aware that it may have claims against the other Party in connection with the subject matter hereof, of which such Party may have no present knowledge or suspicion. Having taken into account such a possibility in entering into this Agreement, and subject to the obligations and limitations set forth in this Agreement, the Parties agree

that any releases set forth in this Agreement shall be full and final releases applying to all unknown and unsuspected claims, as of the Effective Date of this Agreement, that each may have against the released Party in connection with the subject matter thereof. Each Party expressly waives any right or claim of right to assert hereafter that any such claim has, through oversight or error, been omitted from the terms of this Agreement. Each Party acknowledges that it has the opportunity to receive independent legal advice from attorneys with respect to the advisability of executing this Agreement and expressly waives any rights or benefits that it otherwise might have under California Civil Code Section 1542 or any other similar state or federal statute, which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THIS RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

7. **Notice.** Any notice related to this Agreement shall be sent by both email and mail to a physical address, per below. The Parties shall give notice in writing to the other of a change of address to which notices should be sent.

**For East Palo Alto:**

Carlos Martinez  
City Manager  
City of East Palo Alto  
2415 University Ave.  
East Palo Alto, CA 94303  
cmartinez@cityofepa.org

with a copy to:

Rafael E. Alvarado, Jr.  
Office of the City Attorney  
City of East Palo Alto  
2415 University Ave.  
East Palo Alto, CA 94303  
ralvarado@cityofepa.org

**For Menlo Park:**

Alex D. McIntyre  
City Manager  
City of Menlo Park  
701 Laurel St.  
Menlo Park, CA 94025  
admccintyre@menlopark.org

with a copy to:

William L. McClure  
City Attorney, City of Menlo Park

Jorgenson, Siegel, McClure & Flegel, LLP  
1100 Alma St., Suite 210  
Menlo Park, CA 94025  
wlm@jsmf.com

8. **Good Faith.** The Parties shall cooperate in good faith to timely effectuate the terms and conditions of this Agreement, including execution of any additional documents required to be signed.

9. **Entire Agreement.** This Agreement constitutes the entire agreement and understanding of the Parties. This Agreement may be amended or modified only by a written instrument executed by both Parties.

10. **Severability.** The invalidity of any portion of this Agreement shall not invalidate the remainder.

11. **Agreement Admissible.** The Parties agree that this Agreement is admissible as evidence in any action to enforce this Agreement.

12. **Successors and Assigns.** This Agreement shall be binding upon, and inure to the benefit of, the Parties hereto and their respective successors, heirs, administrators, and assigns.

13. **Counterparts.** This Agreement may be executed in one or more counterparts (including multiple signature pages), and may be signed and exchanged by facsimile or by email.

**CITY OF EAST PALO ALTO**

Dated: \_\_\_\_\_, 2017

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

Name: [NAME]

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

APPROVED AS TO FORM:

City Attorney, City of East Palo Alto

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

Rafael Alvarado  
Attorney for City of East Palo Alto

**CITY OF MENLO PARK**

Dated: \_\_\_\_\_, 2017

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

Name: \_\_\_\_\_

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

APPROVED AS TO FORM:

JORGENSON, SIEGEL, MCCLURE &  
FLEGEL, LLP

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

William L. McClure  
Attorneys for City of Menlo Park

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**SPECIAL AND REGULAR MEETING MINUTES - DRAFT AS AMENDED**

**Date:** 5/23/2017  
**Time:** 6:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

**6:00 p.m. Closed Session (City Hall Administration Building, 1<sup>st</sup> floor conference room)**

Mayor Kirsten Keith called the closed session to order at 6:14 p.m.  
Councilmembers Cline, Mueller, and Ohtaki were present. Councilmember Carlton was absent.  
There was no public comment on these items.

- CL1.** Closed session pursuant to Government Code Section §54957.6 to confer with labor negotiators regarding current labor negotiations with Service Employees International Union (SEIU), American Federation of State, County and Municipal Employees (AFSCME) and the Menlo Park Police Sergeants' Association (PSA), the Menlo Park Police Officers' Association (POA) and unrepresented management

Attendees: City Manager Alex McIntyre, Administrative Services Director Nick Pegueros, Human Resources Manager Lenka Diaz, City Attorney Bill McClure, Labor Counsel Charles Sakai, Labor Counsel Alan Benson, Human Resources Analyst II Dan Jacobson

- CL2.** Closed session conference with legal counsel pursuant to Government Code section 54956.9 (d)(1) regarding existing litigation: 1 case - City of East Palo Alto v. City of Menlo Park et al., San Mateo County Superior Court Case No. 16CIV03062

Attendees: City Manager Alex McIntyre, City Attorney Bill McClure, Assistant City Manager Charles Taylor

**7:00 p.m. Regular Session**

**A. Call To Order**

Mayor Keith called the Regular Session to order at 7:08 p.m.

**B. Roll Call**

Present: Cline, Keith, Mueller, Ohtaki  
Absent: Carlton  
Staff: City Manager Alex McIntyre, City Attorney Bill McClure, Deputy City Clerk Jelena Harada

**C. Pledge of Allegiance**

Mayor Keith led the pledge of allegiance.

**D. Report from Closed Session**

There was no reportable action from the closed session.

#### **E. Presentations and Proclamations**

- E1. Proclamation recognizing Public Works Week May 21 through May 25, 2017 (Presentation attached)

Gabriel Ortiz, Maintenance Worker II of Public Works accepted the proclamation

Proclamation recognizing retiring Public Works Director, Ruben Niño (Proclamation attachment)

Ruben Niño accepted the proclamation.

#### **F. Commission Reports and Appointments**

Item F2 was called out of order.

- F2. Consider applicants and make an appointment to fill one vacancy on the Complete Street Commission and appoint a Councilmember Liaison (Staff Report# 17-129-CC)

Mayor Keith, Councilmembers Mueller and Ohtaki nominated Michael Meyer for the vacancy.

Councilmember Cline nominated David Gildea for the vacancy.

With the majority vote, Michael Meyer was appointed to serve on the Complete Streets Commission.

Councilmember liaison was not appointed at this meeting.

#### **G. Public Comment**

- Vicky Robeldo spoke regarding the Housing Commission and Mid-Pen.
- Meisha Brown, SEIU 521, spoke in opposition of the Mayor signing AB1250.

Mayor Keith called item F1.

- F1. Housing Commission update on 2-year work plan and housing prioritization

Housing and Economic Development Manager Jim Cogan introduced the Housing Commission Chair Michele Tate and Vice Chair Meg McGraw-Scherer. Michele Tate made a presentation.

The City Council advanced the item I1 from the Consent Calendar and took action at this point.

**ACTION:** Motion and second (Ohtaki/Cline) to approve the 2016-18 Housing Commission 2-year work plan and goals, passed 4-0-1 (Carlton absent)

#### **H. Study Session**

- H1. Update on the Recology Solid Waste Franchise Agreement Negotiations and Rate Structure Study (Staff Report# 17-127-CC)

Interim Sustainability Manager Clay Curtin introduced the item. Joe La Mariana, Executive Director at Recology, provided an update on the Franchise Agreement Negotiations. Garth Schultz, Principal at R3 Consulting Group, provided an update on the Rate Structure Study.

## I. Consent Calendar

- I1. Approve the 2016-18 Housing Commission 2-year work plan and goals (Staff Report# 17-117-CC)
- I2. Adopt a resolution approving a work plan for the development of a Green Infrastructure Plan for Stormwater (Staff Report# 17-113-CC)
- I3. Award a construction contract to Tucker Construction, Inc. for the Belle Haven Child Development Center Kitchen and Restroom Remodel Project (Staff Report# 17-111-CC)
- I4. Authorize the Public Works Director to accept the work performed by O'Grady Paving, Inc. for the Menlo Park-Atherton Pedestrian and Bicycle Improvement Project (Staff Report# 17-120-CC)
- I5. Adopt a resolution of preliminary approval of the Engineer's Report for the Menlo Park Landscaping Assessment District which proposes an increase to the Tree Assessment by 3% and an increase to the Sidewalk Assessment by 5% for Fiscal Year 2017-18 (Staff Report# 17-114-CC)
- I6. Award a construction contract to Interstate Grading & Paving, Inc. for the 2017 Street Resurfacing Project (Staff Report# 17-112-CC)
- I7. Authorize the City Manager to enter into an agreement with W-Trans for the Transportation Master Plan and Transportation Impact Fee Program and appropriate \$30,000 from the undesignated fund balance of the General Fund (Staff Report# 17-130-CC)
- I8. Authorize the Mayor to sign letters in opposition of AB1250 Counties and Cities: contracts for personal services (Jones-Sawyer) (Staff Report# 17-123-CC)
  - Brian O'Neill, SEIU 521, spoke against the Mayor signing the letter.
  - Malcom Thorton, SEIU 521, spoke against the Mayor signing the letter.
  - Hank Lawrence spoke in favor of the Mayor signing the letter.
- I9. Approve salary range for the Sustainability Manager classification (Staff Report# 17-122-CC)
- I10. Authorize the City Manager to sign an amended agreement with Goldfarb and Lipman, LLP for contract legal services related to development projects (Staff Report# 17-124-CC)
- I11. Approve minutes for the City Council meeting of May 2, 2017

Mayor Keith pulled items I8 and I11. Councilmember Ohtaki pulled items I2 and I7. Item I1 was approved earlier in the meeting.

**ACTION:** Motion and second (Cline/Ohtaki) to approve items I3, I4, I5, I6, I9 and I10, passed 4-0-1 (Carlton absent).

**ACTION:** Motion and second (Ohtaki/Cline) to approve item I11, passed 3-0-1-1 (Keith abstains; Carlton absent).

**ACTION:** Motion and second (Ohtaki/Keith) to approve item I2, passed 4-0-1 (Carlton absent).

**ACTION:** Motion and second (Ohtaki/Cline) to approve item I7, passed 4-0-1 (Carlton absent).

**ACTION:** Motion and second (Ohtaki/Cline) to approve item I8 with edits to the letter to comply with the most current draft of the AB 1250, and approve the Mayor to sign the edited letter in opposition of California Assembly Bill 1250, passed 4-0-1 (Carlton absent).

**J. Regular Business**

- J1. First reading of a Safe City Ordinance; first reading of a Non-Cooperation with Registry Ordinance; adopt a resolution supporting immigration reform (Staff Report# 17-128-CC)

Leigh Prince, Assistant City Attorney, introduced the item. Police Commander Bertini made a presentation.

Public Comment:

- Gwyn Murray spoke regarding the Menlo Park Safe City Ordinance
- Kathleen Daly spoke regarding the Menlo Park Safe City Ordinance
- Mallory Harris spoke regarding the Menlo Park Safe City Ordinance
- Anjuli Gupta spoke regarding the Menlo Park Safe City Ordinance
- Jennifer Mazzon spoke regarding the Menlo Park Safe City Ordinance
- Beatrice Mazzon spoke regarding the Menlo Park Safe City Ordinance
- Yvonne Murray spoke regarding the Menlo Park Safe City Ordinance
- Marcus Tjernlund spoke regarding the Menlo Park Safe City Ordinance
- Jason Primuth spoke regarding the Menlo Park Safe City Ordinance
- Hank Lawrence spoke regarding the Menlo Park Safe City Ordinance
- Chad Raphael spoke regarding the Menlo Park Safe City Ordinance
- Gail Sredanovic spoke regarding the Menlo Park Safe City Ordinance

Mayor Pro Tem Ohtaki requested the following edits:

1. Ordinance adding Chapter 2.60 of the Menlo Park Municipal Code, Non-Cooperation with Registry – proposed title of the ordinance to be edited to include the words “Sensitive Information” , to read “Non-Cooperation with Sensitive Information Registry”.
2. Ordinance adding Chapter 2.60 of the Menlo Park Municipal Code [Non-Cooperation with Sensitive Information Registry] 2.58.030 Section A1 (page 235 of the staff report) – remove the words “or other sensitive information”, as it was deemed redundant, to read: “Compel an individual to identify, investigate, disseminate or otherwise gather sensitive information, including information regarding an individual’s religious belief, race, or nation of descent for the purpose of providing information to a national registry or national database ~~or other sensitive information~~ specifically used to identify individuals on the basis of sensitive information. “
3. Resolution supporting immigration reform (page 245 of the staff report) – replace the words “fiscal impact on state governments” with “fiscal impact on city governments”, to read “(4) a funding stream to address the entire fiscal impacts on city governments.”

**ACTION:** Motion and second (Cline/Ohtaki) to introduce an ordinance adding Chapter 2.60, Non-Cooperation with Registry, to the Menlo Park Municipal Code, with the above requested edits, passed 4-0-1 (Carlton absent).

**ACTION:** Motion and second (Cline/Mueller) to introduce an ordinance adding Chapter 2.58, Safe City, to the Menlo Park Municipal Code to limit cooperation with Immigrations and Customs Enforcement (ICE) and to include annual report on any incidents relevant to the ordinance, passed 3-1-1 (**Ohtaki dissents**; Carlton absent).

- J2. Appoint a City Council Subcommittee to assist with the potential revisions to the 2016 California Green Building Standards Code - Electric Vehicle Chargers and possible direction on the level of public outreach (Staff Report# 17-110-CC)

**ACTION:** Motion and second (Mueller/Ohtaki) to direct staff to merge the recommended public outreach actions outlined in tables 1 and 2 of the staff report, and to appoint Councilmembers Cline and Carlton to serve on the subcommittee, passed 4-0-1 (Carlton absent).

#### **K. Informational Items**

- K1. Update on the Middle Avenue Pedestrian & Bicycle Rail Crossing Study (Staff Report# 17-115-CC)
- K2. Potential modifications to process to remove limited on-street parking based on safety concerns and restrictions to electric vehicle charging stations (Staff Report# 17-116-CC)
- K3. Update on the PG&E tree removal mitigation plan for the Community Pipeline Safety Initiative (Staff Report# 17-126-CC)
- K4. Update on the draft community zero waste plan (Staff Report# 17-125-CC)

There was no discussion on Informational Items.

#### **L. Councilmember Reports**

- L1. Appoint Director to BAWSCA Board

**ACTION:** Motion to re-appoint Mayor Keith to represent the City of Menlo Park on the Bay Area Water Supply and Conservation Agency Board, passed 4-0-1 (Carlton absent).

Mayor Keith reported on the trip to Washington D.C. that took place in March 2017. Keith reported on meetings with Representative Pelosi's Office, Senator Feinstein's Office, Senator Harris' Office, with the representatives of the Federal Aviation Administration Office. Mayor Keith reported on meeting with representatives from other cities in the area. She reported on updates related to CalTrain electrification, Dumbarton Rail Corridor, housing tax credit financing, USGS site vacancy. She spoke about the importance of establishing relationships with Washington D.C. and participate regionally to be considered for additional funding.

Councilmember Mueller inquired about the status of the Belle Haven bus shelters.

#### **M. City Manager's Report**

City Manager Alex McIntyre announced the upcoming events and public meetings: Library appreciation event on May 25, at 5 p.m. in the Arrillaga Family Recreation Center; Belle Haven neighborhood traffic meeting on May 25, at 6 p.m. in the Senior Center; community meeting for the MidPen Project on 1300 block of Willow Road on June 5, at 6:30 p.m.; and community meeting on immigration issues on May 24, at 6:30 p.m. in the City Council Chambers.

**N. Adjournment**

Mayor Keith adjourned the meeting at 11:30 p.m.

Jelena Harada, Deputy City Clerk



**REGULAR MEETING MINUTES - DRAFT**

**Date:** 10/17/2017  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

**A. Call To Order**

Mayor Kirsten Keith called the regular session to order at 7:10 p.m.

**B. Roll Call**

**Present:** Carlton, Cline, Keith, Mueller. Councilmember Ohtaki participated by phone from Courtyard by Marriott, Business Center, 1100 S. Price Road, Chandler, AZ 85286

**Staff:** City Manager Alex McIntyre, City Attorney Bill McClure, Deputy City Clerk Jelena Harada

**C. Pledge of Allegiance**

Mayor Keith led the pledge of allegiance.

**D. Presentations and Proclamations**

**D1. Proclamation recognizing Disability Employment Awareness Month**

Charlie Weidanz accepted the proclamations recognizing the Disability Employment Awareness Month and Abilities United.

**D2. Presentation by Santa Clara County on the Stanford University General Use Permit Draft Environmental Impact Report**

Director of Planning and development for Santa Clara County Kirk Girard made the presentation.

**E. Public Comment**

- Steve Van Pelt spoke about the Ravenswood railroad crossing grade separation.
- Peter Leroe-Munoz spoke about Turkey Trot event on Thanksgiving.

**F. Consent Calendar**

**F1. Authorize the City Manager to enter into a consultant agreement for the Parks and Recreation Facilities Master Plan project (Staff Report #17-253-CC)**

**F2. Approve the Belle Haven Traffic Calming Study scope of work (Staff Report #17-251-CC)**

**F3. Adopt a resolution designating the Public Works Director as the City's Agent for the Chrysler Stormwater Pump Station grant funding application (Staff Report #17-250-CC)**

- F4. Authorize the City Manager to enter into maintenance agreements required by conditions of approval of the Facebook projects (Staff Report #17-249-CC)

**ACTION:** Motion and second (Cline/Keith) to approve items F1, F3 and F4 on the Consent Calendar passed unanimously.

Mayor Keith pulled item F2 for clarification. Assistant Public Works Director Nicole Nagaya provided clarification.

- Cecilia Taylor spoke about traffic on Willow Road and O'Brian Drive.

**ACTION:** Motion and second (Cline/Keith) to approve item F2 passed unanimously.

## **G. Public Hearing**

- G1. Adopt a temporary 45-day interim urgency moratorium ordinance on the establishment of commercial cannabis land uses and outdoor personal cannabis cultivation (Staff Report #17-247-CC)

Assistant Community Development Director Mark Muenzer introduced the item.

Mayor Keith opened the public hearing. No comments were heard on this item. By acclamation the public hearing was closed.

**ACTION:** Motion and second (Carlton/Cline) to adopt a temporary 45-day interim urgency moratorium ordinance on the establishment of commercial cannabis land uses and outdoor personal cannabis cultivation, passed unanimously.

## **H. Regular Business**

- H1. Approve next steps for library system improvements (Staff Report #17-243-CC)

Assistant director of Library Services Nick Szegda introduced the item.

- Pamela Jones requested clarification on budget and library usage data.
- Betsy Halaby spoke about the Library space needs study.
- Anne Craib spoke about the Finance and Audit Committee meeting.
- Monica Corman spoke about libraries in Menlo Park.

**ACTION:** Motion and second (Mueller/Carlton) to appoint a Belle Haven Neighborhood Library Advisory Committee, that would be charged with advising staff and consultants throughout the system improvements in the Belle Haven neighborhood, and would include a Spanish speaking member; approve the scope of the public outreach to gather siting input for the main library; explore the timing of a ballot measure to seek public input on the use of debt financing for improvements to the library system; and direct staff to return to the City Council with progress updates. The motion passed unanimously.

**ACTION:** Motion and second (Cline/Ohtaki) to approve 1.0 FTE for an Assistant to the City Manager position, to manage the library improvements projects; allocate \$1 million from the General Fund Reserves for a new Library System Improvements; and authorize the City Manager to sign and execute contracts up to \$250,000 related to the library project up to the budgeted amount. The



motion passed 4-1 (Mueller dissents).

**ACTION:** Motion and second (Mueller/Carlton) to approve an appropriation for immediate improvements to the branch library in the amount of \$140,000, passed unanimously.

H2. Waive the reading and adopt ordinances rezoning and rezoning the property located at 2111-2121 Sand Hill Road (Staff Report #17-237-CC)

Associate Planner Tom Smith introduced the item.

- Diane Bailey spoke about sustainability standards.

**ACTION:** Motion and second (Ohtaki/Cline) to waive the reading and adopt ordinances rezoning and rezoning the property located at 2111-2121 Sand Hill Road, passed 3-2 (Keith dissents; Mueller dissents).

H3. Consider submitting a proposal to the Bloomberg Philanthropies Mayors Challenge that would extend the recently adopted General Plan's sustainability requirements to the entire city (Staff Report #17-258-CC)

Sustainability Manager Rebecca Lucky introduced the item.

- Diane Bailey spoke about the Bloomberg Philanthropies Mayors Challenge.

**ACTION:** Motion and second (Ohtaki/Keith) to submit a proposal to the Bloomberg Philanthropies Mayors Challenge that would extend the recently adopted General Plan's sustainability requirements to the entire city, passed 3-0-2 (Carlton abstains; Cline abstains).

Mayor Keith and Mayor Pro Tem Ohtaki volunteered to form a committee to work with staff to refine the proposal.

H4. Consider approval of the terms of a successor agreement between the City of Menlo Park and the Menlo Park Police Sergeants' Association expiring June 30, 2019 (Staff Report #17-218-CC)

**ACTION:** Motion and second (Cline/Keith) to approve the terms of a successor agreement between the City of Menlo Park and the Menlo Park Police Sergeants' Association expiring June 30, 2019, passed unanimously.

H5. Amendment to employment agreement with Alex. D. McIntyre (Staff Report #17-255-CC)

**ACTION:** Motion and second (Cline/Ohtaki) to approve the amendment to employment agreement with Alex D. McIntyre with direction to review McIntyre's performance at the end of six months, passed unanimously.

H6. Consider approval of salary ranges for new and existing job classifications and adopt a resolution amending the City Council adopted salary schedule (Staff Report #17-254-CC)

**ACTION:** Motion and second (Cline/Keith) to approve the salary ranges for new and existing job classifications and adopt a resolution amending the City Council adopted salary schedule, passed unanimously.

**I. Informational Items**

- I1. Update on the Heritage Tree replacement planting at 1810 Bay Laurel Drive (Staff Report #17-252-CC)
- I2. Hello housing quarterly report (Staff Report #17-256-CC)
- I3. Update on the Bedwell Bayfront Park Master Plan Project (Staff Report #17-257-CC)
- I4. Update on bus shelter installation in Belle Haven (Staff Report #17-248-CC)

**J. City Manager's Report**

**K. Councilmember Reports**

Mayor Keith announced a special City Council meeting on October 30, 2017, in the City Council Chambers at 7:00 p.m., and upcoming community meetings. Councilmember Mueller provided status update on snack shack. Mayor Pro Tem Ohtaki asked that a letter of support be sent to Galway, Ireland, in the wake of the hurricane Ophelia.

**L. Adjournment**

Mayor Keith adjourned the meeting at 12:05 a.m. on October 18, 2017.

Jelena Harada, Deputy City Clerk



**STAFF REPORT**

**City Council Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-294-CC

**Regular Business:** **Adopt a resolution authorizing the installation of temporary traffic calming modifications to the Willows neighborhood due to construction impacts of the Willow Road/US 101 interchange; and appropriate \$275,000 from the Measure A fund for the Bayfront Expressway, Willow Road, and Marsh Road adaptive signal timing project**

**Recommendation**

Staff recommends that City Council adopt a resolution (Attachment A) authorizing the installation of temporary traffic calming modifications (e.g., peak hour turn restrictions, signage, pavement markings, etc.) to the Willows neighborhood due to construction impacts of the Willow Road/US 101 interchange; and appropriate \$275,000 from the Measure A fund for the Bayfront Expressway, Willow Road, and Marsh Road adaptive signal timing project.

**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 provide options to address traffic concerns in the local neighborhoods. Council may order, by resolution, the installation of traffic control devices as identified in section 11.12.010 of the City’s Municipal Code.

**Background**

Caltrans is modifying the interchange at Willow Road and U.S. 101 from its former “full cloverleaf” style to a “partial cloverleaf” style similar to the Marsh Road and U.S. 101 interchange. This will eliminate the short merge weaves on both 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.

Before 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 was completed in September 2017 and Bay Road and Van Buren Road are both completely open to traffic at all times.

The Caltrans construction of the Project is being performed in four stages. Stage 1 was completed at the end of October. Items completed in Stage 1 include:

- Shifting roads and ramps to temporary locations
- Installing temporary lighting

- Beginning demolition of existing bridge

Stage 2 began in early November 2017 and includes:

- 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 are on the north side of Willow Road, all on- and off-ramps for southbound 101 are on the south side of Willow Road – the configuration is similar to the southbound off-ramps at the University Avenue and U.S. 101 interchange);
- 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 and street lighting installation.

During Stage 4, the contractor will install all final signing, striping and traffic signals to prepare the interchange for opening the final structure.

#### *Other Ongoing Complementary Efforts*

Historical traffic counts and community feedback over the last several decades illustrate an existing cut-through traffic concern in the Willows neighborhood and high vehicular volumes and delays on Willow Road from Middlefield Road to Bayfront Expressway during peak commute hours. An extensive community engagement process was performed in 2011 as part of a neighborhood traffic study to develop and evaluate various traffic calming methods to alleviate these cut-through concerns. However, community opinions on the potential modifications were split and consensus was not reached. Therefore, the Council at the time recommended not advancing installation of the recommended improvements. Earlier this year, as part of the City Council's 2017 Work Plan, the Willows Complete Streets Study was prioritized to evaluate potential cut-through traffic and safe routes to schools modifications, building on the prior efforts.

In October 2017, a resident on Marmona Drive in the Willows neighborhood officially began the City's Neighborhood Traffic Management Plan (NTMP) process to address cut-through traffic and speeding concerns on Marmona Drive, Baywood Avenue, Clover Lane, Blackburn Avenue, McKendry Drive and Robin Way. That process has received the necessary resident signatures and was approved for advancing to the next stage by the Complete Streets Commission in October 2017. A neighborhood meeting to discuss possible traffic calming devices and locations is tentatively scheduled for mid-December and, pending the outcome, would advance to a resident survey early next year.

#### *Current Status*

Upon activation of the new temporary traffic signals for the U.S. 101 northbound and southbound ramps on November 6 and 7, 2017, traffic changes and increased delay were observed west of US 101, in the Willows neighborhood in particular. On Thursday, November 8, an equipment failure of the new signals further exacerbated the backups and neighborhood impacts. Incidents on the Dumbarton Bridge and US 101 have also exacerbated local congestion several times since the signals were activated. Typically traffic changes such as these can take one to three months for driver behaviors to normalize after a significant change in patterns as was implemented.

Additionally, there are other ongoing and upcoming construction projects occurring along the U.S. 101 corridor including the San Francisquito Creek Bridge Replacement and the Clarke Avenue – US 101 Bicycle/Pedestrian Overcrossing construction both in East Palo Alto.

As a result of the community reports of increased neighborhood traffic, the City Council added an urgent item on their November 14, 2017, agenda to discuss immediate measures to alleviate the traffic impacts. At this meeting, the City Council directed staff to install “No Thru Traffic” signs throughout the neighborhood to address the additional traffic that the neighborhood is experiencing. The “No Thru Traffic” signs are intended to discourage cut-through traffic. The next day, November 15, 2017, City staff installed a number of yellow advisory signs that were already on hand at key entry points the neighborhood as follows:

- Woodland Avenue at Middlefield Road
- Woodland Avenue at the Pope-Chaucer Bridge
- Baywood Avenue at Woodland Avenue
- Blackburn Avenue at Willow Road
- Menalto Avenue at Chester Street (to reflect no access to Willow Road via Menalto Avenue once beyond Chester Street)

White regulatory signs were immediately ordered and the yellow advisory signs were replaced with white regulatory signs on November 27, 2017. Staff is continuing to explore additional sign locations and respond to concerns and comments on sign locations from neighborhood residents as feedback is received. Although the new signs are regulatory, the signs do not appear to be enforceable as described in the March 28, 2017, City Council staff report #17-071-CC.

In addition to these signs, Caltrans’ contractor added new pavement paint at the interchange on Friday, November 17, 2017, and additional signs have been ordered and will be installed as soon as possible to help clarify the temporary changes and better direct traffic during construction.

Caltrans and the City are coordinating the traffic signals along Willow Road from Durham Street to Newbridge Street so that the traffic can flow through the interchange more smoothly. Traffic signal changes began on Wednesday, November 22, 2017 and are continually being monitored and adjusted as necessary. City staff is also pursuing grant funds to further coordinate the signals between Middlefield Road and Bayfront Expressway, in collaboration with Caltrans, using an adaptive signal timing system. The grant application was submitted on November 20, 2017, following the City Council adoption of a resolution of support on November 14, 2017.

Electronic signs have also been added at Middlefield Road near Willow Road, along westbound Bayfront Expressway in advance of Willow Road and on northbound US 101 to advise drivers of the construction and encourage them to use alternate routes. In addition, City staff placed two electronic signs on Willow Road to advise drivers of the new traffic signals at the interchange. On Tuesday, November 28, 2017, these City owned electronic signs were relocated to Woodland Avenue at Middlefield Road and on Menalto Avenue between Durham and Chester streets to reiterate the message of No Thru Traffic.

Menlo Park Police Department staff has increased police presence and enforcement in the construction and neighborhood areas.

## Analysis

Typically, traffic changes such as these take one to three months for driver behaviors to normalize after a significant change in patterns as was implemented. However, since the community has voiced urgent concerns about the impacts to the local neighborhood, City Council directed staff to return with additional options to consider as soon as possible. City staff has assembled and considered options in addition to those already implemented to reduce the neighborhood traffic impacts for City Council to consider. While every effort has been made to put together thoughtful recommendations based on staff’s observations and

knowledge of the traffic patterns, due to the time constraints, the options discussed in this staff report have not been analyzed in detail, nor has any community outreach been performed to obtain feedback from the various stakeholders and community members. All suggestions received from the community as of 7:30 a.m., Thursday, November 30, 2017, have been reviewed and are listed in Attachment B. Options were categorized into three tiers of potential improvements, Short-Term Recommendations that focus on the highest impact areas, Mid-Term Considerations to consider at a future time should the short-term items shift traffic to other streets and Other Considerations that require more extensive analysis, outreach and longer term efforts. Mid-Term and Other Considerations include options that may have more notable reductions in cut-through traffic, but they will likely have greater impacts to the local residents and businesses within the neighborhood.

Staff is recommending the City Council authorize, by resolution, the installation of Short-Term Recommendations. These recommendations would be an incremental step in addressing the cut-through traffic and congestion being experienced by the Willows neighborhood. Mid-Term Considerations would be brought back to City Council at a later date for discussion pending the outcome of Short-Term changes, as they would be more impactful to local residents in the Willows neighborhood.

### *Short-Term Recommendations*

Options that are expected to have the most limited impacts to the local neighborhood traffic while discouraging the most common cut-through routes during construction are included in this tier of potential improvements. These options include some items previously studied and considered as part of the 2011 Willows Neighborhood Traffic Study and are made up of suggestions and comments received from the community since the installation of the temporary traffic signals and from various staff observations and experiences. These options are recommended for temporary installation during construction and will be removed upon the Willow Road-US 101 interchange construction completion. These options are an incremental step to address the current most common areas of traffic concerns and would be evaluated with ongoing monitoring and field observations. These recommendations are illustrated on Attachment C and include the following:

- Addition of “No right-turn, 3-7 PM weekdays” signs on O’Keefe and Chester streets to restrict right turns onto Willow Road;
- Addition of “No right turn on red, 3-7 PM weekdays” sign(s) at Durham Street to restrict right turns during the red signal onto Willow Road;
- Addition of “Keep clear” pavement markings on Willow Road at O’Keefe, Chester, Durham streets;
- Addition of “No left turn, 3-7 PM weekdays” sign to restrict left turns from Woodland Avenue to Baywood Avenue;
- Addition of “No access to Willow Road” signs on Laurel Avenue at Chester Street and Menalto Avenue at Chester/Green Street;
- Installation of partial bulb out at Middlefield Road and Woodland Avenue as shown in Attachment D; and
- Appropriation of \$275,000 to program and pre-fund a project to install adaptive signal timing in advance of potential future grant awards.

It should be noted that these recommendations may have possible impacts to other streets and routes within the adjacent neighborhoods, such as shifting traffic to Gilbert Avenue or Santa Monica and Santa Margarita avenues to Coleman Avenue and that no community outreach has been completed by staff regarding these options due to the time constraints in preparing these recommendations.

### *Mid-Term Considerations*



Staff has also identified additional improvements that may be brought back to City Council for discussion at a later date, should the Short-Term Recommendations not provide sufficient congestion relief to the local neighborhood. However, while these modifications would further reduce cut-through desirability, they would also create more impacts on local circulation to residents by restricting access routes to and through the Willows neighborhood. Given these local impacts, staff recommends these options may be considered by the City Council following an assessment of whether Short-Term measures alleviate critical concerns. That assessment would be based upon ongoing qualitative monitoring and observations. Additionally, it is anticipated that traffic patterns would normalize in the coming months, and drivers would have adjusted their patterns and behaviors. These considerations include the following:

- Addition of “No right turn on red” sign(s) on Gilbert Avenue to restrict right turns onto Willow Road;
- Addition of “No right turn, 3-7 PM weekdays” sign to restrict left turns from Pope-Chaucer bridge to Woodland Avenue;
- Addition of “No left turn” sign(s) on Marmona Drive to restrict left turns onto Gilbert Avenue;
- Addition of “No left turn” sign(s) on Woodland Avenue to restrict left turns onto Blackburn Avenue; and
- Install a full closure of Clover Lane at Willow Road creating a cul-de-sac.

#### *Other Considerations*

This tier of potential modifications includes options that will require additional study and significant community outreach before implementation due to more severe impacts to both through traffic and neighborhood traffic. These studies would include environmental review and would evaluate impacts to local circulation. Staff is not recommending these modifications at this time, but is identifying potential major changes to the circulation in the area to address the concerns that have been raised. These modifications could include the following:

- Temporarily lifting overnight parking restrictions along Woodland Avenue;
- Provide local resident placards to the approximately 2,500 residential units including East Palo Alto, set up monitoring stations at the 15 entry points into the Willows neighborhood and determine a method to allow local business and school employee, student and patron access into the neighborhood;
- Modify Willow Road to be one-way during PM peak hour(s);
- Add lanes to Willow Road by removing parking/bike lanes;
- Add stop signs at intersections such as Central Avenue at Elm and Walnut streets and on Laurel Avenue at Elm and Walnut streets; and/or
- Closure of Pope-Chaucer Bridge to vehicle traffic, maintaining pedestrian and bicycle access only.

Each of these changes would have potentially significant unintended consequences; including drawing more traffic to Willow Road, University Avenue or other cut-through routes in the area, such as Ringwood Avenue, Santa Monica Avenue, Santa Margarita Avenue, etc. Staff does not plan to pursue any of these options at this time, unless explicitly directed by the City Council at this or future meetings.

#### *Willows Complete Streets Study*

The City Council directed in the 2017 Work Plan to prepare the Willows Complete Streets study. This effort would perform community outreach and evaluate options to address the existing pre-construction neighborhood traffic issues and access routes to local schools, including the Laurel Upper School campus. This report outlines that these issues have been exacerbated by the Willow Road-US 101 Interchange construction. The recommendations included in this staff report are intended to address the temporary construction impacts; however, some of these options may be beneficial in addressing the existing pre-construction traffic concerns. Additionally, some of the improvement suggestions received by staff to address construction related traffic would be more appropriate to address safe routes to schools concerns

and other neighborhood traffic concerns. An example of such improvements is potential addition of stop signs on Central Avenue at Elm and Walnut streets and on Laurel Avenue at Elm and Walnut streets. Potential crossing improvements could also be included in this study for safe routes to schools enhancements.

Additionally, the Willows Complete Streets Study would include evaluation of permanent installation of any of the Short-Term Recommendations, and the desirability of Mid-Term and Other Considerations through the community engagement process.

### *Mapping Services Coordination*

Staff is coordinating with various mapping services and mapping editors, such as Waze, in an attempt to incorporate these traffic restrictions into their programs. Staff has also performed research and outreach to other local communities that have added similar restrictions. The intention of having the additional signs added to the mapping applications is to discourage the application from directing vehicles into the neighborhoods thereby limiting the through traffic and congestion. Staff is also working on implementing a system to input citywide construction projects and traffic control areas into these mapping applications.

### *Conclusion*

Due to the time constraints to develop these options and recommendations, no specific community outreach has been completed, no community feedback has been solicited and no engineering evaluations have been performed on these recommendations. Staff is relying on field observations, suggestions from community members, and engineering judgment to prepare these recommendations. As described above, it is anticipated that traffic shifts will occur over a period of normalizing traffic behaviors, which typically takes one to three months, and adjustments can be made to address possible shifts that may cause congestion in other areas. These recommendations are an incremental step to address the current most common areas of traffic concerns. The effectiveness of these recommendations, if implemented, would be an on-going qualitative monitoring program throughout the remainder of the construction. A complete list of community members' suggestions is included as Attachment B.

### **Impact on City Resources**

City funds and staff resources are required to implement and monitor this ongoing effort, which affects other projects, including the Ravenswood Avenue Grade Separation Project, Middle Avenue Pedestrian and Bicycle Crossing and other items in the 2017 City Council Work Plan. It is also affecting the Police Department's patrol and parking enforcement efforts, as patrol officers are being stationed in the Willows neighborhood to assist with traffic enforcement, as calls for service allow. Should City Council direct staff to include items in addition to the Short-Term Recommendations, additional City Council Work Plan items are likely to be impacted, such as the Transportation Master Plan, Safe Routes to Schools initiative, and development project reviews.

Staff is also requesting that City Council appropriate \$275,000 from the Measure A fund to expedite the Bayfront-Willow-Marsh Adaptive Signal Timing grant project, which City Council approved staff to pursue grant funds for on November 14, 2017. There are sufficient funds in the fund balance to cover this appropriation in 2017-18, and the appropriation would allow staff to begin preliminary steps to initiate the project (scoping, procurement and advance equipment purchasing). In addition, it would allow staff to pursue the project, even if the grant applications are not successful. Notification of the two possible grant awards is expected by March 2018.



## Environmental Review

Environmental clearance for the Willow Road-US 101 Interchange project was obtained by Caltrans on November 25, 2013. The proposed recommendations are modifications to the existing roadway network for safety for use during construction and are categorically exempt (section 15301(f)) under the California Environmental Quality Act (CEQA). Environmental analysis, including traffic studies, may be required for the installation of the Mid-Term or Other options identified that are more likely to have unintended impacts, by rerouting traffic to other streets.

## Public Notice

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

Additional 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 Weekly Digest ([menlopark.org/digestarchive](http://menlopark.org/digestarchive))
- Weekly Construction News Updates ([menlopark.org/constructionnews](http://menlopark.org/constructionnews))
- Emails to businesses
- Emails to the Police Department and Menlo Park Fire Protection District
- Project webpage updates ([menlopark.org/willow101interchange](http://menlopark.org/willow101interchange))
- Nextdoor posts
- Attendance at neighborhood public meetings

## Attachments

- A. Resolution
- B. List of Community Suggestions
- C. Short-Term Recommendations Map
- D. Middlefield Road and Woodland Avenue partial bulb-out proposal

Report prepared by:  
Angela R. Obeso, Senior Transportation Engineer

Report reviewed by:  
Nicole H. Nagaya, Assistant Public Works Director

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**RESOLUTION NO. XXXX****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
AUTHORIZING THE INSTALLATION OF TEMPORARY TURN  
RESTRICTIONS IN THE WILLOWS NEIGHBORHOOD**

WHEREAS, regional commute traffic accessing the Dumbarton Bridge (State Route 84) has resulted in significant cut-through traffic concerns in Menlo Park neighborhoods; and,

WHEREAS, the California Department of Transportation (Caltrans) began construction of the U.S. 101/Willow Road interchange in May 2017 and initiated Phase 2 of construction in early November 2017; and,

WHEREAS, the temporary Phase 2 construction modifications at the U.S. 101/Willow Road interchange have exacerbated these cut-through traffic concerns; and,

WHEREAS, the Willows neighborhood has requested the City Council install immediate modifications to alleviate the traffic concerns; and,

WHEREAS, temporary traffic calming devices during the expected two-year construction timeframe are recommended to help alleviate the cut-through traffic; and,

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

NOW, THEREFORE, BE IT RESOLVED, the City Council of Menlo Park does hereby authorize the installation of the following traffic signs at the locations identified below:

1. Addition of "No right-turn" signs on O'Keefe and Chester streets to restrict right turns from 3 p.m. to 7 p.m. weekdays onto Willow Road
2. Addition of "No right turn on red" sign(s) at Durham Street to restrict right turns during the red signal from 3 p.m. to 7 p.m. weekdays onto Willow Road
3. Addition of "Keep clear" pavement markings on Willow Road at O'Keefe, Chester, Durham streets
4. Addition of "No left turn" sign from Woodland Avenue to Baywood Avenue from 3 p.m. to 7 p.m. weekdays
5. Addition of "No access to Willow Road" signs on Chester Street at Laurel Avenue and Chester/Green Street at Menalto Avenue

I, Clay J. 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 fifth day of December, 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 fifth day of December, 2017.

---

Clay J. Curtin  
Interim City Clerk

**Willow Road – US 101 Interchange – Neighborhood Suggestions**

This list of potential modifications documents possible changes in the Willows neighborhood to address cut-through traffic concerns. It is generated from prior studies, staff observations and suggestions from community members received as of 7:30 a.m. Thursday, November 30, 2017. The purpose of this list is for information and brainstorming, and not all of the listed suggestions have been vetted for feasibility or desirability at this time. These are listed in no particular order.

**No Thru Traffic signs to Willow and University****Turn Restrictions**

Strategically deployed and time-bound turn restrictions

**Right Turn Restrictions**

During PM Commute (3 p.m. to 7 p.m.) weekdays only (Sat, Sun and Holiday excepted)

- Blackburn from and to Willow
- From Clover onto Willow
- From Willow to Clover except to Access 40 – 90 Middlefield Ave.
- From Menalto to Woodland
- From Pope-Chaucer Bridge onto Woodland
- From Middlefield to Woodland
- From Gilbert onto Willow
- Bundle:
  - Chester onto Willow (already has a No Left Turn restriction from Chester to Willow at all times)
  - Durham onto Willow (signalized intersection) No Right Turn on Red
  - O’Keefe onto Willow

**Left Turn Restrictions**

- From O’Keefe to Willow
- From Gilbert to Willow
- From Marmona to Gilbert
- From Woodland to Baywood

**No Outlet signs (No access to Willow)**

- Menalto at Chester/Green
- Laurel at O’Keefe, Durham and Chester
- Central at O’Keefe and Durham

**Woodland**

- Reduce width of Woodland by extending curb return next to the creek
- One way road in the direction from University Avenue to Menalto
- Give Woodland & Oak Court residents credits, rebates & incentives for buying Teslas to reduce greenhouse gases
- Install “No Thru Traffic” signs on Woodland at Middlefield and Woodland and Menalto

**Do Not Block Intersection/Keep Clear (Signage & Striping)**

- Willow at Chester
- Willow at Durham
- Willow at O’Keefe

**Stop Signs – create 4-way stop at**

- Elm and Central
- Walnut and Central
- Elm and Laurel

### **Signal Coordination/Synchronization**

- Willow Road from Durham to Newbridge
- University Avenue/101 corridor

### **Reduced Lane Widths/Remove edge lines to increase number of lanes**

### **High Visibility Crosswalks**

### **Signal Modifications**

Modify Signals on Willow at Durham, Coleman and Gilbert to allow permitted/protected left turns similar to the new modified signal at Middlefield and Oak Grove

### **Speed Bumps**

### **Install more drainage valley gutters across intersections like the one on Blackburn at McKendry**

### **Street closures and access restrictions**

- Close Clover at Willow to through traffic (eliminate one way from Clover to Willow)
- Install wooden half-fences or planter boxes on streets to restrict entrance

### **One-Way Streets**

- Chester from Willow to Menalto
- Willow during PM peak

### **Street reconstruction on Middlefield to Willow**

- Complete reconstruction as part of future street resurfacing project
- Stripe Middlefield for two lanes in northbound direction beginning at Woodland
- Add bike lanes
- Install HAWK at Woodland

### **Enforcement and Police Presence**

- Increased traffic police presence and enforcement
- Waiving overnight parking restrictions
- Deploy/increase use of Digital Speed Limit instant feedback signs (take photos of license plates)
- Park “unused” police cars in the neighborhood
- Placards for local residents

### **Make the No Thru Traffic signs more visible**

- To drivers on Middlefield at Woodland
- Permanent
- Mounting on street gates

### **Add “to Willow Road” or “to University Avenue” below “No Thru Traffic” signs**

### **Communicate with mapping applications to**

- Update maps to reflect new signs
- Inform of “construction zone” status to stop routing through the neighborhood







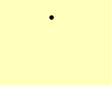


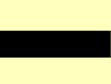


### **Plant more trees in the street to slow traffic**

### **Monitor effectiveness and track the change in use pattern with car counters**

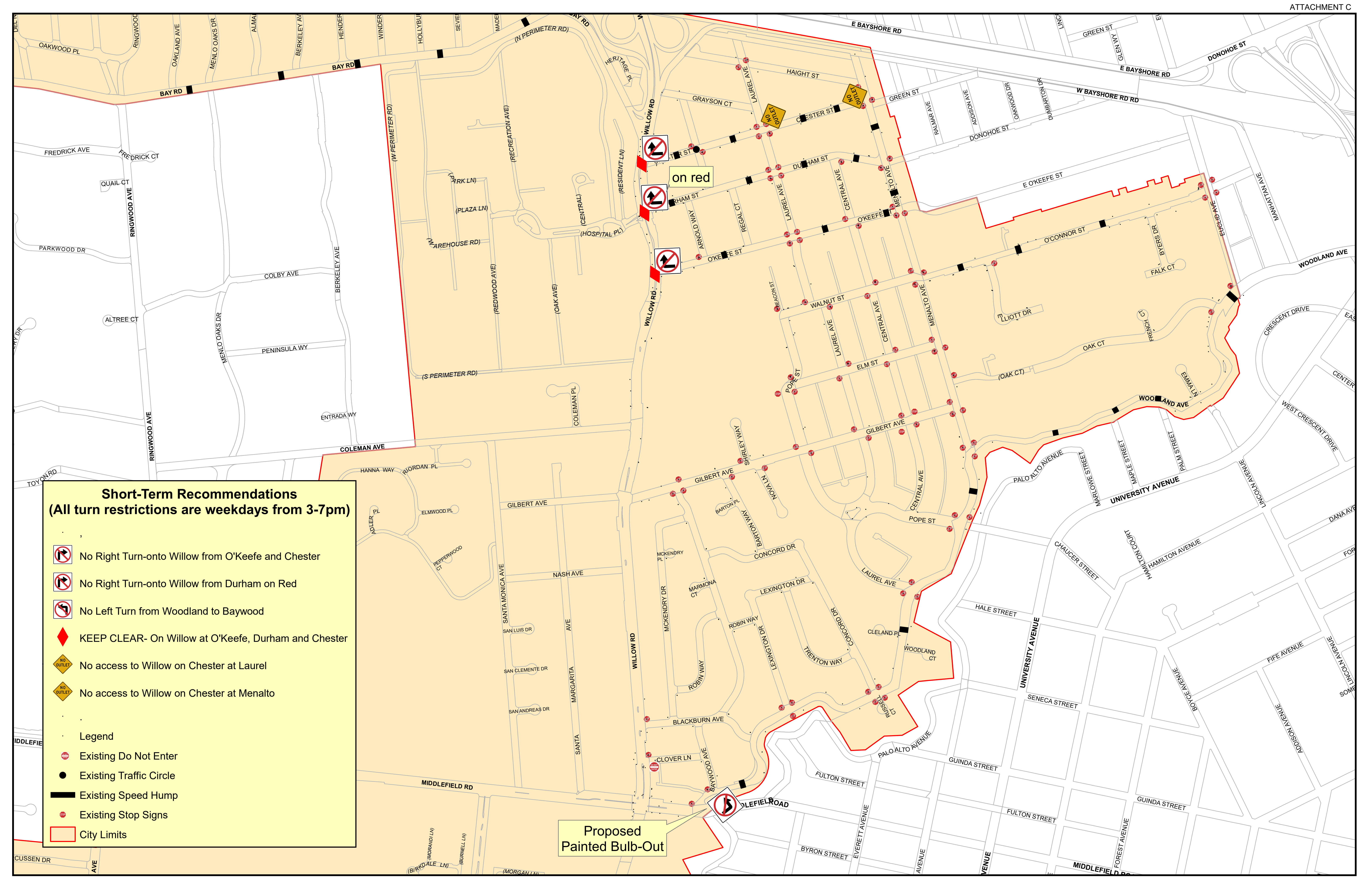
**Long term measure: Transit Shuttle service to/from a new larger Ardenwood “Park and Ride” in Fremont.**



**Short-Term Recommendations**  
**(All turn restrictions are weekdays from 3-7pm)**

-  No Right Turn-onto Willow from O'Keefe and Chester
-  No Right Turn-onto Willow from Durham on Red
-  No Left Turn from Woodland to Baywood
-  KEEP CLEAR- On Willow at O'Keefe, Durham and Chester
-  No access to Willow on Chester at Laurel
-  No access to Willow on Chester at Menalto
-  Legend
-  Existing Do Not Enter
-  Existing Traffic Circle
-  Existing Speed Hump
-  Existing Stop Signs
-  City Limits

Proposed Painted Bulb-Out





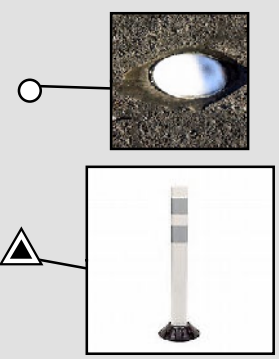
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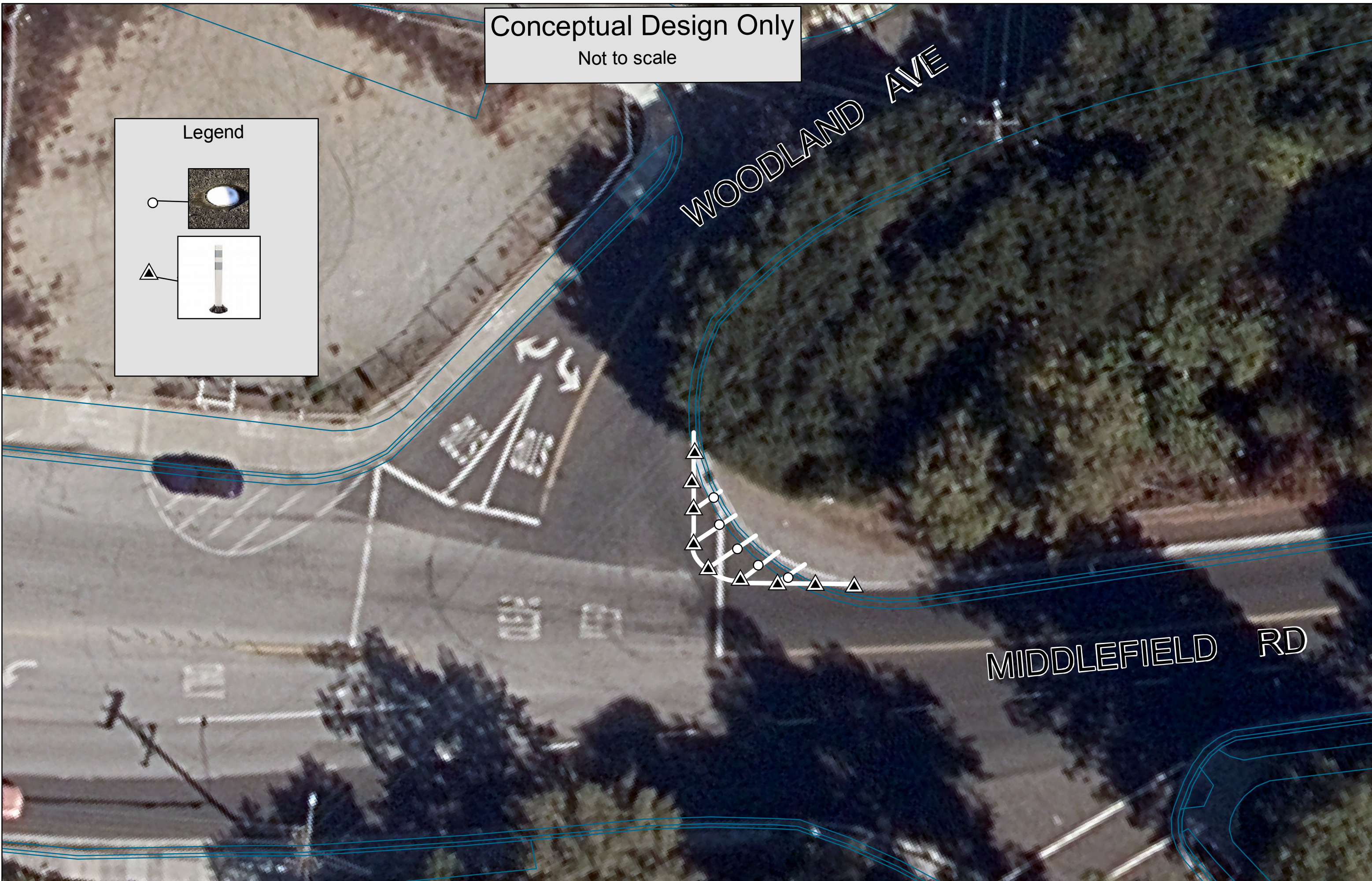
Conceptual Design Only

Not to scale

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**STAFF REPORT**

**City Council**  
**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-303-CC

**Regular Business:** **Authorize the City Manager to submit a list of transportation projects to be considered for inclusion in the *Get Us Moving* San Mateo County Expenditure Plan**

**Recommendation**

Authorize the City Manager to submit a list of transportation projects to be considered for inclusion in the *Get Us Moving* San Mateo County Expenditure Plan.

**Policy Issues**

The 2016 General Plan Circulation Element includes policies that seek to maintain a circulation system that will provide and maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe and active community and quality of life throughout Menlo Park and increases accessibility for and use of streets by pedestrians, bicyclists and transit riders.

**Background**

Several statewide and regional efforts are underway to explore increased revenue sources for transportation needs. On February 28, 2017, the City Council authorized support for SB1 (Beall)/AB1 (Frazier), which increased state gas taxes as a source of funds for regional and local multimodal transportation projects. This legislation was signed by Governor Brown and went into effect November 1, 2017. On July 18, 2017, the City Council authorized support for SB 595 (Beall), also known as Regional Measure 3 (RM3). RM3 is a potential bridge toll measure that would generate revenue for transportation improvements to improve bridge crossings.

A candidate project list is being developed, and the City and San Mateo County advocacy efforts have requested that funds be allocated for improvements in the Dumbarton Corridor. Voter approval of the measure is necessary before the measure could be implemented. On October 10, 2017, Governor Brown signed SB 797 (Hill) which authorized the Caltrain Board of Directors to place a measure before voters seeking a potential sales tax of no more than one-eighth cent before San Francisco, San Mateo and Santa Clara counties to support Caltrain's operations. On September 19, 2017, Governor Brown signed AB 1613 (Mullin) authorizing the San Mateo County Transit District (SamTrans) the authority to seek voter approval of a sales tax measure of no more than one-half percent to fund specific transportation projects as laid out in an expenditure plan within San Mateo County. The ballot measure would require acceptance from the San Mateo County Board of Supervisors and approval from two-thirds of the County voters. This measure is the subject of the effort, *Get Us Moving* San Mateo County, described below.

## Analysis

SamTrans and stakeholders have launched a call for candidate projects, which will close December 20, 2017. Candidate projects that are submitted will determine what transportation needs there are in the County and how funding should best be allocated. Submissions will endure review using Board-approved expenditure plan goals and criteria by a panel that will include SamTrans, the San Mateo County Transportation Authority (SMCTA), the City/County Association of Governments of San Mateo County (C/CAG), County and city representatives.

All eligible project and programs need to fall within one or more of the project types and categories listed:

### Type of Project

- State of Good Repair Expansion
- System Management
- Preservation
- Operations

### Category

- Local streets and roads
- Highway
- Transit
- Bike/Ped Improvements

Candidate projects or programs submitted should:

- Result from a plan or study and public review, or if not in a current plan or study, the project should have had public and/or governing board input. The San Mateo Countywide Transportation Plan (SMCTP) 2040 could be one of the plans that candidate projects are derived from.
- Be sufficiently defined to have project descriptions and reasonable cost estimates.
- Be sponsored by a jurisdiction or public agency.

Submittals should include:

- Project description.
- Estimated capital cost.
- Estimated operating and maintenance cost.
- Identified or prospective funding sources (local, state or federal).
- Project timeline; start and completion date or planning/construction phases.
- Description of how the project aligns with the *Get Us Moving* framework.

The primary method of scoring proposals will be how closely the project aligns to the *Get Us Moving* framework:

1. Invest Local Revenues to Leverage other Public and Private Sector Funding.
2. Expand Transportation Choices and Improve Travel Experience.
3. Expedite Project/Program Delivery.
4. Provide Congestion Relief.
5. Maximize Environmental Sustainability.
6. Promote Economic Vitality and Economic Development.
7. Enhance Safety and Reduce Overall Collisions, Injuries and Fatalities.
8. Fix it First – Improve System Financial Sustainability and Maintenance.
9. Expand Transit Ridership and Promote Quality Transit for Everyone.

Both the Technical Advisory Group and Stakeholder Advisory Group will be integral in developing the final expenditure plan and base much of their discussion on the submitted projects. The expenditure plan will be proposed to the SamTrans Board and the San Mateo County Board of Supervisors to decide whether to put a ballot measure before voters to fund the expenditure plan.

As previously mentioned, SamTrans will be accepting project information through December 20, 2017. Given the short turnaround, staff is recommending the attached list of projects to be submitted to the *Get Us Moving* San Mateo County.

### **Impact on City Resources**

This staff report has no impact on the City resources, but ongoing advocacy efforts and active participation in the *Get Us Moving* San Mateo County initiative will require possible City Council and staff time support. The proposed ballot measure has the potential to increase funding for transportation projects that could impact the City of Menlo Park.

### **Environmental Review**

Environmental review is not required for this agenda item. Individual projects would require environmental review before construction.

### **Public Notice**

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

### **Attachments**

- A. Draft Project List, *Get Us Moving* San Mateo County

Report prepared by:  
Chip Taylor, Assistant City Manager

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## City of Menlo Park Draft Project List, *Get Us Moving San Mateo County*

Draft Get Us Moving San Mateo County Project List		
Project Name	Brief Description	Source(s)
Re-activate Dumbarton Rail	Short-term between Redwood City and East Palo Alto; long-term across the San Francisco Bay	City General Plan <i>Connect Menlo</i> Dumbarton Transportation Corridor Study
Roadway Grade Separations	Willow Road/Bayfront Expressway University Avenue/Bayfront Expressway	City General Plan <i>Connect Menlo</i> Dumbarton Transportation Corridor Study
Railroad Grade Separations	<u>Dumbarton Corridor</u> University Avenue Willow Road Marsh Road  <u>Caltrain Corridor</u> Middle Avenue (bike/ped only) Ravenswood Avenue Oak Grove Avenue Glenwood Avenue Encinal Avenue	City General Plan <i>Connect Menlo</i>  Ravenswood Avenue Caltrain Crossing Study  Dumbarton Transportation Corridor Study
Railroad Crossing Improvements	Chilco Street with Dumbarton Rail Service	Staff Dumbarton Transportation Corridor Study
Bayfront Expressway Express Lanes	Provision of Express Lanes for High Occupancy Vehicles and Buses on Bayfront Expressway including direct connection at US 101/Marsh Road	Dumbarton Transportation Corridor Study
Bicycle/Pedestrian Multi-use Trail	On the Dumbarton Corridor between the Dumbarton Bridge (State Route 84), East Palo Alto and Redwood City	City General Plan <i>Connect Menlo</i> Dumbarton Transportation Corridor Study
El Camino Real Pedestrian Crossing & Streetscape Improvements	Add missing crosswalks and enhance existing crossings at 8 signalized intersections on El Camino Real Widen El Camino Real sidewalks, add street trees, median improvements, furnishings	El Camino Real Corridor Study El Camino Real/Downtown Specific Plan
Build out City Bicycle Network	Complete projects as identified in the City's Bicycle Plan	2005 Comprehensive Bicycle Development Plan (update underway as part of Transportation Master Plan)
Enhance Dumbarton Express Bus Service	Add route and enhance bus service connections to Menlo Park and Redwood City  Transit Signal Priority on Bayfront Expressway, Willow Road, Marsh Road	Dumbarton Transportation Corridor Study  Staff
Pedestrian Crossing Improvements	Enhance existing and future crosswalks per City Crosswalk Policy (e.g., Santa Cruz Avenue/Sharon Drive, Middlefield Road/Linfield Drive-Santa Monica Avenue)	Staff
<i>These projects represent those that the City has identified as having most benefit to local residents and the regional transportation network that would compete well for funding if the Get Us Moving San Mateo County Ballot measure is approved by the voters.</i>		

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## STAFF REPORT

### City Council

Meeting Date:

12/5/2017

Staff Report Number:

17-295-CC

Regular Business:

**Authorize submittal of a comment letter on the Final Dumbarton Transportation Corridor Study**

### Recommendation

Staff recommends the City Council authorize submittal of a comment letter (Attachment A) on the Final Dumbarton Transportation Corridor Study.

### 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. With the RM2 funding, SMCTA initiated project feasibility, planning and environmental review. 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, the Metropolitan Transportation Commission voted to repurpose the remaining RM2 funds to the BART extension from Fremont to 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, U.S. 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 August 14, 2017. On August 22, 2017, SamTrans presented the study to the City Council, and on September 25, 2017, SamTrans hosted a community meeting at the Menlo Park Senior Center to solicit comments from the community. At that meeting, concerns regarding the use of the rail right of way for buses (public and private) were raised.

On September 26, 2017, staff provided the City Council an update from SamTrans on the Study, which summarized the efforts to prepare the draft Study, its recommendations, and City comments on the draft Study. Comments from the September 25, 2017, community meeting were incorporated into the draft letter. The City's final submitted comment letter is included in Attachment B.

On November 20, 2017, SamTrans released the Final Dumbarton Transportation Corridor Study and associated frequently asked questions (FAQ) in response to common questions and comments raised during the public review period. The FAQ are included as Attachment C. A copy of the Final Study is available on the SamTrans website at the following link ([http://www.samtrans.com/Planning/Planning\\_and\\_Research/DumbartonTransportationCorridorStudy.html](http://www.samtrans.com/Planning/Planning_and_Research/DumbartonTransportationCorridorStudy.html)).

#### *Additional Regional Efforts on Dumbarton Corridor Improvements*

Complementary to the SamTrans Study, the Metropolitan Transportation Commission (MTC) has also initiated efforts to further the most feasible short-term improvements in the Dumbarton Corridor. MTC's effort is called *Dumbarton Forward*, and would complete an Alternatives Analysis for "innovative near-term strategies to improve traffic flow and influence a mode shift to increase person throughput within the SR 84 corridor." Improvements to the highway bridge, including approaches and the toll plaza, managed/express lane concepts, regional surface streets, transit and bicycle/pedestrian improvements are the areas of focus for these efforts. MTC kicked off the initiative in October 2017 and is expecting to have draft recommendations for review in spring 2018.

## **Analysis**

### *Summary of SamTrans' Final 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 Menlo Park City Council on August 22, 2017, and community workshop at the Menlo Park Senior Center on September 25, 2017. The recommendations of the Study include a phased approach to improvements over an approximately 20-year timeframe.

In addition to those recommendations listed below which were identified in the Draft Study, the Final Study includes one change in the recommendations. The potential bicycle/pedestrian multi-use path in the Dumbarton rail right of way from Redwood City to East Palo Alto, which was not previously recommended due to right of way constraints, will not be eliminated from consideration at this phase.

- Short-term (2020) improvements to enhance bus service and Highway bridge approach improvements, including new bus routes serving Menlo Park and Redwood City in addition to those currently serving Palo Alto
- Mid-term improvements (2025):
  - 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

- U.S. 101/Marsh Road express lane direct connector
- Expanded park-and-ride facilities at Ardenwood in Newark (from 350 surface spaces to a 1,200 space parking structure)
- Adding a direct connector (ramps) between the Dumbarton Rail right of way and U.S. 101 for buses to speed the connection to 101 Express lanes
- Implementing Rail Shuttle service between Redwood City and Newark
- Long-term improvements (2030+):
  - Increasing frequency of bus service
  - Extending Rail Shuttle service from Newark to Union City BART station and improving integration and coordination with ACE and Capitol Corridor services

### *SamTrans' Proposed Next Steps and City Comments*

The SamTrans Board of Directors is scheduled to take action December 6, 2017, on the Final Study. Specifically, the Board is anticipated to consider approval of the Final Study and authorization to conduct additional planning and conceptual design work, through a Technical Refinement to explore creative solutions and answer key questions received throughout the stakeholder and public outreach process, including, but not limited to:

1. Is it possible to safely implement a shared bus and bicycle lane?
2. How much would bus operations, ridership, and person throughput be impacted if only one bus lane (peak direction with no bypass areas) was constructed, leaving room for the bicycle/pedestrian multi-use path?
3. What are the operational, ridership and person throughput impacts of only constructing dedicated bus lanes in the right of way from the Highway Bridge to U.S. 101 express lanes, leaving room for a bicycle/pedestrian multi-use path in the right of way from U.S. 101 to Redwood City?
4. Is it possible to obtain additional right of way in the Corridor without high costs and community impacts?

As the outcome of these additional questions are of importance to the City's support of the Study results, staff is requesting that the City Council authorize submittal of a comment letter to the board of directors for consideration at the December 6, 2017 meeting. The draft letter is included in Attachment A, and summarizes the key points of consideration raised in the City's September 26, 2017 letter that staff is requesting be addressed through the Technical Refinement process. These items include:

- Support for continuing to advance the Study and moving short-term improvements as quickly as possible to provide immediate relief to residents and commuters on the corridor
- Support to continue work in the Corridor through the Technical Refinement process and further evaluation of the multi-use path
- Continued disagreement regarding the recommendation to provide bus service on the Dumbarton rail right of way between U.S. 101 and Willow Road

Staff is planning to attend the Board meeting to present the letter.

### **Impact on City Resources**

The staff time and budget associated with the review and coordination for this Study was budgeted in the City's 2015-16 Capital Improvement Program. No additional funds or resources are requested at this time. However, implementation of improvements identified in the Study will likely require future commitments of regional and local resources.

## **Environmental Review**

This action is not a project under the California Environmental Quality Act (CEQA).

## **Public Notice**

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

## **Attachments**

- A. Draft comment letter on the Final Dumbarton Transportation Corridor Study
- B. September 26, 2017 comment letter on the Draft Dumbarton Transportation Corridor Study
- C. Frequently Asked Questions released with the Final Dumbarton Transportation Corridor Study

Report prepared by:

Nicole H. Nagaya, Assistant Public Works Director

Reviewed by:

Justin Murphy, Public Works Director



December 5, 2017

Ms. Rose Guilbault  
San Mateo County Transit District  
P.O. Box 3006  
1250 San Carlos Ave.  
San Carlos, CA 94070

**RE: Final Dumbarton Transportation Corridor Study Comments**

Dear Ms. Guilbault,

The City appreciates SamTrans' continued leadership regarding the importance of the Dumbarton Corridor for transportation purposes in the mid-peninsula by advancing the Dumbarton Transportation Corridor Study. Ongoing traffic congestion and limited mobility options for residents and commuters along routes approaching the Dumbarton Bridge impacts quality of life for all users of these roadways. In particular, the area bounded by Willow Road, Bay Road, and Marsh Road including the Belle Haven, Willows, Lorelei Manor, Flood Triangle, and Suburban Park neighborhoods of Menlo Park, are most directly impacted by congestion on Willow Road and Bayfront Expressway. We are supportive of SamTrans' recommendations to allocate additional resources to prepare a Technical Refinement to further explore:

1. The potential provision of a multi-use trail along the rail right of way
2. Impacts to eliminating or reducing the proposed bus service running on the Dumbarton Rail right of way

However, we are submitting these comments to reiterate and expand on comments provided September 26, 2017, in response to the Draft Study. Through a community meeting held by SamTrans September 25, 2017, at the Menlo Park Senior Center, it was apparent that a major concern of the Belle Haven community is with buses operating on the Dumbarton right of way, adjacent to residences, schools, churches, parks and the Hamilton Avenue retail center. While the City recognizes the potential regional transportation value of running buses on a dedicated right of way free of other traffic, we also understand that such buses would potentially increase noise, pollution and traffic in closer proximity to the community than occurs today. There is a delicate balance needed to both move a large number of people through the region and address the community values and quality of life concerns raised by Menlo Park neighborhoods.

Therefore, the City is supportive of allocating the space needed to accommodate a bicycle/pedestrian multi-use pathway instead of providing bus and rail service along the Dumbarton right of way between Marsh Road and Willow Road. The current proposal for the Technical Refinement does not explore eliminating the proposed bus service between US 101 and Willow Road, adjacent to the Belle Haven neighborhood of Menlo Park. This area was of critical concern to the City based on our prior correspondence and it has not yet been addressed by the Final Study or Frequently Asked Questions. The City requests that the scope of the Technical Refinement be expanded to explore removal of the bus service on the Dumbarton rail right of way between US 101 and Willow Road.

Thank you for considering these comments. Please contact Assistant Public Works Director Nikki Nagaya at 650-330-6770 or [nhnagaya@menlopark.org](mailto:nhnagaya@menlopark.org) with any questions on the attached.

Sincerely,

Kirsten Keith  
Mayor



September 26, 2017

Ms. Melissa Reggiardo  
San Mateo County Transit District  
P.O. Box 3006  
1250 San Carlos Avenue  
San Carlos CA 94070

**RE: Dumbarton Transportation Corridor Study Comments**

Dear Ms. Reggiardo,

Please find attached the City of Menlo Park's comments on Dumbarton Transportation Corridor Study.

The City appreciates the opportunity to comment on the Study and looks forward to SamTrans' continued leadership regarding the importance of this Corridor for transportation purposes in the mid-peninsula. Ongoing traffic congestion and limited mobility options for residents and commuters along routes approaching the Dumbarton Bridge impacts quality of life for all users of these roadways. In particular, the area bounded by Willow Road, Bay Road, and Marsh Road including the Belle Haven, Willows, Lorelei Manor, Flood Triangle, and Suburban Park neighborhoods of Menlo Park, are most directly impacted by congestion on Willow Road and Bayfront Expressway.

Therefore, the City's comments on the attached pages focus on strategies that can improve both access to these neighborhoods, improve quality of life, and reduce regional through traffic using Willow Road and University Avenue. The City looks forward to these issues being addressed in the Final Study.

We further appreciate SamTrans hosting a meeting on the Study at the Menlo Park Senior Center on Monday, September 25, 2017. Through that community dialogue, it is apparent that a major concern of the Belle Haven community is with buses operating on the Dumbarton right-of-way, adjacent to residences, schools, churches, parks and the Hamilton Avenue retail center. While the City recognizes the regional transportation value of running buses on a dedicated right-of-way free of other traffic, we also understand that such buses would potentially increase noise, pollution and traffic in closer proximity to the community than occurs today. There is a delicate balance needed to both move a large number of people through the region and

address the community values and quality of life concerns raised by Menlo Park neighborhoods. Therefore, the City is supportive of allocating the space needed to accommodate a bicycle/pedestrian multi-use pathway instead of providing bus and rail service along the Dumbarton right-of-way between Marsh Road and Willow Road. More information is included in the attached comments.

Thank you for considering these comments. Please contact Nikki Nagaya, Assistant Public Works Director at 650-330-6770 with any questions on the attached.

Sincerely,

A handwritten signature in blue ink that reads "Kirsten Keith". The signature is fluid and cursive.

Kirsten Keith

Mayor

Enclosure



The City supports alternatives that:

- A. Improve quality of life, especially those that would provide multi-modal transportation options for local residents
- B. Provide a balanced approach to reducing congestion and reducing single occupant vehicle (SOV) travel in the Corridor
- C. 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

The following comments are organized by travel mode, as identified at the outset of each comment:

1. **Pedestrian/bicycle trail:** The City is strongly supportive of the addition of a multi-use pathway along the peninsula right-of-way. Through the City's ConnectMenlo Circulation Element Update, a multi-use pathway was identified as desirable through a series of many community meetings and thousands of hours of input by residents. Such a pathway would provide a critical connection for commute and recreational trips, especially for the Belle Haven neighborhood of the City and would allow improved access to services. The City requests that SamTrans explore opportunities to:
  - a. Reduce the required widths to operate rail and bus service in order to provide space needed for the pathway.
  - b. Provide off-peak access to the bus lanes to allow bicycle and pedestrian use.
  - c. Allow bus lanes to be shared with bicycles and provide a separated pedestrian pathway.
  - d. Consider one-way bus lanes in the peak direction, and using surface streets in the non-peak direction.
2. **Highway improvements:**
  - a. The City supports the alternatives 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 (Alternatives 4, 5 and 10)
  - b. The City does not support the Express Lane option that increases peak direction Bridge capacity, as it would lead to additional congestion on Willow Road and further degradation of travel time and quality of life in Menlo Park.
3. **Transit improvements:**
  - a. The City supports reactivation of the Dumbarton right-of-way for rail service, especially alternatives that would result in this service being activated on the Peninsula as soon as possible (such as a rail spur operating from Redwood City to Menlo Park and East Palo Alto).
  - b. In the mid- to long-term, the City supports efforts to provide electrified rail service along the right-of-way, across the Rail Bridge and to the East Bay.
  - c. The City supports the addition of Express and bus lanes on Bayfront Expressway with a connection to Marsh Road at US 101.
  - d. As proposed, the City does not support the addition of bus service along the Dumbarton Rail right-of-way between Marsh Road and Willow Road in addition to rail service.
  - e. The City does not support elimination of the bicycle lanes on Willow Road in

- order to accommodate bus only lanes on Willow Road
4. Long-term, the City supports improvements that would capitalize on the regional rail connections with ACE, Capitol Corridor and Caltrain service.
  5. The City supports buying out the Union Pacific freight service rights along the rail right-of-way.

Other comments:

6. The City requests additional information on the following topics:
  - a. Grade separation concepts at Willow Road and University Avenue and Bayfront Expressway and the Henderson Crossing/Railroad bridge interchange concept, including an estimate of the height of any bridge structures that could be constructed with such alternatives.
  - b. At-grade crossing proposal for Chilco Street, including commitment to keep the street open and maintain vehicle access.
  - c. Provision of bus stop locations that could serve the Belle Haven neighborhood in Alternatives 2, 4, 5, 6 and 10.
7. Chapter 10 of the Study includes a summary of assumptions built into the travel demand forecast development. In Section 10.2, Socio-economic forecasts, the Study describes that job-related growth in the cities of Mountain View, Menlo Park, Palo Alto, Redwood City and Stanford have been accounted for, consistent with pending development applications. Specifically in Menlo Park, the Study references that pending applications by Facebook to expand through conversion of existing industrial properties has been accounted for in the 2020 and 2040 forecasts. Additionally, the Study included a “high-growth” scenario that further increased employment-related growth according to current trends. However, the Study does not describe assumptions made relating to job or housing growth anticipated in Menlo Park, outside of Facebook’s pending application. Specifically, the City’s recent ConnectMenlo General Plan Update includes the provision for up to 4,500 housing units near the Dumbarton Corridor, which would generate potential ridership but with different travel patterns and needs than a wholly employment-based growth scenario. Similarly, the City of East Palo Alto has adopted the Ravenswood Business District Specific Plan that includes mixed-use growth plans. How these growth scenarios are currently addressed in the modeling should be clarified in the Study. If this growth is not currently accounted for in the modeling efforts, the City requests that the assumptions be revised.
8. The City requests that future efforts to continue to advance these alternatives should address environmental impacts at the next stage of project development, environmental review per the California Environmental Quality Act (CEQA) and NEPA. Issues that should be addressed include the potential impacts to wetlands adjacent to the Dumbarton Corridor and Willow Road and sea level rise.

# Frequently Asked Questions

## General

### 1. **What are the next steps if the SamTrans Board of Directors approves the Dumbarton Transportation Corridor Study (DTCS)?**

The SamTrans Board of Directors will be asked to approve the DTCS (with one primary change) and authorize additional work. A potential bicycle/pedestrian multiuse path in the Dumbarton rail right-of-way from Redwood City to East Palo Alto, which was not previously recommended due to limited space in the 100-foot Dumbarton right-of-way, will not be eliminated at this phase of study. The DTCS verifies that 65 feet is needed for two rail tracks to ensure safe and efficient rail operations and maintenance. The DTCS also recognizes the benefit of bus lanes that are wide enough to allow for efficient maintenance and the passing of buses in the event of a breakdown. However, there may be some creative ways to accommodate a bicycle/pedestrian multiuse path in the right-of-way. Additional planning and conceptual design work in the form of a Technical Refinement will attempt to answer questions received throughout the DTCS outreach process, including, but not limited to:

- Is it possible to safely implement a shared bus and bicycle lane?
- How much would bus operations, ridership, and person throughput be impacted if only one bus lane was constructed, leaving room for the bicycle/pedestrian multiuse path?
- What are the operational, ridership and person throughput impacts of only constructing dedicated bus lanes in the right-of-way from the Highway Bridge to US 101 express lanes, leaving room for a bicycle/pedestrian multiuse path in the right-of-way from US 101 to Redwood City?
- Is it possible to obtain additional right-of-way in the Corridor without high costs and community impacts?

There will also be additional study of bicycle/pedestrian connections outside of the Dumbarton right-of-way that would further mobility objectives for the communities along the right-of-way, such as increasing connectivity to the Bay Trail. This Technical Refinement study will also include additional rail operations analysis and a deeper look at high-capacity, standard gauge rail technologies and operations.

### 2. **Would the various Dumbarton Transportation Corridor Study (DTCS) recommendations compete for funding as they serve similar travel markets?**

While various DTCS recommendations could potentially compete for the same funding, the recommended improvements are serving different travel markets. The enhanced Dumbarton Express bus services on the Highway Bridge (including two new routes

from Union City to Menlo Park/Redwood City and Mountain View/Sunnyvale) would serve trips from the Tri-Cities (Newark, Fremont and Union City) to the Peninsula with one-seat rides. Bus service is flexible and would be able to serve many major employers directly. However, the Dumbarton Rail Corridor presents an opportunity to serve more regional travel markets with commuter rail. With strategic connections and potentially streamlined operations with Altamont Commuter Express (ACE) as well as Capitol Corridor rail services, the travel market that could be served by rail service expands from the Peninsula to Stockton or potentially Sacramento. Regional travel demand modeling performed as part of the DTCS estimates approximately 4,000 transfers from ACE, signifying that the Central Valley to Peninsula market is underserved. Regional rail connections may become even more important over time as jobs and housing continue to grow in different parts of the Bay Area.

**3. Do the proposed alternatives increase vehicle or person throughput?**

All of the proposed alternatives increase the person throughput across the Highway Bridge, by about 10 percent to 20 percent depending on the alternative. Vehicle throughput does not vary much across the alternatives, except for the express lanes alternatives; the one express lane in each direction alternative (Alternative 5) decreases vehicle throughput by around 6 percent while the reversible express lanes alternative (Alternative 4) adds peak direction capacity and increases throughput by about 8 percent.

**4. How would the recommended transit improvements improve current travel times for popular commutes?**

The existing and projected travel times for some popular origin-destination pairs are provided below. The long-term enhanced bus routes, especially DB, DB1 and Menlo Park/Redwood City, would provide substantial travel time savings compared to existing conditions. A commuter rail service that would ultimately interline with Caltrain (operate on Caltrain mainline tracks) would provide more travel time savings from Union City to destinations such as San Francisco, San Jose, but especially from Stockton to Redwood City. Note that aside from travel time benefits, the proposed improvements would greatly improve reliability.

		Existing Transit in 2017	Recommendations		
Start	End	Travel Time (min)	Mode(s)	Long-Term Enhanced Bus	Commuter Rail - Double Track
Union City BART	Palo Alto - Stanford Oval	60	DBX Bus	43	46
Union City BART	Palo Alto - Page Mill Rd / ECR or Hanover	50	DB1 Bus	45	51
Union City BART	Mountain View – E Java and Crossman	62 - 77	BART+VTA bus	59	55
Union City BART	Redwood City - Caltrain	65 - 81	DB+Caltrain	34	35
Union City BART	San Francisco - 4th / King Station	60 - 69	BART+Muni	72 - 94	60
Union City BART	San Jose Diridon	67 -76	BART+VTA bus	67 - 72	65
Stockton ACE	Redwood City - Caltrain	180	ACE+Caltrain	148	117

Source: CDM Smith, 2016

**5. Will the Dumbarton Transportation Corridor Study (DTCS) recommendations improve congestion in the future?**

The recommendations would mitigate and reduce the impacts of continuing growth and economic activity which contribute to traffic congestion and limit mobility for all modes of transportation. Regional job and population forecasts predict that the Bay Area will continue to grow rapidly through 2040. While expanding roadways is a possible solution, construction of new highways or widening of existing ones carry tremendous monetary, social, and environmental costs that are not consistent with the DTCS’s purpose and need for sustainable transportation solutions. Increasing roadway capacity for general purposes vehicles has historically induced more demand and/or affected latent demand. Therefore, the DTCS takes a multi-modal approach in attempting to maximize person throughput by promoting public transit. Recommended improvements are designed to meet the challenges of growth by moving the most people across the Dumbarton Corridor as efficiently as possible. Improved bus service and a new transbay rail crossing will provide greater capacity for person throughput than private vehicles, and express lanes will provide travel time savings to bus service as well as incentivize carpooling. Together, the proposed recommendations will provide sustainable alternatives to driving in the future.

**6. Would the Dumbarton Transportation Corridor Study (DTCS) recommendations result in higher tolls, fees, fares, or other costs for commuters?**

Any potential express lanes on the Highway Bridge could introduce roadway pricing to the Dumbarton Corridor. Caltrans and the Bay Area Toll Authority (BATA) will examine the viability of congestion pricing. Fares for express bus or rail transit services proposed as part of the DTCS are assumed to be similar to Caltrain service. There are

independent initiatives that could also increase commuter costs. For example, Regional Measure 3 is scheduled to go to the ballot in 2018 and would increase tolls on all Bay Area Bridges for a variety of regional transportation projects, potentially including Dumbarton Corridor improvements.

**7. Please provide visuals of proposed improvements, including detailed engineering diagrams of flyovers, grade separations, and at-grade railroad crossings.**

Additional visuals of proposed improvements including detailed engineering diagrams will be provided at later phases of study. The Dumbarton Transportation Corridor Study is a high-level conceptual planning effort that will be used to guide additional planning, design, and environmental work that is necessary to move any proposed recommendations forward. Further public outreach will take place during these later phases of study.

**8. Would the proposed transit alternatives be open to the public?**

All proposed transit alternatives are open to the public.

**9. What are the service hours assumed for the transit alternatives?**

Transit services are generally proposed to operate between 6AM and 10PM. Note that the rail services are proposed to operate from 6AM to 7PM, with buses providing similar service between 7PM and 10PM. Additional details about transit operations are included in Chapter 7.

**10. Was sea level rise considered in the selection of recommended alternatives?**

Sea level rise was not a driving factor in this very broad feasibility study. However, sea level rise will be considered in the engineering and design of facilities and the accompanying environmental analysis. Indeed, adaptation strategies and design will be needed for any future infrastructure on or near the San Francisco Bay.

**11. Please ensure that major capital improvements are built to withstand earthquake stress.**

All capital improvements will be built to current seismic standards.

**12. Could Transportation Demand Management (TDM) programs (e.g. similar to Stanford's program and Palo Alto's Downtown Transportation Management Association) affect mode share over the Highway Bridge and by how much?**

Yes, it is possible that TDM programs could affect mode share over the Highway Bridge though the potential benefit is difficult to quantify. The regional travel demand model is not suited to estimate the potential impacts of TDM programs.

**13. Consider other kinds of transit modes, such as hovercraft, gondolas, and ferries.**

Gondolas and ferries were initially considered and evaluated in the Dumbarton Transportation Corridor Study (DTCs) but were not carried forward for further analysis based on screening criteria established in the (DTCS). Gondolas would not make use of the Dumbarton Rail Bridge and would require additional infrastructure to be constructed across the Bay. Additionally, gondolas have fairly low capacity with low operating speeds, making the mode less attractive for moving large numbers of people. Ferries scored the fourth highest in the initial screening of alternatives behind the commuter rail, bus and bicycle/pedestrian modes. Despite this high score, ferries were not studied further as they would operate beyond Dumbarton Corridor limits. However, ferry service, and potentially hovercraft, can be studied in more depth by a third party. Additional detail about the initial screening of alternatives is provided in Chapter 6.

**14. Does emerging technology such as hyperloop or autonomous vehicles eliminate or reduce the value of proposed improvements?**

Emerging technology will likely complement rather than replace or reduce the value of major transit systems and projects. Autonomous vehicles, for instance, could provide first and last mile services to rail systems, which will likely remain as one of the most efficient ways to move large numbers of people in dense urban environments. While hyperloop technology could potentially compete with rail systems, this technology is currently unproven.

**15. What kind of marketing support will be provided for the transit recommendations?**

Marketing strategies will be developed at a later phase of study and will be tailored to the type of service, stations served, frequency of service, and local station access options that will be available to the general public.

## Existing Conditions

**16. How many cars can travel across the Dumbarton Corridor during the peak period?**

The peak-direction capacity of the Dumbarton Corridor for the scenarios which do not include express lanes is 24,000 vehicles in each direction (2,000 vehicles per lane per hour, over 3 lanes and 4 hours). The capacity in the express lanes scenarios is 16,000 vehicles in general-purpose lanes (same as above but only 2 lanes), plus either 4,800 vehicles in a single express lane or 12,800 vehicles in two express lanes. The remaining capacity of the express lanes is assumed to be used by buses.

**17. What are the most common origins and destinations of Dumbarton Highway Bridge traffic?**

Of the travel origins and destinations served by the Dumbarton Highway Bridge, those responsible for the highest percentages of Highway Bridge use are Palo Alto, Menlo



Park, Redwood City, Fremont, Union City and Newark. Each represents more than five percent of 2013 Highway Bridge use and is projected to continue to do so through 2040. More information is available in Chapter 4, Section 4.4.1.

**18. Of the daily traffic that crosses the Highway Bridge what percent is coming from or going to the Tri-Valley (San Ramon, Dublin, Pleasanton, and Livermore)?**

In 2013, 2.1 percent of Highway Bridge traffic was coming from or going to the Tri-Valley. This percentage is estimated to increase to 2.5 percent in 2040, assuming no transportation improvements are made.

**19. Can we tackle the jobs/housing imbalance through land use policies that direct growth in the right places?**

Land use policies enacted at a regional or sub-regional level, can be a key way to address the jobs/housing imbalance. Effective policies could direct employment to housing-rich areas and housing to job-rich areas and reverse recent trends in the Dumbarton Transportation Corridor Study area. However, employers generally want to locate near other major employers in an effort to attract talent. This is partially why employers are heavily concentrated in San Mateo and Santa Clara Counties but not as much in southern Alameda County. Also, the Peninsula cities have not been able to keep up with housing demand, partially due to geographic limitations.

## Bicycle/Pedestrian Multiuse Path

**20. Please do not exclude the bicycle/pedestrian multiuse path in the Dumbarton right-of-way from the final list of recommended improvements.**

A bicycle/pedestrian multiuse path will be further evaluated as a potential facility that complements the Dumbarton Transportation Corridor Study's recommendations for robust rail and bus services. Creative solutions to accommodate a bicycle/pedestrian multiuse path in the 100-foot right-of-way will be examined in the next phase of study via additional planning and conceptual design. However, the more appropriate challenge is how to best advance bicycle/pedestrian use in the South Bay, which could include facilities outside of the right-of-way.

**21. What is the technical justification for the Caltrain engineering standards that recommend 65-feet for two trail tracks?**

Justification for the Caltrain engineering standards are based on applicable regulations as well as operational experience. In general, greater clearances allow for safe (in terms of both passengers and railroad workers) and efficient service with fewer delays.

The minimum distance between two track centerlines (14 feet) is mandated by the California Public Utilities Commission's (CPUC) General Order (GO) 26-D. Caltrain policy dictates 15 feet between two track centerlines.



Caltrain policy also dictates a minimum 23-foot clearance on each side of the tracks (starting at the track centerlines) though Caltrain favors using the AREMA-recommended 25-foot clearance. The AREMA standards factor in potential derailment considerations. Of the 23-foot buffer zone, 11 feet are devoted to OCS poles and wayside facilities and the other 12 feet is required for maintenance work, which typically requires space for an 8-foot wide vehicle to fit through. While it is possible to reduce the 12 feet needed for maintenance on one side and perform maintenance from the other side, this would require the shutdown of the closest track to do maintenance on the far track. This is not recommended as it is operationally inefficient and would negatively impact passenger services.

Additionally, it should be noted that equipment related to the Positive Train Control (PTC) system are not included in these width requirements, and could extend them further. This is another reason that AREMA standards for clearance are recommended.

As a result, the 65-foot width is recommended for two rail tracks, subject to engineering evaluations in the future technical studies. Of course, clearance requirements can vary depending on whether or not the tracks are next to a station or other facility, if they are elevated, or if there is nothing nearby.

It should also be noted that Union Pacific Railroad (UP) requires a larger envelope than 25 feet on each side of the tracks. Per Federal Railroad Administration Roadway Worker Protection and UP On-Track Safety, 27.4 feet is required on both sides of the tracks, which equates to about a 70-foot required width in total. This is worth considering as UP has trackage rights within the Dumbarton Corridor.

**22. Caltrain engineering standards are overly conservative for the operating parameters of a commuter rail service. They should be reconsidered in order to accommodate a bicycle/pedestrian multiuse path in the Dumbarton right-of-way.**

The Caltrain Engineering Standards are based on government regulation and industry best practices for Commuter/Class 1 railroads. The standards are crucial to providing reliable and efficient service that ensures the safety of passengers and railroad workers. Deviating from the standards has been deemed to be an unacceptable risk at this point in the study process. Further analysis of safety and operational concerns will be done in the design phase.

**23. Several sections of Caltrain mainline are in violation of recommended 65 feet for two rail tracks as they are narrower than 65 feet. Why is there an exception for these non-compliant areas, and not for the Dumbarton right-of-way?**

Sections of Caltrain mainline that are narrower than the 65-foot requirement have been grandfathered into the system as they were designed many years ago. Upgrading the entire mainline to standard would be an expensive capital undertaking. However, any improvements that occur along the Caltrain mainline are in accordance with current standards as such areas of exemption often contribute to higher maintenance costs. In these areas, maintenance crews need to develop and follow special procedures to

maintain the right-of-way safely. Additionally, some areas of narrower width are at stations, which have different requirements depending on configuration. An example is the recently constructed station at San Bruno, which is narrower as it is elevated and not adjacent to any other facilities.

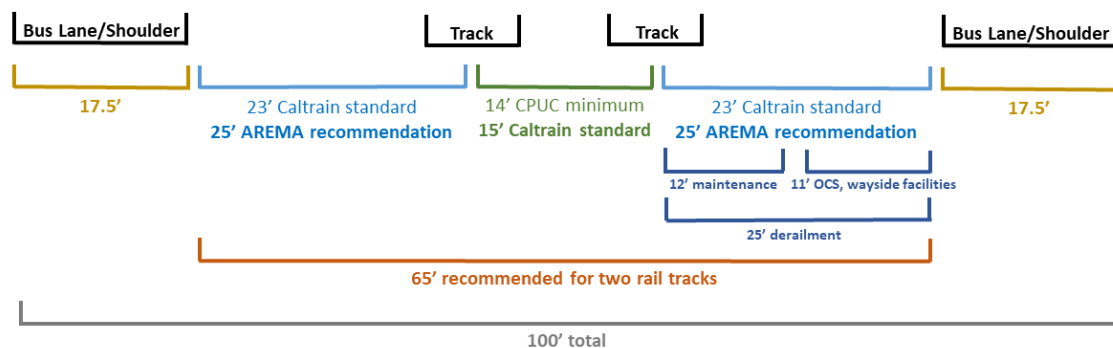
**24. The schematic in Appendix F shows 40 feet for two rail tracks; 20 feet for each bus lane and 10 feet shoulders – is this correct?**

Figure F-33 in Appendix F contained errors and is corrected in the final version of the Dumbarton Transportation Corridor Study. The two 10-foot shoulders shown in the figure account for wayside facilities such as drainage, signage, utilities, etc., which are included in the required 65-feet for two commuter rail tracks. However, even when this 20 feet is added to the specified rail track width of 40 feet, the total is only 60 feet, five feet short from the recommended 65-foot right-of-way width for two rail tracks. This approximate 60-foot width for two rail tracks incorrectly assumed the 23-foot Caltrain standard for clearance as opposed to the AREMA best practice of 25-feet, which is recommended.

Thus, the figure has been revised to show the following:

- 5-feet devoted to two rail tracks pursuant to Caltrain and AREMA engineering standards and best practices. More specifically, the width required for the two-track railroad should equal 65 feet, including 15 feet between the track centerlines, and 25 feet from the nearest track centerline to the outside edge of the right-of-way.
- Two 17.5-foot busways (including two 5.5-foot shoulders). According to busway implementation guidelines found in Transit Cooperative Research Program (TCRP) Report 90, a busway facility should provide enough space for passing in the event that a vehicle breaks down on the busway. Assuming that a bus is 8.5 feet wide, a passing bus would have approximately 9 feet of navigating room around a disabled bus. Assuming that the vehicles would pass at reduced speed, the 17.5-foot busway would be adequate.

A simplified version of the cross section is also provided below:



Source: SamTrans, 2017

**25. Explain where the concept of running rail next to bus came from in the Dumbarton Transportation Corridor Study?**

The ultimate recommendation of rail and busway on the Peninsula right-of-way is most similar to Alternative 10. However, a proposal that evolved from the design process includes all bus routes operating within the right-of-way from University Avenue, with a potential direct connection/flyover to planned express lanes on US 101 (for applicable bus routes).

**26. Why were the bicycle/pedestrian multiuse path operating and maintenance costs presented during the August 2017 SamTrans Board of Directors meeting much greater than expected?**

This was an error that was corrected in the Dumbarton Transportation Corridor Study Draft Report. As is included in Chapter 9, Section 9.1.4, estimated operating and maintenance costs associated with the bicycle/pedestrian multiuse path are approximately \$53,000 annually.

**27. Why does the bicycle/pedestrian multiuse path require overpasses at several locations (Marsh Road, US 101, Willow Road, and University Avenue)?**

The grade separated crossing of US 101 was mandated by Caltrans. The other three crossings could result in substantive impacts to vehicular traffic as well as potential safety issues for bicyclists and pedestrians. The Marsh Road crossing, for instance, is near the signalized intersection at Bohannon Drive, which could result in substantive impacts to all travelers if constructed at-grade. As a result, a preliminary (15 percent) design was developed for the interim trail within the Dumbarton right-of-way to include grade separated crossings at these four locations.

**28. Why does the proposed bicycle/pedestrian multiuse path have to be a minimum of 12 feet? Southerly portions of the Bay Trail, such as in Mountain View, range from five or six feet wide to eight feet with no shoulders?**

The width requirement is pursuant to design standards for a Class I Bikeway as specified in Chapter 1000 of the Caltrans Highway Design Manual. The Caltrans Highway Design Manual provides standards and regulations for the design of all roadway facilities in California, including bikeways.

**29. Would it be possible to obtain a design exception from Caltrans to omit the Class 1 facility shoulders from final design of the bicycle/pedestrian multiuse path on the Dumbarton right-of-way from Redwood City to East Palo Alto?**

A design exception could be pursued with Caltrans if SamTrans determines that inclusion of a bicycle/pedestrian multiuse path with the omission of roadway shoulders advances the purpose and need of the Dumbarton Transportation Corridor Study.

SamTrans could deviate from the guidelines in the Caltrans Highway Design Manual by using narrower than recommended widths for bike trails though SamTrans would need to comply with the procedure in HSC 891(b) in approving alternative design standards. Several steps are required: 1) the alternative criteria must be reviewed and approved by a qualified engineer; 2) the alternative criteria must be adopted by resolution at a public meeting; and 3) the alternative criteria must adhere to guidelines established by a national association of public agency transportation officials.

**30. TCRP Report 90 guidance on busway design says that shoulders may be omitted in areas of constrained space. Would it be possible to omit the busway shoulders from final design in order to make space for the bicycle/pedestrian multiuse path in the Dumbarton right-of-way from Redwood City to East Palo Alto?**

It is possible to omit the busway shoulders though this could greatly hamper bus operations. Bus lane shoulders allow for the passing of buses in case a bus were to break down. In addition, right-of-way is needed for bus stations that safely accommodate the boarding and alighting of riders. Safety for bus customers cannot be compromised.

**31. Could the two bus lanes within the Dumbarton Peninsula right-of-way potentially be built right next to each other to save space? What are the operational impacts of doing this?**

Constructing the two bus lanes next to each other would save some space, but would also create additional bus/train safety concerns. Buses would have to cross the railroad tracks at-grade to access the US 101 High Occupancy Vehicle (HOV) lanes in the median. The proposed bus lanes (reversible flow) separated by the tracks would eliminate this conflict by eliminating the need to make left turns at US 101 by reversing the traffic flow direction midday.

**32. Would it be possible for buses and bicycles to share a travel lane within the Dumbarton right-of-way from Redwood City to East Palo Alto?**

The next phase of study will examine the feasibility of creative solutions including, but not limited to, examining whether cyclists could safely utilize the shoulders of the bus lanes. Section 1003.3(3) of the Caltrans Highway Design Manual, which refers to Class 3 Bikeways states, "Transit lanes and bicycles are generally not compatible, and present risks to bicyclists. Therefore sharing exclusive use transit lanes for buses with bicycles is discouraged." However, it notes that lane sharing may be considered in special circumstances, such as where buses are operating at less than 25 miles per hour (mph) and the grade of the facility is 5 percent or less. It is probable that proposed bus operations would operate at speeds greater than 25 mph, though this will be reviewed more thoroughly in the next phase of study.

**33. Can cyclists use the bus lanes within the Dumbarton right-of-way from Redwood City to East Palo Alto on the weekends?**

The Caltrans Highway Design Manual does not contain any direct guidance on the use of bus lanes as bike lanes while buses are not operating. Accordingly, the safest approach would be to treat the lanes as shared bus/bike lanes for the purposes of design criteria. The shared bus/bike lane regulations are not directly applicable to the proposed plan to have bikes use bus lanes when the buses are not in service. However, if buses and bikes sharing a lane at the same time is permissible under the conditions stated in the Highway Design Manual, this would imply that bikes using bus lanes when buses are absent is also permissible in those same circumstances. Notably, the danger to bicyclists from buses, which is a significant concern in the Highway Design Manual for shared bus-bike lanes, is not present if buses are not running while the lanes are used as bike lanes.

**34. Is it possible to use the Dumbarton right-of-way for bus lanes from the Highway Bridge to US 101, route buses on US 101, and then use the rest of the right-of-way for a bicycle/pedestrian facility instead of bus lanes?**

The next phase of study will examine the feasibility of creative solutions including, but not limited to, examining if routing Redwood City-bound buses in dedicated bus lanes on the Dumbarton right-of-way from the Highway Bridge to US 101 planned express lanes would provide more or less benefit in terms of travel time, ridership and person throughput than routing buses on the right-of-way from US 101 to Redwood City.

**35. Will SamTrans need to take private property along the right-of-way in order to achieve the width required to fit a bicycle/pedestrian multiuse path, a busway, and a railway in the Dumbarton right-of-way from Redwood City to East Palo Alto?**

SamTrans has not considered the possibility of taking private property along the right-of-way in order to achieve the width required to fit three modes along with transit stations and other required operational facilities. Taking private property could be costly and adversely impact the community. In the next phase of study, SamTrans will continue to examine creative solutions in the 100-foot right-of-way. SamTrans may also attempt to identify areas where property could be purchased or used in a cost-effective manner without impacts to the community.

**36. Can you fit three modes in the Dumbarton right-of-way where Facebook owns adjacent property?**

The next phase of study will examine the feasibility of creative solutions including, but not limited to, examining if Facebook property adjacent to the right-of-way could potentially be used for a bicycle/pedestrian multiuse path. It is worth noting, however, that it is unclear how much of Facebook's property may be available for use (if any) and Facebook does not own property along the entire length of the Dumbarton Rail

Corridor, so it may be a futile effort if other property adjacent to the Corridor is not available.

**37. Please include maps showing alternative bike routes that will be proposed in lieu of a bicycle/pedestrian multiuse path within the Dumbarton right-of-way from Redwood City to East Palo Alto.**

Maps that show alternate proposed bicycle/pedestrian improvements will be included in subsequent phases of study. This could include connections to the Menlo Park Caltrain station, which provides more direct bicycle access to the Menlo Park and East Palo Alto communities.

**38. Are there any other concerns with including a bicycle/pedestrian multiuse path in the Dumbarton right-of-way?**

Other concerns revolve around issues of public safety and security. However, these concerns can be addressed in a number of ways. For example, ample lighting along the path could provide a feeling of safety at night. Partnerships between police and community groups could help maintain a secure presence around the path could and provide a feeling of safety. Solutions such as these would need to be identified in the design and/or implementation phase.

**39. If a bicycle/pedestrian multiuse path is recommended on the Dumbarton right-of-way from Redwood City to East Palo Alto, how will maintenance and public safety concerns be addressed?**

If a bicycle/pedestrian multiuse path is recommended, a maintenance plan would need to be created as part of an implementation plan after design has been finalized. Such a plan would need to estimate the upkeep cost for pavement, landscaping, lighting, signage, and other path features. Public safety concerns can be addressed in a number of ways. For example, ample lighting along the path could provide a feeling of safety at night. Key partnerships between police and community groups could also help maintain a secure presence around the path could and provide a feeling of safety. Solutions such as these would need to be identified in the design and/or implementation phase.

**40. Why can't the regional travel demand model estimate bicycle and pedestrian volumes?**

The City/County Association of Governments of San Mateo County (C/CAG) – Santa Clara Valley Transportation Authority (VTA) regional travel demand model is a macro-scale model that is not suited to predicting use of highly localized improvements related to modes not presently represented in transbay corridor activity.

**41. The methodology presented in Appendix K to estimate bicycle volumes using a new facility greatly underestimates potential demand in the area.**

The bicycle volume forecasting methodology presented in Appendix K documents the application of the bicycle demand estimating methodology developed in National

Highway Cooperative Research Program (NCHRP) Report 552: Guidelines for Analysis of Investments in Bicycle Facilities. This analysis was performed to provide a rough order of magnitude prediction of potential demand. Use of the bicycle/pedestrian multiuse path was not initially estimated because the City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model is a macro-scale model that is not suited to predicting use of highly localized improvements related to modes not presently represented in transbay corridor activity. In response to comments, an alternative methodology was identified in NCHRP Report 552 and applied, though this methodology is relatively simplistic compared to the C/CAG-VTA regional travel demand model. Additionally, the methodology cannot necessarily predict use of the multiuse path, but rather identifies the potential number of users within a specified geographic area. It is for this reason that bicycle and pedestrian multiuse path demand estimates are provided in Appendix K, but not compared against the ridership estimates of the other project alternatives produced by the C/CAG-VTA model. Additional detail can be found in Appendix K.

**42. Please consider installing a Class 1 bicycle/pedestrian multiuse path on the Dumbarton Rail Bridge.**

Because a bicycle/pedestrian path exists on the Dumbarton Highway Bridge, a bicycle/pedestrian multiuse path was not proposed for the Rail Bridge. This option was eliminated in the initial screening of alternatives. An additional consideration was related to safety. The bicycle/pedestrian multiuse path would ideally be accompanied by a vehicle lane to respond to potential accidents on the multiuse path and it would be costly to expand the width of the Rail Bridge so that it could accommodate potential rail tracks, a vehicle lane and a bicycle/pedestrian multiuse path. As part of the DTCS, improvements have been suggested for the bicycle/pedestrian path on the Highway Bridge.

**43. Does the Dumbarton Transportation Corridor Study (DTCS) propose a new use for the existing bicycle/pedestrian path on the Highway Bridge?**

The DTCS proposes upgrades to the existing bicycle/pedestrian path on the Highway Bridge. The bicycle/pedestrian path is not a complete Class I facility across the entirety of the Bridge as it becomes a bike path (Class II) on Marshlands Road. Short-term recommended improvements include the upgrade of the facility to Class I in this area as well as pavement and striping improvements on the entire facility. The bicycle/pedestrian improvements on the Highway Bridge are first introduced and described in Chapter 5, Section 5.3.4 and are recommended to be carried forward in Chapter 12, Section 12.2.



**44. Fremont is currently updating a Bicycle/Pedestrian Master Plan and many people would like to see better bike connections to Dumbarton Highway Bridge and the resurfacing of Marshlands Road.**

The Dumbarton Transportation Corridor Study (DTCS) reviewed a variety of city and county bicycle plans to identify improvements that could enhance connectivity to the Dumbarton Highway Bridge. Additionally, the DTCS recommends upgrades to the existing bicycle/pedestrian path on the Highway Bridge. The bicycle/pedestrian path is not a complete Class I facility across the entirety of the Bridge as it becomes a bike path (Class II) on Marshlands Road. Short-term recommended improvements include the upgrade of the facility to Class I in this area as well as pavement and striping improvements on the entire facility. The bicycle/pedestrian improvements on the Highway Bridge are first introduced and described in Chapter 5, Section 5.3.4 and are recommended to be carried forward in Chapter 12, Section 12.2.

## Highway Bridge and Express Lanes

**45. What are the benefits of express lanes and why were they chosen for the Highway Bridge?**

The main benefit of potential express lanes is to more effectively manage highway demand by charging a fee based on congestion levels (or by time of day). Buses utilizing these lanes would experience less congested conditions, reducing travel times and encouraging bus ridership. Revenue from express lane fees could also be used to fund transit services. The Dumbarton Transportation Corridor Study (DTCS) identified an express lanes network for regional trips traveling from I 880 in the East Bay to US 101 on the Peninsula. The express lanes on the Highway Bridge are one component of a potentially continuous express lanes network.

**46. Consider demand responsive tolling to mitigate induced demand due to new capacity on the Highway Bridge.**

It is possible that Caltrans and the Bay Area Toll Authority will examine the viability of congestion pricing, which could potentially be charged on top of base tolls. This could more effectively manage demand during peak periods. Note, however, that the recommended express lanes option on the Highway Bridge (one express lane in each direction) restricts general purpose travel as two lanes (one in each direction) are converted to express lanes. The express lanes option that was not recommended (reversible express lanes) would supply an additional lane of travel in the peak direction, increasing capacity.

**47. What is the expected reduction in single-person vehicle traffic due to the proposed express lanes improvements?**

Single Occupancy Vehicle (SOV) traffic across the Highway Bridge does not vary much across the alternatives, except for the express lanes alternatives; the one express lane in each direction alternative (Alternative 5) decreases SOV traffic by around 6 percent



while the reversible managed lanes alternative (Alternative 4) increases it by about 8 percent.

**48. Why are the reversible express lanes (Alternative 4) preferable to one express lane in each direction (Alternative 5) given that Dumbarton Highway Bridge traffic is directional, with almost 80 percent of Highway Bridge traffic heading toward the Peninsula in the morning?**

One express lane in each direction (Alternative 5) is preferred according to the Dumbarton Transportation Corridor Study (DTCS) goals and objectives and evaluation metrics. One express lane in each direction restricts general purpose travel and pushes more people to transit. Reversible express lanes (Alternative 4) provides more capacity for a very directional commute period so it eases congestion and fewer people are incentivized to utilize transit service. Another consideration includes whether or not the approaches on each side of the Bay can handle the additional capacity and increased flow of traffic provided by the reversible express lanes. Additional analysis of the express lanes alternatives is necessary prior to implementation.

**49. Please consider connecting Dumbarton express lanes directly to planned US-101 express lanes extending throughout San Mateo and Santa Clara counties, and evaluate the impact of allowing taxis/Transportation Network Companies/other ride-share vehicles access.**

The Dumbarton Transportation Corridor Study identified an express lanes network for regional trips traveling from I 880 in the East Bay to US 101 on the Peninsula. After eliminating the potential for express lanes on Willow Road due to the need for property acquisitions to connect to US 101, express lanes were identified for Bayfront Expressway with a connection to US 101 at Marsh Road. Express lanes would be available to toll-paying single occupancy vehicles, buses, vehicles with two or more people, etc.

**50. Considering that the conversion of general purpose lanes to express lanes is not allowed under California law, what will be the implementation strategy?**

It is possible that general purpose lanes could be converted to High Occupancy Vehicle (HOV) lanes prior to converting the HOV lanes to express lanes. This process of conversion is currently allowed under existing legislation. Another possibility is that new legislation is passed that would allow for the direct conversion from general purpose lanes to express lanes.

**51. What kinds of equitable access policies will be implemented for express lane options in order to ensure there is not an unfair barrier to access for low-income people?**

Toll lane operators in California and nationally have developed a number of approaches to address equity concerns related to high-occupancy toll lanes. Generally, programs fall into two categories - those that fund improved public transit service in the corridor and those that offset user costs with subsidies, credits, or tax rebates. In terms of the

Dumbarton Transportation Corridor Study recommendations, the identification of potential equitable access policies will need to be identified after specific express lane alternatives have been studied in more detail and selected.

## Approaches

**52. Are the Dumbarton Transportation Corridor Study (DTCS) approach alternatives proposing to widen any existing roadways?**

The DTCS does not propose to widen any existing roadways. Dumbarton Highway Bridge and approach improvements were generally focused on improving transit services by adding amenities for buses (such as transit signal priority, queue jump lanes, bus-only lanes, etc.) and managing existing roadway facilities more effectively (such as through express lanes). The DTCS recommends a couple grade separations, however, as a way to separate and route local and regional traffic (including buses) more effectively.

**53. Will the highway alternatives include High Occupancy Vehicle (HOV) lanes through the toll plaza?**

The highway alternatives propose to maintain the HOV lanes through the toll plaza. Currently, there are seven toll lanes at the plaza. During peak traffic hours, the leftmost lane is designated a FasTrak-only HOV lane, allowing carpool vehicles carrying two or more people or motorcycles to pass for a toll of \$2.50. The next two leftmost lanes are FasTrak-only lanes for all vehicles, and all other lanes accept both cash and FasTrak. During non-peak hours the HOV lane is open to vehicles carrying only one person, but remains FasTrak-only. With the proposed removal of the cash toll booths, all lanes will serve FasTrak Flex users, including carpoolers/vanpoolers meeting the minimum occupancy requirement.

**54. Does the Dumbarton Transportation Corridor Study recommend any changes to the High Occupancy Vehicle (HOV) lane length at the Dumbarton toll plaza?**

The road configuration and geometry at the toll booths have not been examined in detail at this feasibility stage. An operational assessment and detailed engineering will be required to fully understand the geometric requirements and additional queue lengths that may be required.

**55. Does the Dumbarton Transportation Corridor Study (DTCS) assume bus queue jump lanes on Decoto Road?**

The DTCS recommends bus queue jump lanes and transit signal priority on Decoto Road from I 880 to the Union City Bay Area Rapid Transit (BART) station, though queue jump lanes will need to be investigated further. It is unclear if the queue jump lanes can fit within the existing cross section of the roadway without requiring property acquisitions.

**56. Are any other improvements considered for Decoto Road?**

Aside from bus queue jump lanes and transit signal priority, no other improvements are considered for Decoto Road in the DTCS. However, the Metropolitan Transportation Commission (MTC) recently started a Design Alternatives Assessment, which will focus on developing short-term improvements in the Dumbarton Corridor at a higher level of detail. It is possible that additional improvements on Decoto Road may be investigated.

**57. Why doesn't the study consider local improvements such as the retiming of traffic signals along the Bayfront Expressway or Willow Road?**

Low cost improvements such as traffic signal retiming are assumed as a given because they have the potential to improve mobility in the Corridor but were difficult to evaluate quantifiably. These improvements are first introduced and described as "Other Enhancements" in Chapter 5, Section 5.35 and are recommended to be carried forward in Chapter 12, Section 12.2.

**58. Does the Dumbarton Transportation Corridor Study (DTCS) consider an overpass for through traffic near Facebook?**

The DTCS considers a grade separation at Willow Road and Bayfront Expressway as a way to potentially separate local and regional traffic and make intersection operations more efficient.

**59. What is the purpose of the proposed bus lane for Willow Road from Facebook to US 101?**

Peak-period bus lanes on Willow Road could potentially speed bus operations on Willow Road, which is currently used by the Dumbarton Express. The bus lanes represent the best transit improvement that can be achieved on Willow Road after Willow Road express lanes were eliminated from further study due to the need for property acquisitions at Willow Road and US 101.

**60. Many commenters expressed strong objection to replacing bicycle lanes on Willow Road with bus lanes.**

The concept would be to have a shared bicycle/bus lanes (SBBL) during the peak periods. Additional analysis would be required to determine the preferred off-peak usage, which may include allowing on-street parking, bike-only usage, or opening the lane for general purpose vehicles.

**61. Many commenters expressed strong objection to the Willow Road express lanes tunnel option.**

Willow Road Express Lanes were initially studied in the 2020 Peninsula Gateway Corridor Study. In this Study, Willow Road express lanes were identified as being depressed instead of tunneled, but the DTCS engineers believed that the tunneled express lanes would be easier to construct and less expensive. With additional analysis, tunneled express lanes under Willow Road were still determined to be difficult to

construct and expensive. Further, it was determined that the express lanes connection to US 101 would require property acquisitions due to tight geometries, eliminating this design option from further consideration. This is when an alternative express lanes option was identified for Bayfront Expressway with a connection to US 101 at Marsh Road. More detail about these improvements is provided in Chapter 8, Sections 8.4.4 and 8.4.5.

**62. What is the feasibility of widening Bayfront Expressway?**

In an effort to promote public transit and not induce more vehicle traffic, the Dumbarton Transportation Corridor Study did not examine the feasibility of widening Bayfront Expressway. In fact, Bayfront Expressway has fairly wide shoulders so improvements can be made to Bayfront Expressway without widening the roadway. Recommended improvements to Bayfront Expressway include shoulder-operating bus-only lanes as well as express lanes operating in the median.

**63. Would it be feasible to extend the Oregon Expressway/Embarcadero Road north to create a new approach to the Dumbarton Highway Bridge?**

The 2000 San Francisco Bay Crossings Study included a two phase alternative (2.3.1 Construct East Palo Alto/University Avenue Bypass) that would connect SR 84 and US 101. Phase 1 would connect SR 84 to US 101 via a new road to Pulgas Avenue where vehicles could access the Embarcadero/US 101 Interchange. Phase 2 proposed a direct connector between SR 84 and the Embarcadero/US 101 Interchange that would run along the edge of the San Francisco Bay. As noted in the 2000 study, the proposed alternative would need to resolve a number of sensitive issues, including environmentally sensitive Baylands and existing structures in order to be pursued. Historically this alternative has been met with environmental and traffic concerns from surrounding communities and was therefore not considered a viable option in the Dumbarton Transportation Corridor Study.

**64. Were any other corridors in the study area identified for possible improvements?**

The Dumbarton Transportation Corridor Study (DTCS) primarily focused on the Dumbarton Corridor, but examined approaches to/from the Dumbarton Highway Bridge on both sides of the Bay including Bayfront Expressway, University Avenue, and Willow Road on the Peninsula and Decoto Road in the East Bay.

## Bus Alternatives

**65. What are the proposed stops and route alignments of Dumbarton Transportation Corridor Study Dumbarton Express bus service operating on the Highway Bridge?**

Proposed route alignments and stops for each of the Dumbarton Express routes operating on the Highway Bridge (including two new routes from Union City to Menlo Park/Redwood City and Mountain View/Sunnyvale) are shown in Chapter 7, Sections 7.5, 7.7, 7.8 and 7.13. Additional operating information (including a list of all stops) is included in Appendix G.

**66. Were any bus routes considered along Willow Road or Embarcadero Road?**

Bus service was considered along Willow Road as the existing Dumbarton Express services operate on Willow Road. Embarcadero Road was outside of the immediate study area.

**67. Are there any short-term improvements to existing transbay Dumbarton bus service that can be implemented immediately, such as reduced headways, improvements that reduce dwell times (such as off-board fare payment), or enhancements to Ardenwood Park-and-Ride?**

The recommended short-term enhanced Dumbarton Express services could be implemented quickly, though not immediately. Additional buses would be required to provide the levels of service recommended in the Dumbarton Transportation Corridor Study - 15-minute peak frequencies across four Dumbarton Express routes (including two new routes from Union City to Menlo Park/Redwood City and Mountain View/Sunnyvale). It is likely that short-term improvements will not be implemented until the Metropolitan Transportation Commission (MTC) completes the Dumbarton Corridor Design Alternatives Assessment (DAA) in the spring of 2018.

**68. What is the current Dumbarton Express ridership and how is that daily transbay ridership is projected to reach nearly 14,000 by 2020?**

Dumbarton Express and Stanford's U Line and AE-F services generate a little over 2,000 riders per day. Ridership is projected to increase to 13,700 by 2020 because Dumbarton Express services would run more frequently (15-minute peak headways) and two new routes would be added from Union City to Menlo Park/Redwood City and Mountain View/Sunnyvale. Additionally, the 13,700 figure accounts for private shuttle ridership. In summary, the projected breakdown projected for 2020 is 7,500 public bus riders and 6,200 private shuttle riders.

**69. Why run buses in the Dumbarton rail right-of-way?**

The bus lanes comply with the Dumbarton Transportation Corridor Study's purpose and need. While buses can certainly be routed outside of the Peninsula Dumbarton right-of-way (potentially in express lanes), there are many benefits to running them within the right-of-way. For one, the right-of-way would be devoted to rail and bus service with no potential for interaction with other vehicles. This would likely make bus service faster and more reliable. Also, the potential connection from the right-of-way to planned US 101 express lanes is attractive as it is less expensive than the express lanes connections from Willow Road or Marsh Road (though the right-of-way to US 101 connection would only benefit bus modes). Also, bus operations on the rail right-of-way would not necessarily be restricted to public bus services, but employer shuttles could also use the facility to move relatively large numbers of people.

**70. How would private vehicles be prevented from using the busway on the Dumbarton right-of-way?**

Signage would be displayed at entry and exit points to make it clear that the busway is for public and private buses only. A monitoring and enforcement program may also be considered in future phases of study.

**71. What is the purpose of proposing a bus route that runs parallel to a rail route?**

One finding of the Dumbarton Transportation Corridor Study (DTCS) is that there are multiple travel markets to be served in the Dumbarton Corridor. The Dumbarton Express bus services (including two new routes from Union City to Menlo Park/Redwood City and Mountain View/Sunnyvale) would be very good at serving trips from the Tri-Cities (Newark, Fremont and Union City) to the Peninsula with one-seat rides. Bus service is very flexible and would be able to serve many major employers directly. However, the Dumbarton Rail Corridor presents an opportunity to serve more regional travel markets. With thoughtful connections and potentially streamlined operations with Altamont Commuter Express (ACE) as well as Capitol Corridor, the travel market that could be served by rail service expands from the Peninsula to Stockton or potentially Sacramento. Regional travel demand modeling performed as part of DTCS shows approximately 4,000 transfers from ACE services, signifying that the Central Valley to Peninsula market is underserved. Regional rail connections may become even more important over time as we continue to see jobs and housing grow in different parts of the Bay Area.

**72. Why is the busway alternative (Alternative 6) only envisioned as a one lane facility across the Rail Bridge? Why not build larger capacity that can later be converted to rail?**

Most transit alternatives proposed to operate on the Rail Bridge are proposed as single lanes or tracks because portions of the existing Rail Bridge go down to about 17 feet. Certainly, widening the Rail Bridge will bear additional costs and environmental impacts and mitigations. However, the Dumbarton Transportation Corridor Study (DTCS) examined one “high capacity” alternative – the Rail Commuter – Double Track (Alternative 9). As its name implies, the alternative includes a double-tracked Rail Bridge. Thus, the option that includes widening the Rail Bridge is only included in Alternative 9, but could be applied to other Rail Bridge alternatives as well, as has been recommended in the DTCS. The double-tracked Rail Bridge would provide operational flexibility into the future and the estimated incremental cost of widening the Rail Bridge is relatively small when considering the cost of the full project. SamTrans will continue to investigate the possibility of converting a busway to rail on the Rail Bridge, though this is a complicated proposal as Union Pacific Railroad (UP) has trackage rights on the Rail Bridge and Peninsula right-of-way. However, it is worth noting that it would likely be expensive to pave the right-of-way for bus service only to remove the pavement at some future point to put reinstall tracks.

**73. Will the bus alternatives use electric buses?**

For the purposes of the Dumbarton Transportation Corridor Study (DTCS), 40-foot standard buses were assumed for short-term bus service and long-term complementary bus service and double-decked buses were assumed for long-term express bus service. The DTCS did not specify if buses were electric or not. Certainly, electric buses can be investigated at further phases of study.

**74. Could there be a “local” variant of the Dumbarton bus service to serve the midday and weekend travel market?**

If proposed bus service is to be implemented, more detailed operating plans would be drafted, which could potentially include more local midday service as well as weekend service.

**75. Do the bus alternatives include evening and weekend service?**

Bus alternatives are assumed to operate until 10 PM in this conceptual feasibility analysis. No weekend service is currently proposed. If such service is to be implemented, more detailed operating plans would be drafted, which could potentially include weekend service.

**76. What is the expected night and weekend ridership of the bus alternatives?**

The alternatives and subsequent regional travel demand model runs as part of the Dumbarton Transportation Corridor Study included packages of transportation improvements. Thus, in this instance, the regional travel demand model cannot differentiate between peak, daytime and evening bus ridership. No weekend service is currently proposed. If such service is to be implemented, more detailed operating plans would be drafted, which could potentially include weekend service.

**77. How is forecasted bus ridership distributed across each route?**

The alternatives and subsequent travel demand model runs as part of the Dumbarton Transportation Corridor Study included packages of transportation improvements. Thus, in this instance, the regional travel demand model cannot estimate ridership for individual bus routes unless they were modeled separately.

**78. Does the Dumbarton Transportation Corridor Study (DTCS) assume any improvements at existing SamTrans bus stops?**

The DCTS as a high-level planning study does not examine improvements to SamTrans bus stops.



## Rail Alternatives

**79. How many railroad tracks exist on the entire Dumbarton Corridor now, and how many would exist under each rail transit alternative?**

The Dumbarton Rail Corridor generally has two tracks its entire length, with the exception of a few locations that are just single-tracked. These locations include the Dumbarton Rail Bridge over the Bay, the Henderson Bridge over US 101, the connection from the Dumbarton right-of-way to the Union Pacific Centerville Line and the connection from the Centerville Line to the Oakland Subdivision. The Rail Shuttle (Alternative 7) and Rail Commuter – Single Track (Alternative 8) generally assume this same configuration. The Rail Commuter – Double-Track (Alternative 9) assumes double tracking on the Rail Bridge. The Rail Bridge is recommended to be double tracked to provide for future capacity.

**80. Please consider acting on the \$250,000 buyout option of Union Pacific in order to preclude future freight service on the rail line.**

This is an option for SamTrans. However, note the buyout option only exists on the Dumbarton Rail Bridge itself (and not the Dumbarton right-of-way on the Peninsula). SamTrans anticipates working closely with Union Pacific in subsequent phases of study as they have trackage rights in the SamTrans-owned Dumbarton Rail right-of-way and own freight lines necessary to operate passenger service in the East Bay.

**81. Consider opening an initial operating segment of Dumbarton Rail between Redwood City and Facebook while rehabilitation of the Dumbarton Rail Bridge gets underway.**

The phasing presented in the Dumbarton Transportation Corridor Study is just one way the project can be implemented. An initial operating segment between Redwood City Caltrain and the new Willow Road Station could be constructed prior to Dumbarton Rail Bridge rehabilitation, especially if the full funding for the Rail Bridge rehabilitation is not immediately available. These considerations would be made during the design phase of the study process.

**82. Would the Chestnut Street grade crossing need to be closed under the Rail Shuttle (Alternative 7) elevated station option (Option 1)?**

In Option 1 Chestnut Street would not be closed. The grade change would start at Chestnut and be completed by Main Street.

**83. Have you considered an option to have the Rail Shuttle (Alternative 7) terminate on the unused (east) side of the existing northbound Caltrain platform rather than building new separate platforms?**

The vacant area on to the east of the station platform is now fully developed and is the site of the BOX Software headquarters building.

**84. What would be the trade-offs associated with additional stations (such as on Marsh Road) on the Dumbarton right-of-way?**

Additional stations would provide additional access and connectivity while slowing travel times and increasing costs. It is possible, however, that operating scenarios could be such that not all trains stop at all stations. Operating scenarios for rail alternatives will continue to be defined in subsequent phases of study.

**85. What are the considerations involved in the selection of a station at Union City rather than on Shinn Road in Fremont?**

To the extent possible, the Dumbarton Transportation Corridor Study carried forward rail alternatives carefully analyzed in previous studies. These alternatives included a terminus at the planned Union City intermodal station. A station at Shinn was examined in previous planning efforts, but was not carried forward. Because some additional planning work is needed to confirm East Bay rail operations and connections, stations will be reexamined in the next phase of study.

**86. What is the specific location for the layover yard and wye for turnaround in the City of Hayward? Why was the Shinn Yard not identified as a train storage facility as defined in early Dumbarton Rail studies?**

The proposed layover yard is located just north of Whipple Road, on the west side of Union Pacific Railroad's main track. The Whipple Road location was identified as the preferred site for the layover yard in the Dumbarton Rail Corridor environmental analysis prepared in 2011/2012. The Shinn Yard site would require trains to turn back at the Union City Station verses continuing through. Reversing directions would require 15- to 20-minute dwell on the main line verses a 2-minute dwell for the run-through operation.

**87. How many additional riders would be gained by connecting to the Altamont Commuter Express (ACE) service? Would there be additional capital requirements associated with and required for that connection?**

Under Alternative 10 (Combination Bus and Rail), which is recommended in the Dumbarton Transportation Corridor Study, around 3,900 transfers would come from ACE services. Capital requirements related to these transfers are captured in the costs associated with the Fremont/Centerville Station, which is the transfer location. However, additional riders could potentially be gained assuming more streamlined operating scenarios, which will continue to be investigated in further phases of study.

**88. Does the electrification of Caltrain damage potential for one-seat rides from Stockton?**

While it is possible for the locomotives and coaches of the Altamont Commuter Express (ACE) (originating in Stockton) to operate on the Caltrain mainline once it is electrified, it will be a policy decision if they are allowed to do so. Operations considerations will factor into this decision as electrified vehicles can accelerate and decelerate more

quickly than diesel locomotives and coaches and the Caltrain mainline may have limited windows for other services given the potential for High Speed Rail operations on the Corridor. ACE could still serve Redwood City Caltrain, however, and passengers could transfer to Caltrain mainline service at this location. It should be noted that Dumbarton service is recommended to be electrified in the long-term while ACE also has long-term plans to electrify.

**89. How do the Dumbarton Transportation Corridor Study (DTCS) rail alternatives interact with ACEForward rail alternatives?**

ACEForward identifies near- and long-term improvement alternatives that fall within the DTCS area as well as a number of improvements outside the study parameters. The proposed ACEForward alternatives address variety of needs and include a number of improvements that could directly interact with the Dumbarton rail alternatives such as an ACE Centerville to Union City connection. As noted in the DTCS, transfers from ACE have a positive effect on Dumbarton transit ridership and therefore any alternatives pursued as part of ACEForward, whether located in the DTCS area or not, could potentially impact potential Dumbarton rail service in some way. Further analysis and discussion between ACE, SamTrans, and other stakeholders will be necessary to fully understand how these alternatives can work together.

For the purposes of the DTCS, rail alternatives are assumed to interact with existing ACE facilities. Because of the lack of certainty with potential future options in the ACEForward plan, the study does not assume connections with those potential stations.

**90. What kinds of rolling stock are proposed for the Dumbarton rail alternatives?**

The Dumbarton Transportation Corridor Study assumes that the first phase of commuter rail service (known as the Rail Shuttle or Alternative 7) would utilize clean Diesel Multiple Units (DMUs) given project financial constraints. However, as soon as Dumbarton service were to operate on the Caltrain mainline, any “Rail Commuter” service (Alternative 9) is assumed to be electrified. Electrified service assumes vehicles similar to Caltrain’s new Electric Multiple Units (EMUs). If funding was available to electrify Dumbarton service immediately, EMUs operating on an electrified system would be assumed.

**91. Does the Dumbarton Transportation Corridor Study consider on-board bicycle capacity for rail alternatives?**

It is assumed that any Dumbarton transit service (commuter rail or bus) would provide on-board bicycle capacity. Bicycle capacity on Dumbarton commuter rail services would likely be similar to the new Caltrain electric multiple units, though this would need to be investigated further in subsequent phases of study.

**92. How were the capital costs calculated for the rail alternatives?**

The study relied on conceptual cost estimates prepared for the Dumbarton Rail Corridor environmental analysis from 2011/2012. The cost were escalated using an inflation factor to 2017 dollars.

**93. How would ridership forecasts change in reaction to reducing headways of rail alternatives in the model?**

Generally, reducing headways of rail alternatives (operating service more frequently) increases estimated ridership. However, there are a number of other factors that contribute to regional travel demand model estimates including, but not limited to, surrounding land uses, number of stations, station placement, transfer opportunities, timed transfers, etc.

**94. Did the Dumbarton Transportation Corridor Study consider a Bay Area Rapid Transit (BART) extension over the Dumbarton Rail Bridge?**

The DTCS considered a BART extension over the Dumbarton Rail Bridge but this mode was eliminated from further study in the initial screening of alternatives. While BART technology can carry a large number of people, it requires a completely dedicated guideway, which is often elevated. Subsequently, BART technology tends to be expensive and poses some financial risk.

## Local Impacts

**95. Evaluation criteria should be sensitive to and reflective of community values.**

One of the four goals of the Dumbarton Transportation Corridor Study (DTCS) was to ensure that local communities are protected from adverse impacts, including consideration of disproportionate burden (low-income populations) and disparate impacts (minority populations). During the public outreach process, local communities were consulted on this topic and provided input that was incorporated into the DTCS. In the initial screening of alternatives, the focus of this goal was to consider impacts of transportation improvements on these specific at-risk populations. For instance, if transit modes required elevated guideway in areas with low income or minority populations, the modes would not score as well as elevated guideways can have substantial community impacts. In the comparative analysis, the focus of this goal was access-related. All transit alternatives were considered to provide similar levels of access to the surrounding communities.

**96. Many commenters expressed that the plan does not adequately consider the local impacts of transportation improvements designed to facilitate regional travel.**

The focus of the Dumbarton Transportation Corridor Study (DTCS) is to improve mobility by recommending transportation improvements in the Dumbarton Corridor. While regional travelers would benefit from many of the DTCS recommendations, there is also a benefit for local communities. Local communities benefit from the mode shift

to transit, reducing traffic volumes and congestion, resulting in increased mobility, which will be valuable as population and employment in the study area continue to grow. Additionally, local communities would also benefit from improve bicycle and pedestrian connections suggested in the DTCS.

**97. Please ensure that the potential environmental impacts of the proposed transportation improvements are identified with mitigations, including noise and air pollution, local access and circulation, protected species, and other requirements pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA).**

Most Dumbarton Transportation Corridor Study recommendations require further design and environmental clearance - a process that will identify required mitigation measures for all potential impacts related to the transportation improvements. This will take place during a subsequent phase of study after additional planning work is complete.

**98. How would the proposed improvements affect access and circulation for local residents in the study area?**

The proposed improvements are intended to encourage the use of public transit with the overriding goal of moving more people per vehicle verses providing capacity for more vehicles. The proposed improvements should maintain existing access to residential areas and local circulation patterns. A more detailed traffic study would be conducted during the environmental analysis phase to identify specific traffic impacts and identify mitigation measures if necessary.

**99. How will future traffic congestion be mitigated for residents within the study area?**

The Dumbarton Transportation Corridor Study (DTCS) concludes there are two key strategies to mitigate congestion for local residents. First, the focus on public transit across the Dumbarton Corridor is intended to reduce the number of vehicles that drive the sheer volume of traffic. Second, the DTCS promotes short-term operational improvements that can reduce bottlenecks. The combination would reduce congestion along Bayfront Expressway, Willow Road, University Avenue, and the East Bay approaches to the Highway Bridge.

**100. Is it possible to utilize congestion pricing to mitigate traffic on surface streets?**

It is possible to use congestion pricing to mitigate traffic on surface streets, however, an express lanes network with the appropriate equipment would need to be installed. Supportive policies would also be needed to guide the operations of the system. The Dumbarton Transportation Corridor Study (DTCS) only proposes express lanes where there would be a critical mass of traffic potentially willing to use (and pay for) the facilities. Potential express lanes on Bayfront Expressway with a connection to planned express lanes on US 101 at Marsh Road could provide enough time savings to

potentially divert more regional traffic away from other streets including Willow Road and University Avenue. Additional operational analysis is needed in this area.

**101. Many commenters expressed strong objection to options including direct-connector “flyover” ramps due to concerns over negative environmental impacts.**

Proposed flyover ramps are proposed in high traffic areas with limited residential housing such as Bayfront Expressway and University Avenue, Bayfront Expressway and Willow Road, Bayfront Expressway and US 101 at Marsh Road and the Dumbarton right-of-way at US 101. Nonetheless, all potential environmental impacts will be evaluated in subsequent phases of study. Flyover ramps would be developed at a greater level of design in an effort to identify all environmental impacts including, but not limited to, community, traffic, aesthetic, and noise impacts.

**102. How would flyover ramp connections to US 101 impact existing traffic during construction, how long would construction take, and what would the configuration be?**

The proposed ramps connecting the Dumbarton right-of-way to US 101 (for buses) and Bayfront Expressway express lanes to planned express lanes on US 101 via Marsh Road (for vehicles utilizing express lanes) require additional design and environmental clearance. The potential construction of such improvements would be considered in the environmental analysis, including the identification of mitigation measures to ease impacts related to construction.

**103. How will the Dumbarton Transportation Corridor Study (DTCS) recommendations impact housing costs in the study area?**

The DTCS’ recommendations would improve mobility in the area that would have a variety of potential indirect impacts on housing supply and costs in the study area. While constructing efficient transbay rail service could ease the demand for housing on the Peninsula, population and job growth could keep housing prices in this area high. Also, it is possible that housing prices on the Peninsula and in the East Bay could get a boost due to the proximity to new rail service.

**104. To what extent were bicyclists and pedestrians considered in the evaluation of traffic in the project area, specifically on Willow Road and University Avenue?**

The Dumbarton Transportation Corridor Study (DTCS) recognizes the importance of improved bicycle/pedestrian connections throughout the study area. In addition to examining the bicycle/pedestrian multiuse path on the Dumbarton right-of-way, the Bay Trail alternative (Bay Trail between Seaport Boulevard and University Avenue with on-street connections as required) and upgrades to the existing bicycle and pedestrian path on the Highway Bridge, the DTCS identifies bicycle improvements as part of county and city bicycle and pedestrian plans. For example, the San Mateo County Comprehensive Bicycle and Pedestrian Plan identifies a Class II bikeway on University Avenue at the US 101 overcrossing. These improvements are described in Chapter 5, Section 5.3.4.

**105. Please improve the condition of existing bus shelters in the study area.**

The Dumbarton Transportation Corridor Study (DTCS) is focused on proposing regional transportation improvements within the Dumbarton Corridor. While the DTCS recognizes the importance of localized improvements, it does not examine improvements to bus shelters in the study area.

## Cost/Funding/Implementation

**106. The regional travel demand model shows greater bus ridership with lower costs as compared to the rail alternatives. Are you considering the cost-to-benefit ratio of the bus alternatives versus the rail alternatives?**

Alternative 6 (Busway on the Rail Bridge) produces higher ridership with a lower cost than the commuter rail alternatives (Alternatives 7 through 9). However, the recommended Alternative 10 (Combination Bus and Rail) produced the highest ridership overall and is the preferred alternative because different travel markets can be served by the enhanced bus on the Highway Bridge and the commuter rail service on the Rail Bridge. Enhanced bus service on the Highway Bridge is very good at serving Tri-Cities (Newark, Fremont and Union City) to Peninsula trips with a one-seat ride while the commuter rail on the Rail Bridge has the potential to serve a more regional travel market pending coordination and connections with other regional rail providers. If regional rail connections are achieved, ridership would potentially exceed the projections identified in the Dumbarton Transportation Corridor Study (DTCS). DTCS travel demand modeling was constrained by a study area that did not expand beyond the Tri-Valley. In the next phase of study, additional modeling will occur, which will consider better regional rail connections and potentially streamlined operations, drawing upon ridership from well beyond the DTCS study area - Stockton and Sacramento.

**107. The previous iteration of Dumbarton study included environmental costs. Are those costs included in the overall capital costs of this study?**

Environmental analysis and mitigations are included in capital cost estimates. Environmental analysis and review are estimated as a lump sum based on potential project impacts. Environmental mitigation costs are assumed to be six percent of construction costs. More information about capital cost estimates can be found in Chapter 9, Section 9.2.

**108. Who will fund the implementation process? It seems as though there is no regional project champion.**

SamTrans is identifying funding options for next steps - primarily additional planning work. Many entities will need to work together to implement the many recommendations of the Dumbarton Transportation Corridor Study.



**109. What level of responsibility will cities in the study area have for funding improvements?**

Many of the Dumbarton Transportation Corridor Study (DTCS) recommendations are regional in nature and capital intensive. Individual cities would not be held accountable for funding such improvements. However, some short- and mid-term recommendations that fall within city limits and are less expensive could potentially be funded by the cities through their capital improvement programs. Examples include bicycle/pedestrian improvements, signal coordination, etc.

**110. How would the corridor be managed in the event that sufficient funding for both bus and rail cannot be secured? Which set of improvements would be built first?**

Which Dumbarton Transportation Corridor Study (DTCS) recommendations would be prioritized given limited funding is unknown at this time. Decisions would probably be based factors such as cost effectiveness, implementation timeframe, the amount of available funding, community support, etc. All DTCS recommendations require additional study - particularly further design and environmental clearance.

**111. Is it possible to recoup some of the Regional Measure 2 (RM2) money that was re-allocated to the Bay Area Rapid Transit (BART) for the Warm Springs extension?**

The Dumbarton Transportation Corridor Study is a feasibility planning study that does not address historic regional funding decisions. The current proposed allocation for Dumbarton Corridor improvements in RM 3 is \$130 million.

**112. How could funding provided by Senate Bill 1 (SB1) be incorporated in this project?**

SB1, the Transportation Infrastructure and Economic Investment Act, enacted in April 2017, is a \$52.4 billion funding package to improve the State's roads and transportation infrastructure. SB 1 funding opportunities are detailed in Chapter 13, Section 13.7.

**113. What is the conversation with Facebook regarding a public-private partnership (P3)?**

Project partners and stakeholders (including Facebook) recognize the importance of investigating opportunities related to P3s. Many questions remain about how a potential P3 could take form. A more in-depth P3 analysis will need to take place after the conclusion of the Dumbarton Transportation Corridor Study.

**114. Could private bus companies operate the Dumbarton Express services instead?**

Private companies could operate the Dumbarton Express services, though there may not be a business case for private companies to do so. Bus service is generally publicly subsidized and a private company would have to greatly increase fares to turn a profit.

**115. Tech companies that benefit from the improvements should help to partially finance ticket prices for low income communities and cease private shuttle operations.**

Low-income fare programs will likely be implemented in a way that is similar to existing Caltrain and SamTrans programs. Private company shuttles are not controlled by SamTrans and would be evaluated in the future as circumstances change.

**116. Explore value capture strategies with local businesses as a financing mechanism.**

Value capture funding approaches, which aim to link the beneficiaries of a public infrastructure investment to the project by allowing them to pay for portions of the capital or operations and maintenance cost, are estimated to potentially generate between \$250 million and \$930 million. This estimate and methodology is described in detail in Appendix O. Value capture strategies will continue to be examined in subsequent phases of study.

## Interagency Coordination

**117. Is SamTrans coordinating with state and federal agencies?**

SamTrans engaged Caltrans as a stakeholder at key study milestones throughout the Dumbarton Transportation Corridor Study (DTCS) process. SamTrans has also had preliminary conversations with the California State Transportation Agency (CalSTA) in terms of how the DTCS fits within the context of the State Rail Plan. Appropriate federal agencies will be engaged in subsequent phases of study, as appropriate.

**118. How will the Dumbarton Transportation Corridor Study (DTCS) integrate with the State Rail Plan?**

The State Rail Plan builds on a framework of short-term regional and corridor plans and proposals that support the 2040 Rail Vision and is intended to serve as guide for State-led service implementation planning in coordination with regional agencies, rail operators, and stakeholders. The State Rail Plan includes various short-, mid-, and long-term planning and improvement goals related to the DTCS including:

▪ **2020 Short-term Plan Regional Goals:**

• **Service Goals and Improvements:**

- *Initial Integrated Express Bus services connecting the Peninsula with East Bay across the Dumbarton Highway Bridge and regional and intercity rail stations, allowing connectivity to the statewide rail network.*

• **Planning, Analysis, and Project Development:**

- *Complete study of the Dumbarton alignment to connect the Peninsula and East Bay within a regional network, including alternatives for both Integrated Express Bus and Rail service.*

- **2027 Mid-term Plan Regional Goals**
  - **Service Goals and Improvements:**
    - *Half-hourly peak and hourly off-peak bus or rail service in the Dumbarton Corridor (based on the results of the 2022 study), with connections in the East Bay to Altamont Corridor, Oakland to San Jose rail, and Bay Area Rapid Transit (BART) services*
    - *Open an East Bay hub station near Newark, Hayward, or Fremont to allow connections between north-south service between Oakland and San Jose, and east-west services between the Stockton area and San Jose and a regional Dumbarton Bay Crossing. Location will be chosen consistent with results of the 2022 study.*
- **2040 Long-term Vision – Regional Goals**
  - **Service Goals and Improvements:**
    - *Half-hourly bus or rail service in the Dumbarton corridor (based on the results of the 2022 study), integrated with East Bay, BART, and Altamont services.*

**119. What level of regional support has been received from the Metropolitan Transportation Commission (MTC)?**

SamTrans engaged MTC as a stakeholder at key study milestones throughout the Dumbarton Transportation Corridor Study (DTCS) process. MTC recently started a Design Alternatives Assessment (DAA), which will focus on developing short-term improvements in the Dumbarton Corridor at a higher level of detail. MTC is also interested in further developing the express lanes options evaluated in the DTCS. More recently, several MTC Commissioners have come out in support of Dumbarton Corridor improvements and some funding (\$130 million) is currently set aside for Dumbarton Corridor improvements in Regional Measure 3 (RM3). RM3 is scheduled to go to the ballot in 2018.

**120. What is the role of Facebook in the Dumbarton Transportation Corridor Study (DTCS)?**

Facebook participated throughout the study process as a project partner along with the Alameda County Transportation Commission (ACTC) and Alameda-Contra Costa Transit District (AC Transit). Project partners were included on bi-weekly project calls, provided relevant data, helped review and provided feedback on project deliverables, etc. Facebook also contributed \$1.2 million toward the DTCS, which was managed independently by SamTrans.

## Ridership and Operations Modeling

**121. To what extent does transit frequency versus travel time influence estimated ridership? Does one have a stronger influence than another?**

The City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model includes both travel time and transit frequency as significant predictors of transit ridership. Frequency typically has a somewhat stronger influence on ridership than total travel time; the model treats each additional minute of waiting time as equivalent to between one and two-and-a-half minutes of travel time (more for commute trips, less for other types of trips).

**122. Does the Dumbarton Transportation Corridor Study (DTCS) consider the impact of increased development in the study area on corridor traffic? Does it include the proposed campus expansion at Facebook?**

The DTCS projects future conditions via the City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model. The model produces forecasts using projected regional land use growth and transportation improvements consistent with the Association of Bay Area Governments (ABAG)/Metropolitan Transportation Commission (MTC) Plan Bay Area Sustainable Communities Strategy and the Regional Transportation Plan. However, adjustments were made to the model data so that it would better align with actual growth trends not envisioned when the ABAG/MTC projections were produced. The high-growth 2040 scenario (Alternative 11) applies a more ambitious projection of employment growth, and is based on recent sustained employment trends and approved development projects in the study area, including the Facebook campus expansion.

**123. How are city general plans factored into the regional travel demand modeling?**

The City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model forecasts include the official long-range Plan Bay Area plans as included in the Regional Transportation Plan (RTP) and the Sustainable Communities Strategy (SCS) prepared by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). ABAG takes general plans into account in its estimates as well as State economic forecasts that indicate the amounts of population and employment growth to be accommodated in the region and its communities by the years 2020 and 2040.

**124. What are the mode of access assumptions in the model (e.g. bicycle/pedestrian access to stations)?**

The City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model assumes that rail stations (including the new Willow Road station) and park-and-ride facilities can be accessed by walking, and includes an estimate of walking time (a simple calculation from distance) as part of the travel time.

**125. How does the Dumbarton Transportation Corridor Study address induced demand for single-occupant vehicle travel as a result of the proposed improvements?**

The City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model considers both auto and transit accessibility when modeling auto ownership, which in turn influences the model estimates of total trips by all modes. Auto and transit accessibility play a much larger role in mode split, where (as one would expect) improvements in auto accessibility result in a higher percentage of auto trips and improvements in transit accessibility result in a higher percentage of transit trips.

**126. Was variable congestion pricing assumed in ridership forecasting?**

The City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model is not able to simulate dynamic road pricing that does not produce predictable change to travel cost for individuals or the average driver.

**127. To what extent is the proposed East-West Connector project in Fremont considered in the Dumbarton Transportation Corridor Study (DTCS)?**

The East-West Connector is not considered in the modeling for DTCS.

**128. Does the Dumbarton Transportation Corridor Study ridership forecasting consider the Stanford/AC Transit U shuttles that currently travel on the Dumbarton Highway Bridge?**

The City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand modeling takes into account the Stanford/AC Transit U shuttle. Model forecasts for this line were included as part of total and transbay daily transit on the Dumbarton lines.

**129. Does the 30,000 total daily riders include ACE transfers?**

Alternative 10 (Combination Bus and Rail) is estimated to produce 32,900 total daily riders, of which almost 4,000 are transfers from the Altamont Commuter Express (ACE) service. More information about estimated ACE transfers are included in Chapter 10, Section 10.3.3.

**130. How easy or difficult is it to model new transportation alternatives with the regional travel demand model? Would you consider a model run that includes the Altamont Commuter Express (ACE) coming across the Dumbarton Rail Bridge?**

As part of the next phase of study, SamTrans would like to work with regional rail partners including the California State Transportation Agency (CalSTA), Union Pacific, Alameda County Transportation Commission (ACTC), ACE, Capitol Corridor, etc. to better define potential rail operations, connections and stations in the East Bay. It is possible that additional travel demand modeling will take place in an effort to quantify

the benefit of more streamlined regional rail operations. Because this modeling effort would cover a much larger study area, additional calibration/validation would need to take place to use the City/County Association of Governments of San Mateo County (C/CAG) - Santa Clara Valley Transportation Authority (VTA) regional travel demand model. It is also possible that another regional model could be used.

**131. Could SamTrans model different transit service scenarios, such as shorter rail headways, or using rail service as a backbone with bus connections?**

Because there are a substantial number of transit network and operational options to consider, the Dumbarton Transportation Corridor Study (DTCS) focused on the feasibility of fixed-guideway and bus transit combinations. Due to the high cost of regional travel demand model runs, SamTrans attempted to identify alternatives that represented a broad variety of operating scenarios. With additional budget, SamTrans could model additional operating scenarios and evaluate ridership results. However, without performing any additional modeling, it is generally understood that reducing transit headways (running service more frequently) produces higher ridership estimates. Note that the rail alternatives, as currently proposed, would already act as the transit system backbone with complimentary bus services proposed to provide first/last mile connectivity.

**132. Are the recommended improvements expected to increase vehicle traffic by 25 percent or how much? What is the likely effect of increased vehicle capacity on demand (e.g. induced demand) which would further increase vehicle trips? How would increased average daily trips on the Highway Bridge impact local roadways such as University Avenue and Willow Road?**

The No Project scenario in the VISSIM operations analysis shows that the existing configuration of the roadway system is only able to serve about 75 percent of the forecasted peak hour demand. This suggests that capacity improvements (barring any mode shift associated with transit improvements) would be required just to handle the base demand for the roadway system. The improvements tested in the model are focused on portions of the Willow Road and Bayfront Expressway corridors that are subject to upstream bottlenecks (for example, US 101 and I-880). Induced demand could occur with these improvements, but the demand would likely be metered into the heart of the Dumbarton (Highway Bridge) Corridor due to these upstream bottlenecks. Transit improvements and express lane improvements in the Dumbarton Corridor may induce mode shifting, which would reduce single occupancy vehicle demand to counteract induced demand.



## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-304-CC

**Regular Business:** Approve the 2018 City Council meeting schedule

### Recommendation

Staff recommends the City Council review and approve the City Council's 2018 meeting schedule (Attachment A).

### Policy Issues

The proposed action conforms to current practice of having the City Council set its meeting schedule annually in December.

### Background

The purpose of the annual City Council meeting schedule is to provide the City Council, staff and the public with advance notice of proposed meeting dates. The meeting schedule has typically been approved by the City Council at a regular meeting in December each year.

### Analysis

Staff is proposing a meeting schedule for 2018, similar to previous years generally, with meetings held twice a month. The proposed dates have been scheduled taking into consideration City holidays, school holidays, and important City Council and staff-related conferences (Attachment B). Also included on the calendar are significant events requiring the City Council's participation such as the City Council goal setting session and the Commissioner Appreciation event.

Once a meeting schedule is approved by the City Council, it will be used by staff to create a tentative calendar to identify when items will likely be considered by the City Council. It is important to note that the tentative calendar is a fluid document that serves as an ongoing reference guide, and that items are frequently rescheduled. The City Council is requested to keep Tuesday evenings free so that meetings, including closed sessions or study sessions, can be scheduled as the need arises.

### Impact on City Resources

Approval of the meeting schedule has no impact on City resources.

### Environmental Review

The proposed action 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. Proposed 2018 City Council meeting schedule
- B. Proposed 2018 City Council meeting schedule working draft with additional information

Report prepared by:

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



# --DRAFT-- CITY COUNCIL MEETING SCHEDULE 2018

## JANUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26*	27
28	29	30	31	*Goal setting		

## FEBRUARY

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## MARCH

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## APRIL

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## MAY

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## JUNE

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\*Commissioner training

## JULY

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## AUGUST

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\*if needed

## SEPTEMBER

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30						

## OCTOBER

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28	29	30	31			

## NOVEMBER

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## DECEMBER

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30	31					

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# Proposed 2018 City Council Meeting Calendar (working draft)

January						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26*	27
28	29	30	31			

- 1 New Year's Day Holiday
- 1-5 Schools on Winter Break (cont.)
- 8 LLESD classes resume
- 9 MPCSD/RWCSD classes resume
- 15 Martin Luther King Day Holiday
- 16 City Council meeting
- 17-19 CA Cities: New Mayors and Councilmembers Academy
- 23 City Council meeting
- 26 City Council Goal Setting meeting
- 31 CA Cities: City Managers Department Meeting

July						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
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29	30	31				

- 4 Independence Day Holiday
- 17 City Council meeting

February						
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18	19	20	21	22	23	24
25	26	27	28			

- 1-2 CA Cities: City Managers Department Meeting
- 6 City Council meeting
- 13 City Council meeting
- 14 Valentine's Day
- 19 President's Day Holiday
- 19-20 LLESD Holidays
- 19-20 RWCSD Holidays
- 19-23 MPCSD Feb. Break

August						
Su	Mo	Tu	We	Th	Fr	Sa
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12	13	14	15	16	17	18
19	20	21*	22	23	24	25
26	27	28	29	30	31	

- 15 RWCSD 1st day of classes
- 21 City Council meeting \*if needed
- 24 MPCSD 1st day of classes
- 28 City Council meeting
- 30 LLESD 1st day of classes

March						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- 2 RWCSD No School
- 6 City Council meeting
- 10 MPAEF Auction Party
- 11 Daylight Savings Time Starts
- 13-16 LLESD Minimum Days
- 14-16 RWCSD Parent Conferences
- 20 City Council meeting
- 30 MPCSD/RWCSD No School; Cesar Chavez Day; Good Friday
- 31 Passover 3/31-4/7 (no work permitted 3/31; 4/1; 4/6; 4/7)

September						
Su	Mo	Tu	We	Th	Fr	Sa
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

- 3 Labor Day Holiday
- 4-7 RWCSD Back to School Nights
- 9-11 Rosh Hashanah (no work permitted 9/9; 9/10; 9/11)
- 11 City Council meeting
- 12-14 CA Cities: Annual Conference in Long Beach
- 18 City Council meeting
- 18-19 Yom Kippur (no work permitted 9/18; 9/19)
- 23-26 ICMA Annual Conference in Baltimore, MD
- 23-30 Sukkot (no work permitted 9/24; 9/25)

April						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

- 1 Easter Sunday
- 3 City Council meeting
- 1-7 Passover 3/31-4/7 (no work permitted 3/31; 4/1; 4/6; 4/7)
- 4-6 CA Cities: Planning Commissioner Academy
- 9-13 Schools on Spring Break
- 18 CA Cities: Legislative Action Day
- 24 City Council meeting

October						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- 1 Shmini Atzeret
- 2 Simchat Torah
- 8 RWCSD No School; Indigenous Peoples' Day
- 9 City Council meeting
- 23 City Council meeting
- 31 Halloween

May						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- 8 City Council meeting
- 13 Mother's Day
- 15 City Commissioner Training and Appreciation event
- 19-21 Shavuot (no work permitted 5/19; 5/20; 5/21)
- 22 City Council meeting
- 25 RWCSD No School; Malcolm X Day
- 28 Memorial Day Holiday
- 29-31 RWCSD Open House Nights

November						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- 6 Statewide General Election
- 6 City Council meeting
- 6-9 LLESD Minimum Days
- 11 Veterans Day Holiday
- 12 Veterans Day Holiday (observed)
- 13 City Council meeting
- 13-16 RWCSD Parent Conferences
- 19-23 LLESD/RWCSD No School
- 21 Thanksgiving Friday Holiday (observed)
- 22 Thanksgiving Day Holiday

June						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- 5 Statewide Election Primary Day
- 5 City Council meeting
- 7 LLESD Last Day of School
- 8 RWCSD Last Day of School
- 15 MPCSD Last Day of School
- 17 Father's Day
- 19 City Council meeting
- 27-28 CA Cities: Mayors & Councilmembers Executive Forum
- 29 CA Cities: Mayors & Councilmembers Leadership workshops

December						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- 2-10 Chanukah/Hanukkah
- 4 City Council meeting
- 11 City Council reorganization meeting
- 22-31 Schools on Winter Break
- 24 Christmas Eve Holiday
- 25 Christmas Holiday
- 26-31 City Hall Furlough Days

<b>PROPOSED CITY COUNCIL MEETING DATES</b>	<b>JEWISH HOLIDAYS</b>
<b>HOLIDAYS OR HOLIDAYS OBSERVED (CITY HALL CLOSED)</b>	<b>CONFERENCES, TRAININGS, OR OTHER CONFLICTS</b>
<b>SCHOOL HOLIDAYS, DATES OF NOTE, OR OTHER CONFLICTS</b>	<b>CITY HALL REGULAR DAYS OFF OR FURLOUGH (CITY HALL CLOSED)</b>

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## STAFF REPORT

### City Council

Meeting Date:

12/5/2017

Staff Report Number:

17-292-CC

Regular Business:

**Discussion and direction on next steps for addressing complaints related to unregulated and unmaintained newsracks in Menlo Park**

### Recommendation

Staff recommends that the City Council discuss and give direction for addressing the unregulated and unmaintained newsracks throughout Menlo Park.

### Policy Issues

The City of Menlo Park currently has no ordinance regulating newsracks and therefore no ability to address the concerns raised about unmaintained, abandoned or poorly located racks. This action is consistent with the goal of the downtown beautification is consistent between the El Camino Real/Downtown Specific Plan and the 2015 Menlo Park Economic Development Plan.

### Background

Over the past few years, the City has received multiple complaints and concerns from residents and business owners regarding the proliferation and deterioration of newspaper racks throughout the City and especially, the downtown area. There are two types of newsracks used in the downtown area: double stacked, green pedestal racks and private, branded modular racks. In the 1980s, publishers collaborated, purchased, installed and anchored the green racks with no agreement on who would maintain the racks.

On October 25, 2017, staff held a community meeting to solicit feedback and recommendations on a newsrack ordinance. Community input strongly favored not completely removing newsracks, but emphasized the need for cleaning them up. Others gave specific suggestions including; ensuring that permit fees are reasonable, not restricting the locations of racks, not mandating the size of the racks, not adopting an ordinance, giving publishers six months to clean up the racks and creating a stakeholder committee to advise staff on ordinance recommendations.

Since the October 25, 2017, community meeting, there has been a noticeable reduction in the number of branded modular racks. In fact, the City has received correspondence from two of the individuals who had vocally complained about the newsracks, stating that they felt the situation has improved. However, at least one of the commercial property owners has contacted staff to complain about the green pedestal racks and his perceived delay in abatement activities.

## **Analysis**

The City Council has a number of options for moving forward.

### Maintain Status Quo

The City Council can choose to do nothing and allow the publishers to self-police. This approach has already resulted in a reduction of modular branded racks downtown, but no improvement to the green pedestal racks. It is likely that over time, this will lead to additional complaints from merchants, residents and property owners.

### Ordinance

The City Council can direct staff to draft an ordinance for City Council action in 2018. In consultation with the City Attorney's Office, unused and/or damaged newsracks cannot simply be removed by the City, because there is no ordinance regulating newsracks locations or maintenance standards. An ordinance is necessary to avoid First Amendment challenges that other cities have faced and provide an avenue for the City to legally remove abandoned or not maintained newsracks. It will also contribute to the vibrancy of downtown by standardizing placement and specifications of newsracks, ensuring proper upkeep and maintenance of the newsracks while providing the City with adequate code enforcement tools to take action in the event of improper placement or maintenance.

Many neighboring cities have adopted a newsrack ordinance with varying degrees of regulation.

Attachments A and B are example ordinances. Each ordinance has the below sections:

- Requirement of newsrack permit – Allows the City to collect current contact information, insurance, business license and indemnification requirements for the publisher and track the locations of the newsracks.
- Maintenance and standards – Sets quality guidelines that must be upheld by the permit holder, restricts advertising on the newsracks and gives the City authorization to remove abandoned newsracks.
- Placement – Gives general guidelines on where newsracks can be placed including for ADA accessibility and traffic safety and states how newsracks should be mounted to the sidewalks.
- Abatement of violation – Allows the City to cancel a permit and remove a newsracks for health and safety reasons or violation of permit conditions.

In addition, if an ordinance is desired, staff requests City Council direction on the following questions:

1. Does the City Council want to standardize the newsracks?
  - a. Style (pedestal or modular)
  - b. Size
  - c. Color
  - d. Manufacturer and/or model
2. Does the City Council want to regulate newsracks locations within the City?
3. Does the City Council want to restrict the number of newsracks allowed?

### Stakeholder Group

The City Council can direct staff to invite interested parties to establish a stakeholder group to develop and recommend an ordinance for City Council approval, which would allow the City the ability to regulate the placement and maintenance of newspaper racks. It is likely that any ordinance recommended by a stakeholder group would align with the evolution of the industry and provide the greatest leniency to publishers.



Staff Report #: 17-292-CC

**Attachments**

- A. Palo Alto Ordinance
- B. Belmont Ordinance

Report prepared by:  
Meghan Revolinsky, Management Analyst II

Report Reviewed by:  
Jim Cogan, Housing and Economic Development Manager

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## City of Palo Alto

Public Works Engineering

Phone: 650/329-2151 FAX: 650/329-2299

www.CityofPaloAlto.org

## Palo Alto Municipal Code Sections Regarding Newsrack Placement

*Below is the full text of the Palo Alto Municipal Code, Chapter 9.79, establishing comprehensive time, place and manner regulations for the placement and maintenance of newsracks in the public right-of-way. Providing this full text of the ordinance is in an effort to help understand the process and streamline the application process.*

### CHAPTER 9.79 NEWSRACKS

#### 9.79.010 Purpose; Scope.

The purpose and scope of the regulations in this chapter are as follows:

(a) The provisions of this chapter shall apply to all newsracks located in public places within the City of Palo Alto; provided, that certain provisions, as specified, shall apply only to newsracks located on public property.

(b) It is in the public interest to establish regulations that balance the right to distribute information through newsracks with the right of persons to reasonably access and use public property.

(c) The public health, safety, welfare and convenience require that: interference with vehicular, bicycle, wheelchair or pedestrian traffic be avoided; obstruction of sight distance and views of traffic signs and street-crossing pedestrians be eliminated; damage done to sidewalks or streets be minimized and repaired; the good appearance of public property be maintained; trees and other landscaping be allowed to grow without disturbance; access to emergency and other public facilities be maintained; and ingress and egress from, and the enjoyment of store window displays on, properties adjoining public property be protected.

(d) Newsracks placed and maintained on public property, absent some reasonable regulation, may unreasonably interfere with the use of such property, and may present hazards to persons or property.

(e) The regulations on the time, place and manner of the placement, location and maintenance of newsracks set forth in this chapter are carefully tailored to ensure that the purposes stated in this section are implemented while still providing ample opportunities for the distribution of news to the public.

#### 9.79.020 Definitions.

For the purposes of this chapter, the following words and phrases are defined and shall be given the meaning set out in this section unless it is apparent from the context that a different meaning is intended.

(a) "Abandoned newsrack" means any newsrack which remains empty for ten (10) business days; provided, that a newsrack remaining empty due to labor strike or any temporary and extraordinary interruption of distribution or publication by the newspaper or other publication sold or distributed from that newsrack shall not be deemed abandoned.

(b) "City Engineer" means the Director of Public Works or his or her designee.

(c) "Harmful matter" means and is defined as in California Penal Code section 313, as may from time to time be amended.

(d) "Minor" means any natural person under 18 years of age.

(e) "Newsrack" means any self-service or coin-operated box, container, storage unit, or other dispenser installed, used or maintained for the display and sale or distribution of newspapers, periodicals or other publications.

(f) "Person" means any individual, partnership, firm, association, corporation, limited liability company, or other legal entity.

(g) "Public place(s)" means and includes any public property owned or controlled by the City of Palo Alto or any other public agency, or any outdoor private property which is open to the public.

(h) "Public property" means any public right-of-way or any property owned or controlled by the City of Palo Alto, including, without limitation, streets, sidewalks, alleys, and rights-of-way.

(i) "Special Newsrack Area" means any area of the City of Palo Alto so designated by the City Council upon findings that the special circumstances of the area require special design, placement and other standards for newsracks.

(j) "Special Newsrack Container" means a specially designed permanently affixed container provided by or on behalf of the City, within which shall be the exclusive location for the placement of newsracks in a special newsrack area.

#### **9.79.030 Permit Required.**

It is unlawful to install, place, maintain or cause to be placed, installed or maintained a newsrack on, or projecting on, any public property without first receiving a permit therefor from the City Engineer and unless such newsrack is in compliance with the provisions of this chapter; provided, that, except for newsracks proposed to be located within a special newsrack area, a newsrack located on public property as of April 5, 1999 may continue to remain in such location, under the following conditions:

(a) The newsrack is in compliance with the requirements for the installation and maintenance of newsracks contained in this chapter; and

(b) A permit application for such newsrack has been filed as of that date with the City Engineer by the duly authorized representative of both the publisher and, if applicable, any independent distributor authorized to service the publisher's newsrack; and

(c) A permit pursuant to such application has not been denied with respect to any such newsrack.

If no permit application has been filed by that date by the duly authorized representative of both the publisher and, if applicable, any independent distributor authorized to service the publisher's newsrack, or such permit is denied, such newsrack shall be deemed to be in violation of the provisions of this chapter.

## 9.79.040 Obtaining a Permit.

(a) Exclusive Requirements. The provisions of this chapter shall be the exclusive requirements for newsrack encroachments onto public property in the city.

(b) Application. Applications for a newsrack permit for one or more newsracks shall be made to the city engineer on a form prescribed by the city engineer, which shall include, without limitation:

- (1) The name, street and mailing address, and telephone number of the applicant, which shall be the duly authorized representative of both the publisher and, if applicable, any independent distributor authorized to service the publisher's newsrack for which the permit is sought;
- (2) The name, street and mailing address and telephone number of the distributor or other responsible person whom the city may notify or contact at any time concerning the applicant's newsrack(s);
- (3) The number of proposed newsracks and a description of the exact proposed location (including a map or site plan, drawn to scale, with adequate locational information to verify conformance with this chapter) and the proposed means of affixing each proposed newsrack;
- (4) A description of each proposed newsrack, including its dimensions, the number of publication spaces it will contain, and whether it contains a coin-operated mechanism;
- (5) The name and frequency of publication of each publication proposed to be contained in each newsrack;
- (6) A statement signed by the applicant that the applicant agrees to indemnify, defend and hold harmless, the city and its representatives from all claims, demands, loss, fines or liability to the extent arising out of or in connection with the installation, use or maintenance of any newsrack on public property by or on behalf of any such person, except such injury or harm as may be caused solely and exclusively by the negligence of the city or its authorized representatives; and
- (7) A statement signed by the applicant that the applicant agrees, upon removal of a newsrack, to repair any damage to the public property caused by the newsrack or its removal.

(c) Issuance of Permit. A permit shall be issued within ten working days from the date of filing the application with the city engineer if the application is properly completed and the type of newsrack and location proposed for each newsrack meet the standards set forth in this chapter. A single permit shall be issued for all newsracks applied for by an applicant which meet the standards of this chapter. A permit shall not be transferable.

(d) Period of Permit Validity. All permits issued within three years from the effective date of this section shall expire on the date three years from the effective date of this section, regardless of the date of issuance. All permits issued within the second and succeeding three year periods shall, likewise, expire at the end of such three-year period.

(e) Issuance of Permit Sticker. Each permittee shall be issued a pre-printed sticker for each permitted newsrack, which shall be affixed to the lower right corner of the front of each newsrack.

(f) Denial of Permit. If a newsrack permit is disapproved, in whole or in part, the city engineer shall notify the applicant within ten working days from the date of filing a complete application with the city engineer, explaining the reasons for the denial of the permit. The applicant shall have ten calendar days within which to appeal the decision to the city manager in accordance with the appeal provisions set forth in subsection (g) of this section.

(g) Appeal of Permit Denial. After receiving a notice of appeal, the city manager or the designee of the city manager shall conduct a hearing within thirty days of the receipt of the applicant's appeal, unless otherwise agreed to by the applicant. Written notice of the time and place of the hearing shall be given to the applicant, and shall be posted in the official posting locations of the city. The hearing shall be informal, but oral and written evidence may be given by both sides. The city manager or designee shall render a written decision within fifteen days after the date of the hearing. The decision of the city manager shall be final.

(h) Amendment to Permit. In the event of a change in any of the information contained in the application, the permittee shall submit such change in writing to the city engineer. A permittee may install and maintain additional newsracks by an amendment to the permit. The rules and procedures of this section shall also apply to the review and approval of any such amendment.

#### **9.79.050 Standards for Maintenance and Display of Newsracks.**

(a) Every person placing or maintaining a newsrack on public property shall comply with the following requirements:

- (1) Every newsrack shall be maintained in a neat and clean condition, and in good repair at all times. For example, without limitation, every newsrack shall be reasonably free of dirt and grease, be reasonably free of chipped, faded, peeling or cracked paint, be reasonably free of rust and corrosion, have no broken or cracked plastic or glass parts, and have no broken structural parts.
- (2) Every newsrack shall be constructed, installed and maintained in a safe and secure condition.
- (3) Every newsrack shall be made of solid material on all sides, so as to contain the material inside the newsrack in a manner as to prevent it from blowing away or otherwise becoming litter. No wire or other open form of newsrack shall be permitted.
- (4) Every newsrack shall be kept free of graffiti.

- (5) Every newsrack that sits on legs shall be kept free of dirt and litter under the newsrack.
- (6) Every newsrack shall be painted or covered with a protective coating, so as to keep it free from rust, and shall be cleaned and repainted on a regular basis.
- (7) Every coin-operated newsrack shall be equipped with a coin-return device that is maintained in good repair and working order.
- (8) Every coin-operated newsrack shall display information on how to secure a refund in the event of coin return malfunction. Such information shall be placed in a visible location on the front or top of the newsrack, and shall be legible.
- (9) Other than the display of the publication contained therein, no newsrack shall display or be affixed with any words or pictures except for the identifying information, and the coin return information, if applicable, required by subsection (e) of section 9.79.040 and subsections(a)(8)and(b), respectfully, of this section; provided, that, except as provided in section 9.79 080 (Special Newsrack areas), each side of a newsrack may display, in characters no more than four inches (4") high, the name and/or logo of the publication contained in the newsrack, and the front of each newsrack may be affixed with a single sign or decal, no larger than eight inches by ten inches (8"x10"), containing only information relating to the display, sale or distribution of the publication contained in the newsrack. If the newsrack is a Sho-Rack K-100 or K-Jack KJ55 style, or equivalent (i.e., double-high), which contains a built-in sign holder, the newsrack may be affixed with a sign that fits within that holder, not to exceed eleven inches by seventeen inches (11"x17"). If a newsrack has no sign or decal, the name and/or logo display may be up to eleven inches (11") high.
- (10) Old or out-of-date material removed from any newsrack by any person who owns, maintains, or stocks the newsrack shall be recycled or disposed of in a lawful manner. Such material shall not be disposed of in any trash receptacle owned or rented by others, without the express written consent of the owner or renter of such receptacle. Such material shall be disposed of in a manner that does not cause the material to become litter.

(b) Every newsrack located in a public place shall be affixed with identifying information, which shall contain the name, address and telephone number of the newsrack owner and of the distributor of the publication(s) contained therein. Such information shall be placed in a visible location on the front or top of the newsrack, and shall be legible. The size of the identifying information shall be no larger than three inches by five inches (3" x 5").



### **9.79.060 Size and Design Standards.**

Except as provided in section 9.79.080 (Special Newsrack Areas), no newsrack shall be placed, installed or maintained on any public property except in compliance with the following standards:

(a) No newsrack shall be more than fifty (50) inches high (including the pedestal in the case of modular newsracks) measured from the ground to the top surface of the newsrack, nor more than two (2) feet deep, nor more than twenty-four (24) inches wide.

(b) The highest operable part of the coin slot, if provided, and all controls, dispensers and other operable components of a newsrack shall be no higher than forty-eight (48) inches above the ground, and no lower than fifteen (15) inches above the ground.

(c) The design of a newsrack shall not create a danger to the persons using the newsrack in a reasonably foreseeable manner. All newsracks shall comply with all applicable federal, state and local laws and regulations including, without limitation, the Americans with Disabilities Act and other laws and regulations relating to barrier-free design.

### **9.79.070 Standards for Placement and Location of Newsracks.**

(a) Except as otherwise set forth in Section 9.79.080 (Special Newsrack Areas), no newsrack shall be placed, installed or maintained on any public property when such installation, use or maintenance endangers the safety of persons or property. No newsrack shall be placed, installed or maintained on any public property except in compliance with the following standards:

- (1) Newsracks shall be placed only on a sidewalk, in one of the following locations:
  - (i) Near a curb, in which case, the back of the newsrack shall be placed no less than eighteen (18) inches (twelve (12) inches along El Camino Real) nor more than twenty-four (24) inches from the face of the curb; or
  - (ii) Adjacent to the wall of a building, in which case, the back of the newsrack shall be placed parallel to such wall and not more than six (6) inches from the wall.
- (2) Every newsrack shall be placed so as to open toward the sidewalk.
- (3) Every newsrack shall be affixed to the sidewalk or to another newsrack, in a manner approved by the permit therefor; provided, no newsrack shall be chained to another newsrack. Newsracks shall not be chained or otherwise attached to any bus shelter, bench, street light, utility pole or device or sign pole, or to any tree, shrub or other plant, nor situated upon any landscaped area.
- (4) No newsrack shall be placed, installed or maintained:
  - (i) Within ten (10) feet of any marked or unmarked crosswalk as measured from the curb return;

- (ii) Within five (5) feet of any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box;
- (iii) At any location where the clear space for the passage of pedestrians is reduced to less than six (6) feet (five (5) feet along El Camino Real);
- (iv) Within five (5) feet of any driveway;
- (v) Within five (5) feet of any red curb of a bus stop zone;
- (vi) Within five (5) feet of the curb return of any wheelchair curb ramp not in a marked crosswalk;
- (vii) In such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building;
- (viii) In such a manner as to impede or interfere with the reasonable use of any bicycle rack;
- (ix) In such a manner as to block or cover any portion of an underground utility vault, manhole, or other sidewalk underground access location.

(b) Newsracks may be placed or joined together; however, no group of newsracks placed along a curb shall extend for a distance of more than ten (10) feet (i.e., the combined width of five (5) newsracks); and no group of newsracks shall be closer than four (4) feet to another group of newsracks along a curb.

(c) The City Engineer may allow a permittee to place a newsrack in a location in variance of the standards otherwise required by this section if the City Engineer finds that such variance will not be detrimental to the public safety and that, due to the existing physical constraints at that location, imposition of the standards would make placement impossible and would cause a hardship to the permittee and its patrons. The written findings and the variance shall be made part of the permit. Prior to considering whether or not to grant a variance, the City Engineer shall provide written notice of the requested variance to the owner(s) of the real property adjacent to or abutting the proposed newsrack location.

(d) If sufficient space does not exist to accommodate all newsracks sought to be placed at one location without violating the standards set forth in this chapter, the City Engineer shall give priority as to that location to publications on a historical "first come first served" basis to permit applicants as follows:

- (1) First priority shall be publications that are published two or more times a week;
- (2) Second priority shall be given to publications that are published once per week;
- (3) Third priority shall be given to publications that are published less than once per week but more than once per month;

- (4) Fourth priority shall be given to publications that are published monthly or less frequently than monthly.

In the event the City Engineer is required to utilize the priority system described in subparagraphs (1) through (4), above, he or she shall permit only one rack per publication in a single location, provided that the Sunday edition of a daily publication shall be considered as a separate publication and shall be in the second category.

#### **9.79.080 Special Newsrack Areas.**

(a) The City Council hereby finds that special circumstances require special design, placement and other standards for newsracks located in following areas of the city; and such areas are hereby designated as Special Newsrack Areas:

- (1) The Downtown Commercial Area.

- (i) The City Council hereby designates the "Downtown Commercial Area", bounded by and including both sides of the following streets: Middlefield, Hamilton, Alma, and Lytton, as a Special Newsrack Area.

- (ii) The Council finds that the Downtown Commercial Area has become very congested, with street furniture and other sidewalk encroachments, automobiles and other means of travel competing with pedestrians for the public space; and that special standards for the design and location of newsracks, in conjunction with a program for the furnishing and installation of street furniture, and the enforcement of existing regulations for other encroachments in the Downtown Commercial Area, will help to create a sense of order out of chaos and provide a friendly environment for those who come to the area.

(b) Notwithstanding any contrary provisions in this chapter, the following special standards shall apply to newsracks and the placement of publications in newsracks within any Special Newsrack Area so designated pursuant to subdivision (a) of this section:

- (1) No newsrack shall be located in a Special Newsrack Area except within a Special Newsrack Container. All newsracks in a Special Newsrack Container shall meet the following specifications:

- (i) Every newsrack shall be a modular design, 49-16 or K-100 style (as Manufactured by "Sho-Rack") or KJ50/KJ55F (as manufactured by "K-Jack") or M-30/M-33 (as manufactured by National Newsvend) or the equivalent, as determined by the City Engineer.

- (ii) Each publication shall use the same color for all of its newsracks located within a Special Newsrack Area.
  - (iii) The name and/or logo otherwise permitted pursuant to subparagraph (a)(9) of Section 9.79.050 may be placed only on the front face of the box.
  - (iv) Permittees of double high racks may be required to provide devices commonly known as "spacers" for the newsracks adjacent to each double high rack, to ensure that all newsracks in a single location group of racks are the same height. Permittees who use newsracks of a brand other than Sho-Rack may be required to furnish spacers to achieve height uniformity.
- (2) Original placement of newsracks within a Special Newsrack Area.
- (i) No newsrack shall be located in a Special Newsrack Area unless a permit has been obtained in accordance with this subsection (2) or subsection (3).
  - (ii) Within thirty days after the effective date of the ordinance designating a Special Newsrack Area, or as soon as practicable thereafter, the City Engineer shall establish a date (the "cut-off date") by which application shall be made to the City Engineer for every newsrack proposed to be located within a Special Newsrack Area. No application shall be considered that is filed later than the cut-off date established for that area. The City Engineer shall give notice of the cut-off date by publication once in a newspaper of general circulation in the City. The City Engineer shall also endeavor to mail notice of the cut-off date to the owners and/or distributors of newsracks existing as of the effective date of the ordinance designating a Special Newsrack Area; provided, however, that failure to provide mailed notice to any person shall not invalidate any action taken pursuant to this section or this chapter.

The process for obtaining a permit shall be in accordance with Section 9.79.040, provided, that where the number of newsracks for which application has been made exceed the number of Special Newsrack Containers available in a Special Newsrack Area, or in a particular location within a Special Newsrack Area, the City Engineer shall issue newsrack permits in the manner described in regulations established by the City Engineer and approved by the City Council.

- (3) After the original placement of newsracks within a Special Newsrack Area, as described in subparagraph (2) of this subsection (b), application may be made for placement of a newsrack in a location within a Special Newsrack Area for which no empty Special Newsrack Container is available. Such applications shall be placed on a waiting list. In the event a Special Newsrack Container becomes available, the City Engineer shall issue a permit for that location to the applicant for the location, if there is only one applicant. In the case of multiple applicants for a single location, the City Engineer shall determine which applicant shall receive the permit in the manner described in regulations established by the City Engineer and approved by the City Council.

#### **9.79.090 Blinder Racks Required.**

(a) Newsracks located in public places, other than public places from which minors are excluded, and which display to the public view harmful matter, shall be equipped with devices commonly known as blinder racks in front of the material so that the lower two-thirds of the material is not exposed to public view.

(b) Newsracks located in public places, other than public places from which minors are excluded, and which display to the public view material depicting or describing specified sexual activities, as defined in subdivision (1) of this subsection, or which contain material depicting or describing specified anatomical areas, as defined in subdivision (2) of this subsection, where such picture, or illustration, or statement has as its purpose or effect sexual arousal, gratification or affront, shall be equipped with blinder racks in front of the material so that the lower two-thirds of the material is not exposed to public view.

- (1) "Specified sexual activities" means:
  - (i) Human genitals in a state of sexual stimulation or arousal;
  - (ii) Acts of human masturbation, sexual intercourse or sodomy; or
  - (iii) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

(2) "Specified anatomical areas" means:

- (i) Less than completely and opaquely covered human genitals, pubic hair, buttocks, perineum, anal region, or female breast at or below the areola thereof; or
- (ii) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**9.79.100 Violation; Enforcement.**

(a) It shall be illegal to place, install, or maintain any newsrack or any material in a newsrack in a manner contrary to any provision of this chapter.

(b) Any person who violates any provision of this chapter shall be guilty of an infraction and upon conviction thereof shall be punished as provided in subsection (b) of Section 1.08.010 of this Code.

(c) Employees in the positions designated in this section are authorized to exercise the authority provided in Penal Code section 836.5 and are authorized to issue citations for violations of this chapter. The designated employee positions are: (1) Code Enforcement Officer; (2) Supervisor, Building Inspection. Employees exercising the authority provided for in this subsection c are generically referred to in this chapter as "Code Enforcement Officer," notwithstanding their official employee position.

**9.79.110 Nuisance.**

Any newsrack or any material in a newsrack placed, installed or maintained in violation of this chapter shall constitute a public nuisance and may be abated in accordance with applicable provisions of law.

**9.79.120 Removal and Hearing.**

In addition to the enforcement remedies available to the City, which are set forth in Chapter 1.12 and in Sections 9.79.100 and 9.79.110 of this chapter, any newsrack placed, installed or maintained in violation of this chapter may be removed by the City, subject to the notice and hearing procedures set forth in this section.

(a) Notice of violation. Before removal of any newsrack, the Code Enforcement Officer shall notify the owner or distributor of the violation. Written notification by first class mail to the address or addresses shown on the offending newsrack shall constitute adequate notice. The Code Enforcement Officer may, but need not, affix an additional notice tag onto the offending newsrack. If no identification is shown on the newsrack, posting of the notice on the newsrack alone shall be sufficient. The notice shall state the nature of the violation, shall specify actions necessary to correct the violation, and shall give the owner or distributor ten (10) business days from the date appearing on the notice to either remedy the violation or to request a meeting before the Chief Building Official or designee of the Chief Building Official, who shall not be the Code Enforcement Officer. The date on the notice shall be no earlier than the date on which the notice is mailed or affixed to the newsrack, as the case may be.

(b) Meeting and decision. Any owner or distributor notified under subsection (a) may request a meeting with the Chief Building Official or designee by making a written request therefor within ten (10) business days from the date appearing on the notice. The meeting shall be informal, but oral and written evidence may be given by both sides. The Chief Building Official or designee shall give his or her decision within ten (10) business days after the date of the meeting. Any action by the City to remove the newsrack shall be stayed pending the written decision of the Chief Building Official or designee following the meeting.

(c) Removal and impoundment. The City may remove and impound a newsrack or newsracks in accordance with this section following the written decision of the Chief Building Official or designee upholding the determination of a violation, or if the owner or distributor has neither requested a meeting nor remedied the violation within ten (10) business days from the date on the notice. An impounded newsrack shall be retained by the City for a period of at least thirty (30) calendar days following the removal, and may be recovered by the permittee upon payment of a fee as set forth in the Municipal Fee Schedule. An impounded newsrack and its contents may be disposed of by the City after thirty (30) calendar days.

(d) Summary abatement. Notwithstanding the provisions of subsections (a) and (b), prior notice and an opportunity to be heard shall not be required prior to removal of any newsrack that is installed or maintained in such a place or manner as to pose an immediate or clear and present danger to persons, vehicles or property or any newsrack that is placed in any location without a permit. In such case, the City shall proceed in the following manner:

- (1) Within the next working day following removal, the Chief Building Official or designee shall notify by telephone the permittee or, in the case of an unpermitted newsrack, the owner of the newsrack or a person whose name is shown on the required identification. Within three (3) business days, the Chief Building Official or designee shall send written confirmation of the telephoned notice. The written confirmation shall contain the reasons for the removal and information supporting the removal, and shall inform the recipient of the right to request, in writing or in person, a post-removal meeting within four (4) business days of the date of such written notice.
- (2) Upon timely request, the Chief Building Official or designee shall provide a meeting within forty-eight (48) hours of the request, unless the requesting party agrees to a later date. The proceeding shall be informal, but oral and written evidence may be given by both sides. The Chief Building Official or designee shall give his or her decision in writing to the requesting party within forty-eight (48) hours after such meeting. If the Chief Building Official or designee finds that the removal was proper, he or she shall notify the requesting party to pay any applicable penalties and costs and recover the newsrack. If the Chief Building Official or designee finds that the removal was improper and that placement of the newsrack was lawful, the Chief Building Official or

designee shall order that the newsrack be released and reinstalled without charge.

- (3) If the owner of an unpermitted rack cannot be determined and the rack does not contain the required identification, no notice of the removal shall be required.

#### **9.79.130 Abandoned Newsracks.**

An abandoned newsrack may be removed by the City and impounded, pursuant to the notice and hearing procedures set forth in Section 9.79.120. The City may dispose of the newsrack if the permittee does not claim the newsrack and pay any required fees within thirty (30) days of its removal.

SECTION 3. Section 9.48.020 of the Palo Alto Municipal Code is hereby amended to read as follows:

#### **9.48.020 Unlawful acts--Exceptions.**

(a) No person shall place or cause to be placed anywhere upon any street or sidewalk, and no person owning, occupying or having control of any premises, shall suffer to remain in front thereof upon the sidewalk of the street next to such premises, anything which shall restrict the public use thereof.

(b) This section shall not apply to:

- (1) Goods or merchandise in actual course of receipt, delivery or removal.
- (2) Lamp posts or hydrants erected by permission of the city engineer.
- (3) Ornamental trees planted along outer line of the sidewalk and within the curb, and barriers for the protection of the same.
- (4) Materials used in the construction or repair of any building during the existence of a written permit issued by the city engineer.
- (5) Parking and directional signs erected by authority of the council.
- (6) Newsracks for which a required permit has been obtained in accordance with Chapter 9.79.
- (7) Chairs, benches, or tables placed pursuant to, and in compliance with the terms and conditions of, a valid encroachment permit.
- (8) A special sales event involving the display, exhibition, advertisement, or sale of merchandise, goods, or wares upon a portion of the public sidewalk in such a fashion as to not prevent or render hazardous the passage of pedestrians, and not exceeding fifty percent of the width of each sidewalk and held in an area of the city in which not less than one-half of the frontage thereof is in a commercial or industrial zone and to which a



majority of proprietors of the businesses thereof within each particular area affected nearby have consented, and which is sponsored solely by such proprietors or an organization to which they belong. Such special sales events must be authorized pursuant to a valid encroachment permit, and shall not exceed three consecutive days nor occur in the same block more than twice in any one calendar year. Exhibition, display, advertising, or sale of merchandise, wares and goods is prohibited except by those persons occupying business premises immediately adjacent to the area in which such exhibition, display, advertisement, or sale is to occur.

SECTION 4. Ordinance No. 4329 is hereby repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, word, or portion of the chapter enacted by Section 2 of this ordinance is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the chapter. The City Council declares that it would have adopted the chapter and each section, subsection, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, words or portions, be declared invalid or unconstitutional.

SECTION 6. The City Council finds that this project (newsrack ordinance) is exempt from the provisions of the Environmental Quality Act ("CEQA") pursuant to Section 15061 (b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that this project will have a significant effect on the environment. The ordinance establishes regulations that will be followed in the issuance of ministerial permits and in code enforcement activities. The Council has approved a Negative Declaration for a companion project, referred to as "Downtown Urban Design Improvements Master Plan," pursuant to which certain public improvements, including containers for newsracks, will be constructed in the Downtown Commercial Area, as said area is designated by this ordinance.

SECTION 7. This ordinance shall become effective upon the commencement of the thirty-first day after the date of its adoption; provided, that the regulations enacted by Sections 9.79.030, 9.79.040, 9.79.060, 9.79.070, and subsection (a) of Section 9.79.050, shall be effective on April 5, 1999; and provided further, that the provisions of subsection (b)(1) of Section 9.70.080 shall not be enforced in the Downtown Commercial Area until the Special Newsrack Containers to be furnished by the City.

## Chapter 29 - NEWSRACKS

## Sec. 29-1. - Purpose.

The purpose of these regulations is to acknowledge and achieve the following:

- (1) There is a substantial governmental interest in promoting the public health, safety, welfare and convenience by ensuring that persons may reasonably use the public streets, sidewalks, rights-of-way, and other public property without interference with such use.
- (2) Newsracks placed and maintained on the streets, sidewalks, or other public rights-of-way, absent some reasonable regulation, may unreasonably interfere with the use of such streets, sidewalks, and public rights-of-way, and may present hazards to persons or property.
- (3) The streets, sidewalks and public rights-of-way are historically associated with the sale and distribution of newspapers and other publications, and access to and use of these areas for such purposes is not to be denied except where such use unreasonably interferes with the use of these areas by pedestrians or traffic, or where such use presents a hazard to persons or property.
- (4) Reasonable accommodation of these competing interests can be achieved by adoption of this Title, which regulates the placement and maintenance of newsracks.
- (5) The public health, safety, welfare and convenience require that: interference with vehicular, bicycle, wheelchair or pedestrian traffic be avoided within the public rights-of-way and on commercial properties; obstruction of sight distance and views of traffic signs and street-crossing pedestrians be eliminated; damage done to sidewalks or streets be minimized and repaired; the good appearance of the public streets and grounds be maintained; trees and other landscaping be allowed to grow without disturbance; access to emergency and other public facilities be maintained; and ingress and egress from properties adjoining the public rights-of-way be protected.
- (6) The regulation of the sale or free distribution of newspapers and other publications dispensed in vending machines as set forth in this Title provides the least intrusive and burdensome means for ensuring that the purposes stated in this section are carried out while still providing ample opportunities for the distribution of news to the citizens of the city.

(Ord. No. 931, § 1, 7-28-98)

## Sec. 29-2. - Definitions.

[The following words, terms and phrases, as used in this chapter, shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise:]

*Abandoned newsrack* is any newsrack which remains empty for ten (10) business days, except that a newsrack remaining empty due to labor strike or any temporary and extraordinary interruption of distribution or publication by the newspaper or other publication sold or distributed from that newsrack shall not be deemed abandoned.

*Newsrack* is any self-service or coin-operated box, container, storage unit, or other dispenser installed, used, or maintained for the display and sale or distribution without charge of newspapers, periodicals or other publications.

*Modular newsracks* are single newsracks containing separate provisions for two (2) or more different publications, where each kind has separate coin slots or merchandise receptacles or places where the publication is dispensed.

*Public right-of-way* includes the area and those areas dedicated to public use for public street purposes including but not limited to roadways, parkways, alleys and sidewalks.

*Roadway* is that portion of a public right-of-way improved, designed and ordinarily used for vehicular traffic including drainage gutters and curbs a minimum of six (6) inches in horizontal width.

*Sidewalk* is that portion of a public right-of-way provided for the exclusive use of pedestrians, including planting areas or park strips, between the public roadway and adjacent property lines.

*Temporary newsracks* include any newsracks maintained in the public right-of-way for a trial period of up to forty-five (45) days.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-3. - Newsrack permit required.

- (a) The provisions of this chapter shall be the exclusive requirements for newsrack encroachments in the City of Belmont and preempt any other provisions in this Code.
- (b) Prior to placement of any newsrack on, or partially within, the public right-of-way or on public property, a newsrack permit must be obtained from the director of community development, or his designee.
- (c) There shall be no fee, bond or other charges for a newsrack permit or application.
- (d) The newsrack permit application shall be submitted on forms provided by the community development department and shall state the name, address, and telephone number of those responsible for installation, use, and maintenance of the newsracks, and shall describe, with particularity, the type of rack and location(s) proposed for installation. A newsrack permit shall be issued within ten (10) working days if the type of newsrack and location(s) proposed meet the standards set forth in this chapter. The permits shall expire if not renewed within three (3) years of issuance. The city shall either issue a permit or obtain a court order to restrain unpermitted acts.
- (e) If a newsrack permit is disapproved, in whole or in part, the director of community development shall notify the applicant promptly, explaining the reasons for denial of a newsrack permit. The applicant shall have ten (10) calendar days within which to appeal the decision to the city council in accordance with the appeals provisions of this Code.
- (f) A person securing a newsrack permit may install and maintain additional newsracks by an amendment to the permit originally granted to that person. The rules and procedures of this section shall also apply to the review and approval of any such amendment.
- (g) All persons who obtain a newsrack permit shall also obtain and display an identification/permit marker provided by the City of Belmont.
- (h) Newsracks on private property do not require a newsrack permit but do require design review approval if they do not conform to the design standards herein.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-4. - Design.

- (a) Each newsrack shall be a 49-16 or 100 style (as manufactured by "Sho-Rack") or KJ50/KJ55F (as manufactured by "K-Jack") or M-30/M-33 (as manufactured by "National Newsvend"). Additionally, "armorhood 80 style" racks and "Ganset" racks may be used. However, where there are more than five (5) nonmodular newsracks in any one location, modular style racks shall be required. Although not required, the city encourages the use of "federal brown" (as manufactured by "Sho-Rack") or "San Jose brown" (as manufactured by "K-Jack") panels. (This chapter is not intended to mandate the color of newsracks within the city.)

- (b) The compartments of modular newsracks shall be placed in such a manner as to utilize no more than two (2) horizontal rows of six (6) compartments per row.
- (c) No newsrack shall be installed in the public right-of-way that does not meet the approved newsrack dimensions of not more than fifty-four (54) inches high including the pedestal measured from the ground to the top surface of the newsrack, not more than two (2) feet deep and not more than thirty (30) inches wide.
- (d) The design of a newsrack shall not create a danger to the persons using the newsrack in a reasonably foreseeable manner.
- (e) Newsracks may be placed next to each other. However, no group of newsracks placed along a curb shall extend for a distance of more than sixteen (16) feet, and shall be no closer than four (4) feet to another group of newsracks along a curb. If sufficient space does not exist to accommodate all newsracks sought to be placed at one (1) location without violating the standards set forth in this chapter, the director of community development shall give priority, on a historical first-come, first-served basis, to permit applicants as follows:
  - (1) First priority, on a first-come, first-served basis, shall be given to daily publications (inclusive of their Saturday, Sunday or weekend editions whether or not published jointly with another newspaper) published at least five (5) times per week;
  - (2) Second priority, on a first-come, first-served basis, shall be given to weekly publications;
  - (3) Third priority, on a first-come, first-served basis, shall be given to publications published more than once but less than five (5) days per week;
  - (4) Fourth priority, on a first-come, first-served basis, shall be given to biweekly publications (published less than once per week but more than once per month); and
  - (5) Fifth priority, on a first-come, first-served basis, shall be given to monthly or less frequent publications.
- (f) All newsracks shall be pedestal mounted and shall be permanently affixed to the ground, except as permitted under this chapter.
- (g) The highest operable part of the coin slot, if provided for the newsrack, and all controls, dispensers and other operable components of newsracks shall not be greater than forty-eight (48) inches above the level of the adjacent pavement or sidewalk, nor lower than fifteen (15) inches above the level of the adjacent pavement or sidewalk.
- (h) It is intended that the provisions of this chapter shall be consistent with accessibility standards of the Americans with Disabilities Act of 1990, Public Law, 101-336 and further amendments affecting the general safety and welfare of all citizens of Belmont and visitors in the city, and that it is the responsibility of the owner of each newsrack to comply with all such provisions.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-5. - Placement.

- (a) No person shall install, stock, use or maintain any newsrack which projects onto, into or over any part of the roadway of any public right-of-way, street, or which rests, wholly or in part, upon, along or over any portion of a roadway.
- (b) No person shall install, use or maintain any newsrack which in whole or in part rests upon, in or over any sidewalk or parkway, when such installation, use or maintenance endangers the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other government use, or when such newsrack unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic, including handicapped access, the ingress into or egress from any residence, place of business, or the use of poles, posts, traffic signs or signals, hydrants, postal service collection boxes or other objects permitted at or near said location.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-6. - Standards.

- (a) Any newsrack which in whole or in part rests upon, on or over any sidewalk or parkway, shall comply with the following standards:
- (1) Newsracks shall only be placed near a curb, adjacent to the wall of a building, or at the rear of a sidewalk. The back of newsracks placed near the curb shall be placed no less than eighteen (18) inches nor more than twenty-four (24) inches from the edge of the curb. The back of newsracks placed adjacent to the wall of a building shall be placed parallel to such wall and not more than six (6) inches from the wall. No newsrack shall be placed or maintained on a sidewalk or parkway opposite another newsrack or kiosk which distributes newspapers, periodicals or other publications only.
  - (2) All newsracks shall be permanently affixed to the ground except as permitted under this chapter. All newsracks installed on a public sidewalk composed of a unit paver system shall be installed in such a manner as to refit unit pavers around the anchoring device. Newsracks shall not be chained or otherwise attached to a bus shelter, bench, street light, utility pole, or sign pole, to any other single or modular newsrack, or to any tree, shrub, or other plant, or situated upon any landscaped area.
  - (3) Any single-unit newsrack which meets the requirement of this Ordinance may be permitted in any single location for a period of forty-five (45) days in order to determine the suitability of long-term newsrack locations. At least ten (10) business days prior to locating a temporary newsrack, a complete license application shall be submitted, including written notice of the particular location and date upon which the 45-day trial period will begin. Within ten (10) business days after expiration of the 45-day trial period, the person maintaining the newsrack shall either cause it to be removed or submit a written request to the community development director for a permit for a permanent newsrack location. Temporary newsracks shall be skirted and weighted down.
  - (4) No newsrack shall be placed, installed, used or maintained:
    - a. Within fifteen (15) feet of any marked or unmarked crosswalk as measured from the curb return;
    - b. Within five (5) feet of any fire hydrant, fire call box, police call box, or other emergency facility;
    - c. Within five (5) feet of any driveway;
    - d. Within five (5) feet of any bus bench;
    - e. Within five (5) feet of any red curb of a bus stop zone;
    - f. At any location where the clear space for the passage of pedestrians is reduced to less than forty-eight (48) inches;
    - g. In such a manner as to impede or interfere with the reasonable use of any commercial window display;
    - h. Within fifteen (15) feet of the curb return of any wheelchair curb ramp not in a marked crosswalk.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-7. - Blinder racks required.

Any person, corporation, or business entity who displays, sells, or offers to sell any material that is harmful to minors, as defined by Chapter 7.6 of the California Penal Code, in a public place, other than a public place from which minors are excluded, shall place devices commonly known as blinder racks in front

of the material, so that the lower two-thirds ( 2/3 ) of the material is not exposed to view. The definitions of Penal Code Chapter 7.6 are incorporated herein including the definition of "harmful matter" which includes the display of photographs or pictorial representations of acts of sodomy, oral copulation, sexual intercourse, masturbation, bestiality, or representation of an exposed penis in an erect and turgid state.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-8. - Maintenance.

- (a) Each newsrack shall be maintained in a neat and clean condition and in good repair at all times. For example, without limitation, the newsrack shall be reasonably free of dirt and grease, be reasonably free of chipped, faded, peeling or cracked paint, be reasonably free of rust and corrosion, have no broken or cracked plastic or glass parts, and have no broken structural parts. No signs, advertising, stickers or adhesive labels, other than city-issued identification/approval labels, unrelated to publications in the newsracks shall be displayed on newsracks.
- (b) Abandoned newsracks may be removed by a designated city employee and may be disposed of if not claimed by the owner within thirty (30) days after the city has notified the owner in writing. Such notice shall state the code section violated, the length of time within which the violation must be cured, and the forum within which the owner may request a hearing.
- (c) Each newsrack which requires the deposit of money to obtain the publication shall be equipped with a coin return mechanism to permit persons using the machine to secure a refund in the event they are unable to receive the publication paid for. The coin return mechanism shall be maintained in good working order.
- (d) Every person maintaining a newsrack under the terms of this chapter shall have his or her name, current address, and telephone number (updated within ten (10) days of any changes) affixed to it in a place where such information will be readily visible and shall include, with such identification, instructions on how to receive a refund in the event of coin return malfunctions.
- (e) Upon the removal of a newsrack, the public right-of-way shall be returned to its original condition including but not limited to the refilling of holes and refitting of unit pavers removed for purposes of installing newsracks.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-9. - Abatement of violation.

- (a) A newsrack in violation of this chapter may be removed by a designated employee of the City of Belmont if it is impossible to remedy the violation and said violation poses a danger to health and safety, pedestrians and vehicular traffic.
- (b) Before any newsrack is removed, the owner shall be notified by posting the notice on the newsrack and mailing the notice to the address for such party stated on the newsrack permit or indicated on the newsrack. If the mailing address of the newsrack owner is not available, posting alone shall be sufficient. Both forms of notice shall give the owner ten (10) days to remedy the violation and/or contest removal and shall state the place to request a hearing to contest removal of the newsrack.
- (c) Any person notified under section 29-9(b) may submit a written request for a hearing before the director of community development, which hearing shall be held not less than ten (10) business days after the request was made. The hearing shall be informal, but oral and written evidence may be given by both sides. Any action by the city with respect to the alleged violation shall be stayed pending the community development director's decision following the hearing, which decision shall be rendered no later than ten (10) business days after the hearing. The director of community development shall give written notice of all decisions within five (5) days.

- (d) The city may remove a newsrack if the person responsible for such newsrack has (1) neither requested a hearing before the director of community development nor remedied the violation within ten (10) business days following date of notice of violation, or (2) failed to remedy the violation within ten (10) business days after receiving a copy of the written decision that the newsrack was installed or maintained in violation of this chapter, following a hearing as conducted pursuant to this section. Such person shall be notified of the removal. Removed newsracks shall be retained by the City and may be recovered by the responsible party for a period of at least thirty (30) business days following removal.
- (e) Notwithstanding the provisions of subsection (a) above, prior notice of removal is not required where the newsrack poses a danger to pedestrians or vehicles, provided notice of the removal and opportunity to contest is given the owner within ten (10) days of the removal.
- (f) Removed or impounded newsracks shall be retained and may be recovered by their owner within thirty (30) days of their removal. Newsracks removed or impounded by the City of Belmont shall be retained by the city. Newsracks which are not claimed within thirty (30) days shall be deemed permanently abandoned and shall be disposed of.
- (g) The person responsible for such newsrack shall pay an impound fee covering the actual cost to the city of transporting and storing such newsrack.
- (h) Abatement hereunder is a cumulative remedy and does not constitute a defense to citation proceedings which may be employed simultaneously pursuant to the general provisions of this Code.

(Ord. No. 931, § 1, 7-28-98)

Sec. 29-10. - Amortization requirements.

Every newsrack on public property or on the public right-of-way which does not comply with the provisions of this chapter shall be removed or otherwise brought into conformance within six (6) months of the effective date of this chapter. Existing newsracks on private property shall constitute a nonconforming use.

(Ord. No. 931, § 1, 7-28-98)



## STAFF REPORT

### City Council

Meeting Date: 12/5/2017  
Staff Report Number: 17-298-CC

Regular Business: Approve a resolution to amend the City's salary schedule effective December 10, 2017

### Recommendation

Staff recommends that the City Council approve a resolution to amend the City's salary schedule effective December 10, 2017.

### Policy Issues

In accordance with the City personnel rules and regulations, the City Council is required to adopt changes to the City's salary schedule. Under California Code Regulation 570.5, CalPERS requires a publicly available pay schedule that identifies the pay rate for each identified position.

### Background

The City's 2016 memorandum of understanding with the Police Officers' Association (POA) and the Police Sergeants' Association (PSA) included an agreement to reinstate the 2184-hour work year for patrol staff members who work 12-hour shifts. Before this agreement, patrol staff worked a 2080-hour work year and included 104 hours of overtime to allow for 12-hour work shifts as necessitated by a 24-hour daily operation.

### Analysis

As discussed in the above, City Council approval is required to amend the City's salary schedule. The salary schedule is a published document that lists the salary ranges for all authorized classifications in accordance with state law. The City Council approved the current salary schedule October 17, 2017, and it did not provide for a 2184-hour work year. CalPERS staff recently directed the City to include the 2184-hour work year in order to provide the appropriate salary basis for retiring POA and PSA Patrol Division staff. Attachment A contains salary ranges as previously approved by City Council action, and includes the 2184-hour rate by step for classifications of police officer, police corporal and police sergeant.

### Impact on City Resources

This action results in no change in the City's authorized full-time equivalent employees or the operating budget for fiscal year 2017-18.

### 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 Salary Schedule
- B. Resolution

Report prepared by:  
Sandy Pimentel, Management Analyst II

Report reviewed by:  
Lenka Diaz, Human Resources Manager

**PROPOSED** City of Menlo Park  
Salary Schedule effective December 12, 2017

**ATTACHMENT A**

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Accountant I	\$ 77,631	\$ 81,513	\$ 85,589	\$ 89,868	\$ 94,362
Accountant II	\$ 85,028	\$ 89,048	\$ 93,248	\$ 97,733	\$ 102,391
Accounting Assistant I	\$ 55,051	\$ 57,661	\$ 60,323	\$ 63,142	\$ 66,063
Accounting Assistant II	\$ 60,323	\$ 63,142	\$ 66,063	\$ 69,151	\$ 72,395
Administrative Assistant	\$ 60,504	\$ 63,331	\$ 66,262	\$ 69,359	\$ 72,613
Administrative Services Director	\$ 152,054	Open Range			\$ 190,066
Assistant City Manager	\$ 160,578	Open Range			\$ 211,761
Assistant Community Development Director	\$ 119,894	Open Range			\$ 156,644
Assistant Community Services Director	\$ 122,657	Open Range			\$ 153,321
Assistant Engineer	\$ 93,631	\$ 98,093	\$ 102,783	\$ 107,690	\$ 112,820
Assistant Library Services Director	\$ 122,657	Open Range			\$ 153,321
Assistant Planner	\$ 84,834	\$ 88,823	\$ 93,081	\$ 97,517	\$ 102,175
Assistant Public Works Director	\$ 133,223	Open Range			\$ 166,529
Assistant to the City Manager	\$ 115,402	Open Range			\$ 144,252
Associate Civil Engineer	\$ 105,062	\$ 110,091	\$ 115,339	\$ 120,911	\$ 126,769
Associate Engineer	\$ 99,284	\$ 104,036	\$ 108,996	\$ 114,262	\$ 119,797
Associate Planner	\$ 93,081	\$ 97,517	\$ 102,175	\$ 107,064	\$ 112,188
Associate Transportation Engineer	\$ 110,091	\$ 115,339	\$ 120,911	\$ 126,769	\$ 132,911
Building Custodian	\$ 54,996	\$ 57,604	\$ 60,263	\$ 63,078	\$ 65,997
Building Inspector	\$ 90,186	\$ 94,522	\$ 99,028	\$ 103,762	\$ 108,716
Business Manager	\$ 93,078	\$ 97,554	\$ 102,204	\$ 107,091	\$ 112,204
Child Care Teacher I	\$ 49,210	\$ 51,442	\$ 53,771	\$ 56,221	\$ 58,881
Child Care Teacher II	\$ 54,996	\$ 57,604	\$ 60,263	\$ 63,078	\$ 65,997
Child Care Teacher's Aide	\$ 36,921	\$ 38,591	\$ 40,337	\$ 42,144	\$ 44,004
City Attorney	n/a	Set by contract			\$ 120,000
City Clerk	\$ 115,402	Open Range			\$ 144,252
City Manager	n/a	Set by contract			\$ 232,890
Code Enforcement Officer	\$ 77,581	\$ 81,248	\$ 85,080	\$ 89,173	\$ 93,422
Communications and Records Manager	\$ 107,794	\$ 113,025	\$ 118,454	\$ 124,166	\$ 130,137
Communications Dispatcher	\$ 78,667	\$ 82,386	\$ 86,272	\$ 90,421	\$ 94,730
Communications Training Dispatcher	\$ 82,386	\$ 86,272	\$ 90,421	\$ 94,730	\$ 99,260
Community Development Director	\$ 151,850	Open Range			\$ 189,811
Community Development Technician	\$ 65,980	\$ 69,034	\$ 72,260	\$ 75,651	\$ 79,205
Community Service Officer	\$ 64,511	\$ 67,545	\$ 70,673	\$ 74,027	\$ 77,581
Community Services Director	\$ 153,927	Open Range			\$ 192,408
Construction Inspector	\$ 85,080	\$ 89,173	\$ 93,422	\$ 97,889	\$ 102,563
Contracts Specialist	\$ 68,124	\$ 71,327	\$ 74,630	\$ 78,173	\$ 81,925
Custodial Services Supervisor	\$ 63,282	\$ 66,211	\$ 69,305	\$ 72,557	\$ 75,966
Deputy City Clerk	\$ 70,665	\$ 74,027	\$ 77,581	\$ 81,248	\$ 85,080
Engineering Services Manager/City Engineer	\$ 133,223	Open Range			\$ 166,529
Engineering Technician I	\$ 70,922	\$ 74,206	\$ 77,729	\$ 81,459	\$ 85,310
Engineering Technician II	\$ 79,507	\$ 83,248	\$ 87,162	\$ 91,341	\$ 95,694
Enterprise Applications Support Specialist	\$ 93,078	\$ 97,554	\$ 102,204	\$ 107,091	\$ 112,204
Equipment Mechanic	\$ 70,665	\$ 74,027	\$ 77,581	\$ 81,248	\$ 85,080
Executive Assistant	\$ 69,082	\$ 72,324	\$ 75,721	\$ 79,283	\$ 83,012
Executive Assistant to the City Mgr	\$ 73,595	Open Range			\$ 89,454
Facilities Maintenance Technician I	\$ 58,881	\$ 61,592	\$ 64,511	\$ 67,545	\$ 70,673
Facilities Maintenance Technician II	\$ 64,511	\$ 67,545	\$ 70,673	\$ 74,027	\$ 77,581
Finance and Budget Manager	\$ 119,870	Open Range			\$ 151,694

**PROPOSED** City of Menlo Park  
Salary Schedule effective December 12, 2017

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Gymnastics Instructor	\$ 39,397	\$ 41,180	\$ 43,039	\$ 44,960	\$ 47,028
Housing & Economic Development Manager	\$ 115,402	Open Range			\$ 144,252
Human Resources Manager	\$ 119,870	Open Range			\$ 151,694
Human Resources Technician	\$ 63,924	\$ 66,948	\$ 69,937	\$ 73,349	\$ 76,799
Information Technology Manager	\$ 119,870	Open Range			\$ 151,694
Information Technology Specialist I	\$ 68,854	\$ 72,297	\$ 75,912	\$ 79,709	\$ 83,695
Information Technology Specialist II	\$ 76,504	\$ 80,098	\$ 83,866	\$ 87,810	\$ 92,020
Information Technology Supervisor	\$ 89,107	\$ 99,045	\$ 104,258	\$ 109,746	\$ 115,521
Junior Engineer	\$ 75,532	\$ 79,308	\$ 83,274	\$ 87,438	\$ 91,810
Librarian I	\$ 65,997	\$ 69,082	\$ 72,324	\$ 75,721	\$ 79,283
Librarian II	\$ 74,027	\$ 77,581	\$ 81,248	\$ 85,080	\$ 89,173
Library Assistant I	\$ 51,442	\$ 53,771	\$ 56,221	\$ 58,881	\$ 61,592
Library Assistant II	\$ 56,221	\$ 58,881	\$ 61,510	\$ 64,511	\$ 67,545
Library Assistant III	\$ 61,510	\$ 64,511	\$ 67,545	\$ 70,673	\$ 73,952
Library Clerk	\$ 36,061	\$ 37,692	\$ 39,397	\$ 41,180	\$ 43,039
Library Page	\$ 26,454	\$ 27,649	\$ 28,902	\$ 30,210	\$ 31,578
Library Services Director	\$ 148,092	Open Range			\$ 185,115
Literacy Program Manager	\$ 75,966	\$ 79,539	\$ 83,279	\$ 87,272	\$ 91,431
Maintenance Worker I	\$ 56,221	\$ 58,881	\$ 61,510	\$ 64,511	\$ 67,545
Maintenance Worker II	\$ 61,510	\$ 64,511	\$ 67,545	\$ 70,673	\$ 74,027
Management Analyst I	\$ 81,443	\$ 85,516	\$ 89,793	\$ 94,282	\$ 98,997
Management Analyst II	\$ 93,078	\$ 97,554	\$ 102,204	\$ 107,091	\$ 112,204
Office Assistant	\$ 50,522	\$ 52,826	\$ 55,217	\$ 57,833	\$ 60,504
Parking Enforcement Officer	\$ 56,221	\$ 58,881	\$ 61,510	\$ 64,511	\$ 67,545
Permit Manager	\$ 105,876	\$ 110,942	\$ 116,252	\$ 121,793	\$ 127,678
Permit Technician	\$ 65,980	\$ 69,033	\$ 72,260	\$ 75,651	\$ 79,204
Plan Check Engineer	\$ 106,062	\$ 111,140	\$ 116,437	\$ 122,063	\$ 127,975
Planning Technician	\$ 75,651	\$ 79,204	\$ 82,931	\$ 86,831	\$ 90,994
Police Chief	\$ 164,070	Open Range			\$ 205,087
Police Commander	\$ 147,663	Open Range			\$ 184,579
Police Corporal (2080 hours)	\$ 99,412	\$ 104,383	\$ 109,602	\$ 115,082	\$ 120,836
<b>Police Corporal (2184 hours)</b>	<b>\$ 104,383</b>	<b>\$ 109,602</b>	<b>\$ 115,082</b>	<b>\$ 120,836</b>	<b>\$ 126,878</b>
Police Officer (2080 hours)	\$ 92,369	\$ 96,987	\$ 101,836	\$ 106,928	\$ 112,275
<b>Police Officer (2184 hours)</b>	<b>\$ 96,988</b>	<b>\$ 101,836</b>	<b>\$ 106,928</b>	<b>\$ 112,274</b>	<b>\$ 117,889</b>
Police Records Specialist	\$ 61,510	\$ 64,511	\$ 67,545	\$ 70,673	\$ 74,027
Police Recruit	n/a	Hourly Rate			\$ 74,819
Police Sergeant (2080 hours)	\$ 114,733	\$ 120,469	\$ 126,493	\$ 132,817	\$ 139,458
<b>Police Sergeant (2184 hours)</b>	<b>\$ 120,469</b>	<b>\$ 126,493</b>	<b>\$ 132,817</b>	<b>\$ 139,458</b>	<b>\$ 146,431</b>
Principal Planner	\$ 112,393	\$ 119,429	\$ 125,145	\$ 131,111	\$ 135,535
Program Aide/Driver	\$ 35,323	\$ 36,921	\$ 38,591	\$ 40,337	\$ 42,144
Program Assistant	\$ 50,321	\$ 52,616	\$ 54,996	\$ 57,604	\$ 60,263
Project Manager I	\$ 99,284	\$ 104,036	\$ 108,996	\$ 114,262	\$ 119,797
Project Manager II	\$ 109,212	\$ 114,440	\$ 119,896	\$ 125,688	\$ 131,776
Property and Court Specialist	\$ 64,511	\$ 67,545	\$ 70,673	\$ 74,027	\$ 77,581
Public Works Director	\$ 155,975	Open Range			\$ 194,967
Public Works Superintendent	\$ 117,784	Open Range			\$ 147,189
Public Works Supervisor - City Arborist	\$ 93,606	\$ 98,094	\$ 102,768	\$ 107,677	\$ 112,830
Public Works Supervisor - Facilities	\$ 94,272	\$ 98,792	\$ 103,499	\$ 108,444	\$ 113,632
Public Works Supervisor - Fleet	\$ 95,772	\$ 100,363	\$ 105,145	\$ 110,168	\$ 115,439

**PROPOSED** City of Menlo Park  
Salary Schedule effective December 12, 2017

Classification Title	Minimum (Step A)	Step B	Step C	Step D	Maximum (Step E)
Public Works Supervisor - Park	\$ 89,109	\$ 93,381	\$ 97,831	\$ 102,504	\$ 107,409
Public Works Supervisor - Streets	\$ 89,109	\$ 93,381	\$ 97,831	\$ 102,504	\$ 107,409
Recreation Aide	\$ 33,794	\$ 35,323	\$ 36,921	\$ 38,591	\$ 40,337
Recreation Coordinator	\$ 66,211	\$ 69,305	\$ 72,557	\$ 75,966	\$ 79,539
Recreation Leader	\$ 26,454	\$ 27,649	\$ 28,902	\$ 30,210	\$ 31,578
Recreation Supervisor	\$ 81,510	\$ 85,355	\$ 89,460	\$ 93,723	\$ 98,204
Red Light Photo Enforcement Specialist	\$ 72,324	\$ 75,721	\$ 79,283	\$ 83,012	\$ 86,992
Revenue and Claims Manager	\$ 93,078	\$ 97,554	\$ 102,204	\$ 107,091	\$ 112,204
Senior Accountant	\$ 97,783	\$ 102,406	\$ 107,236	\$ 112,394	\$ 117,750
Senior Accounting Assistant	\$ 66,355	\$ 69,456	\$ 72,669	\$ 76,066	\$ 79,635
Senior Building Inspector	\$ 101,220	\$ 106,062	\$ 111,140	\$ 116,437	\$ 122,063
Senior Civil Engineer	\$ 115,710	\$ 121,300	\$ 127,177	\$ 133,339	\$ 139,836
Senior Communications Dispatcher	\$ 86,272	\$ 90,421	\$ 94,730	\$ 99,260	\$ 103,998
Senior Engineering Technician	\$ 85,310	\$ 89,335	\$ 93,631	\$ 98,093	\$ 102,783
Senior Equipment Mechanic	\$ 77,749	\$ 81,542	\$ 85,378	\$ 89,332	\$ 93,571
Senior Facilities Maintenance Technician	\$ 70,665	\$ 74,027	\$ 77,581	\$ 81,248	\$ 85,080
Senior Librarian	\$ 85,355	\$ 89,460	\$ 93,723	\$ 98,204	\$ 102,893
Senior Library Assistant	\$ 67,661	\$ 70,962	\$ 74,299	\$ 77,741	\$ 81,348
Senior Maintenance Worker	\$ 70,665	\$ 74,027	\$ 77,581	\$ 81,248	\$ 85,080
Senior Management Analyst	\$ 104,712	Open Range			\$ 126,229
Senior Office Assistant	\$ 55,217	\$ 57,833	\$ 60,504	\$ 63,331	\$ 66,262
Senior Planner	\$ 102,175	\$ 107,064	\$ 112,188	\$ 117,536	\$ 123,214
Senior Police Records Specialist	\$ 64,511	\$ 67,545	\$ 70,673	\$ 74,027	\$ 77,581
Senior Program Assistant	\$ 61,112	\$ 63,968	\$ 66,971	\$ 70,117	\$ 73,416
Senior Recreation Leader	\$ 31,578	\$ 33,005	\$ 34,500	\$ 36,061	\$ 37,692
Senior Sustainability Specialist	\$ 76,640	\$ 80,306	\$ 84,150	\$ 88,161	\$ 92,420
Senior Transportation Engineer	\$ 115,710	\$ 121,300	\$ 127,177	\$ 133,339	\$ 139,836
Senior Water System Operator	\$ 72,508	\$ 75,864	\$ 79,410	\$ 83,136	\$ 87,041
Sustainability Manager	\$ 115,402	Open Range			\$ 144,252
Sustainability Specialist	\$ 65,997	\$ 69,082	\$ 72,324	\$ 75,721	\$ 79,283
Transportation Demand Management Coordinator	\$ 86,992	\$ 91,136	\$ 95,491	\$ 100,059	\$ 104,849
Water Quality Specialist	\$ 75,721	\$ 79,283	\$ 83,012	\$ 86,992	\$ 91,136
Water System Operator I	\$ 60,249	\$ 62,948	\$ 65,740	\$ 68,988	\$ 72,199
Water System Operator II	\$ 65,916	\$ 68,968	\$ 72,191	\$ 75,578	\$ 79,128
Water System Supervisor	\$ 90,239	\$ 94,539	\$ 99,056	\$ 103,795	\$ 108,763

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**RESOLUTION NO. xxxx**

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

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

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

BE IT FURTHER RESOLVED that any previous enacted compensation provisions contained in Resolution No. 6411 and subsequent amendments shall be superseded by this Resolution.

BE IT FURTHER RESOLVED that the changes contained herein shall be effective December 12, 2017.

I, Clay Curtin, Interim City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing resolution was duly and regularly passed and adopted at a meeting by said City Council on the fifth day of December, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this fifth day of December, 2017.

Clay J. Curtin  
Interim City Clerk

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## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-300-CC

**Informational Item:** **El Camino Real/Downtown Specific Plan-Maximum Allowable Development**

## Recommendation

This is an informational item and no action is required

## Policy Issues

The Specific Plan establishes a maximum allowable net new development cap for the number of residential units and non-residential (commercial) square footage, which is intended to reflect likely development over the Specific Plan's intended 20- to 30-year timeframe. Development in excess of these thresholds requires amending the Specific Plan and conducting additional environmental review.

## Background

### *Vision Plan and Specific Plan Development*

Between 2007 and 2012, the City conducted an extensive long-range planning project for the El Camino Real Corridor and the Downtown area. The project started with a visioning project (Phase I: 2007-2008) to identify the core values and goals of the community and to define the structure of the second phase of planning. The Specific Plan process (Phase II: 2009-2012) was a planning process informed by review of an Environmental Impact Report (EIR) and Fiscal Impact Analysis (FIA). A key Specific Plan goal was the establishment of a comprehensive, action-oriented set of rules, which would establish much greater clarity and specificity with regard to development, both with respect to rights as well as requirements.

In June 2012, the City Council unanimously approved the El Camino Real/Downtown Specific Plan and related actions, following a unanimous recommendation for approval from the Planning Commission. The 356-page Specific Plan, filled with extensive new standards, guidelines and illustrations, primarily replaced two zoning districts that together constituted slightly more than two pages of text in the Zoning Ordinance (which itself was last comprehensively revised in 1967). Full information on the Vision and Specific Plan projects (including staff reports, meeting video, environmental and fiscal review documents, analysis memos, and workshop presentations and summaries) is available on the City's website at [menlopark.org/specificplan](http://menlopark.org/specificplan).

## Analysis

### **Maximum Allowable Development and Recent/Current Development Proposals**

The Specific Plan establishes a maximum allowable net new development cap, which was intended to reflect likely development over the Specific Plan's intended 20- to 30-year timeframe. Development in excess of these thresholds requires amending the Specific Plan and conducting additional environmental



review. Specifically, the approved Specific Plan states the following as part of Chapter G (“Implementation”):

*Maximum Allowable Development*

*The Specific Plan establishes the maximum allowable net new development as follows:*

- *Residential uses: 680 units; and*
- *Non-residential uses, including retail, office and hotel: 474,000 Square Feet.*

*The Specific Plan divides the maximum allowable development between residential and non-residential uses as shown, recognizing the particular impacts from residential development (e.g., on schools and parks) while otherwise allowing market forces to determine the final combination of development types over time.*

*The Planning Division shall at all times maintain a publicly available record of:*

- *The total amount of allowable residential units and non-residential square footage under the Specific Plan, as provided above;*
- *The total number of residential units and non-residential square footage for which entitlements and building permits have been granted;*
- *The total number of residential units and non-residential square footage removed due to building demolition; and*
- *The total allowable number of residential units and non-residential square footage remaining available.*

*The Planning Division shall provide the Planning Commission and City Council with yearly informational updates of this record. After the granting of entitlements or building permits for 80 percent or more of either the maximum residential units or maximum non-residential square footage, the Community Development Director will report to the City Council. The City Council would then consider whether it wished to consider amending the Plan and completing the required environmental review, or the City Council could choose to make no changes in the Plan. Any development proposal that would result in either more residences or more commercial development than permitted by the Specific Plan would be required to apply for an amendment to the Specific Plan and complete the necessary environmental review.*

The following totals were included in the City Council staff report for the November 12, 2015, hearing as part of the 2015 biennial review of the Specific Plan:

	<b>Net New Res. Units</b>	<b>Net New Non-Res. SF</b>
<b>Total Entitlements Approved</b>	<b>18</b>	<b>84,532</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>3%</i>	<i>18%</i>
<b>Total Entitlements Proposed</b>	<b>462</b>	<b>278,692</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>68%</i>	<i>59%</i>
<b>Total Entitlements Approved and Proposed</b>	<b>480</b>	<b>363,224</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>71%</i>	<i>77%</i>
<b>Total Building Permits Issued</b>	<b>3</b>	<b>73,798</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>0%</i>	<i>16%</i>
<b><u>Specific Plan Maximum Allowable Development</u></b>	<b><u>680</u></b>	<b><u>474,000</u></b>

The project summary table included as Attachment A represents an updated summary of applications with square footage implications that have been submitted since the Specific Plan became effective. The table does not include applications that only affect the exterior aesthetics of an existing structure. In addition, the table does not include proposals that have not yet submitted a complete project application. For example, a new mixed-use proposal at 115 El Camino Real (Stanford Inn) went before the Planning Commission for a study session May 8, 2017; however, full project plans and other required application elements have not yet been submitted. Staff is also aware of other potential in-fill development proposals throughout the Specific Plan area.

The Specific Plan area has also benefited from the redevelopment of existing structures. Both the Marriott Residence Inn (555 Glenwood Avenue) and the Hotel Lucent (727 El Camino Real) have completed construction. Construction is in progress for the following approved projects:

- 612 College Avenue (four new residential units)
- 1295 El Camino Real (new mixed-use residential and commercial development)
- 1020 Alma Street (new office building)
- 1400 El Camino Real (new 61-room boutique hotel)
- 1149 Chestnut (renovation of existing commercial building)
- 889 Santa Cruz (renovation of existing commercial building with a small expansion)
- 650 Live Oak Avenue (new office-residential development)
- 133 Encinal (new townhome style development)
- Station 1300 (new mixed-use office, residential and retail development)

Additionally, the following projects have obtained discretionary approvals:

- 1275 El Camino Real (new mixed-use development)
- Middle Plaza at 500 El Camino Real (new mixed-use office, residential and retail development)

Six applications are pending for new mixed-use developments, all proposed at the Base density level:

- 840 Menlo Avenue (new mixed-use office and residential development)

- 706 Santa Cruz Avenue (new mixed-use retail, office and residential development)
- 1540 El Camino Real (new mixed-use office and residential development)
- 1125 Merrill Street (new mixed-use office and residential development)
- 506 Santa Cruz (new mixed-use retail, office and residential development)
- 556 Santa Cruz (new mixed-use retail, office and residential development)

The only other pending application is for a proposed Hampton Inn at 1704 El Camino Real, which is proposed at the Public Benefit Bonus level. This project will likely be scheduled for a Planning Commission study session in early 2018.

The following chart shows the total net new residential units and non-residential square footages that have either approved or pending entitlements and/or issued building permit:

	<b>Net New Res. Units</b>	<b>Net New Non-Res. SF</b>
<b>Total Entitlements Approved</b>	<b>458</b>	<b>352,898</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>67%</i>	<i>74%</i>
<b>Total Entitlements Proposed</b>	<b>34</b>	<b>85,151</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>5%</i>	<i>18%</i>
<b>Total Entitlements Approved and Proposed</b>	<b>492</b>	<b>438,049</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>72%</i>	<i>92%</i>
<b>Total Building Permits Issued</b>	<b>18</b>	<b>115,758</b>
<i>Percentage of Specific Plan Maximum Allowable Development</i>	<i>3%</i>	<i>24%</i>
<b>Specific Plan Maximum Allowable Development</b>	<b>680</b>	<b>474,000</b>

Any increase to the residential or commercial development maximums would require environmental review. Although the type of environmental review would be dependent on how the development caps are modified, the environmental review would likely take at least a year. If the plan was not amended and the development maximums were reached, likely within the next few years, then future development proposals would be delayed or not reviewed by the City.

Unless otherwise directed by the City Council, staff intends to return in January or February 2018 for direction on how to address development maximums and any other changes the City Council would like to see to the plan.

**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. Project Summary Table
- B. Project Map

Report prepared by:  
Corinna Sandmeier, Associate Planner

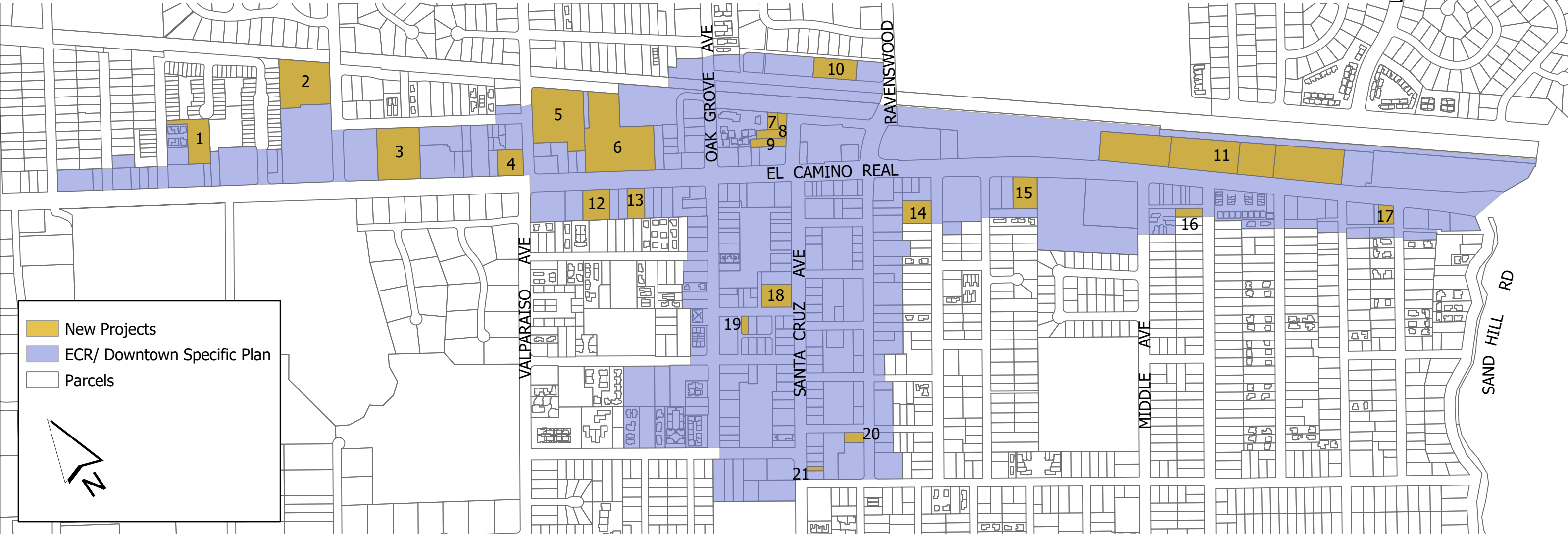
Report reviewed by:  
Mark Muenzer, Assistant Community Development Director

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Project	Address	Description	Development Level	Entitlement Status	Building Permit Status	Net New Res. Units	Net New Non-Res. SF	Notes
Marriott Residence Inn	555 Glenwood Avenue	Conversion of a senior citizens retirement living center to a 138-room limited-service, business-oriented hotel	Public Benefit Bonus	Approved	Issued 11/12/13; Completed 4/30/15	0	71,921	No new square footage was constructed, but the net new vehicle trips associated with the conversion are considered equivalent to the listed square footage
Hotel Lucent	727 El Camino Real	Comprehensive renovation of an existing hotel, including an eight-room expansion	Base	Approved	Issued 5/14/14; Construction complete, finalized	0	3,497	
612 College	612 College Avenue	Demolition of a residence and a commercial warehouse building, and construction of four new residential units	Base	Approved	Issued 9/29/15; Construction in progress	3	-1,620	
1295 El Camino Real	1283-1295 El Camino Real	Demolition of two commercial buildings and construction of a new mixed-use residential and commercial development	Base	Approved	Issued 12/22/2016; Construction in progress	15	-4,474	
1020 Alma St	1010-1026 Alma St	Demolition of existing commercial buildings and construction of new office development	Public Benefit Bonus	Approved	Issued 11/21/16; (Phase 2 issued 10/23/17) Construction in progress	0	15,208	Phase 1 building permit (excavation, shoring, foundation, and garage) issued on 11/21/16; Phase 2 building permit (superstructure, on-site improvements, and landscaping) issued on 10/23/17. Building is under construction. West Plaza will be redesigned after the loss of the large focal point Oak tree. The coffee kiosk construction plans have not been submitted.
1400 El Camino Real	1400 El Camino Real	Construction of new 61-room hotel	Public Benefit Bonus	Approved	Issued 11/16/16; (Phase 2 issued 6/15/17) Construction in progress	0	31,725	Phase 1 building permit (excavation, shoring, foundation, garage, off-site improvements) issued on 11/16/16; Phase 2 plans (superstructure, on-site improvements, and landscaping) issued on 6/15/17; building is under construction.
1149 Chestnut Street	1149 Chestnut Street	Renovation of an existing commercial building	Base	Approved	Issued 10/4/16; Construction in progress	0	-536	
889 Santa Cruz Ave	889 Santa Cruz Ave	Renovation of an existing commercial building, with small expansion	Base	Approved	Issued on 2/2/17; Construction in progress	0	37	
650 Live Oak Ave	650 Live Oak Ave	Demolition of commercial building and construction of new office-residential development	Public Benefit Bonus	Approved	Site in a state of construction	15	10,858	Linked with 660 Live Oak Ave proposal, although that parcel is not in the Specific Plan area and as such is not included in this table.
133 Encinal Ave	133 Encinal Ave	Demolition of existing commercial buildings and construction of a new townhome-style development	Base	Approved	Site in a state of construction	24	-6,166	
1275 El Camino Real	1275 El Camino Real	Construction of new mixed-use development on a vacant site	Base	Approved	Plans are under review (No building permit issued yet)	3	9,923	
1300 El Camino Real	1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane	Construction of a new mixed-use office, residential, and retail development	Public Benefit Bonus	Approved	Site in a state of construction	183	99,024	The approved 1300 El Camino Real project is credited like an existing building, since it received full CEQA clearance; active square footage also credited
500 El Camino Real	300-550 El Camino Real	Construction of a new mixed-use office, residential, and retail development	Base	Approved	n/a (No building permit issued yet)	215	123,501	
840 Menlo Avenue	840 Menlo Avenue	Construction of a new mixed-use office and residential development on a vacant parcel	Base	Pending	n/a	3	6,610	goal final action is late <b>first quarter</b> 2018
Hampton Inn	1704 El Camino Real	Demolition of existing hotel and construction of a new hotel.	Public Benefit Bonus	Pending	n/a	0	29,252	goal final action is <b>second quarter</b> 2018
706 Santa Cruz Avenue	706-716 Santa Cruz Avenue	Demolition of existing commercial building and construction of a new mixed-use retail, office, and residential development	Base	Pending	n/a	4	19,388	goal final action is late <b>first quarter</b> 2018
1540 El Camino Real (former Beltramo's)	1540 El Camino Real	Demolition of a retail building and construction of a new mixed-use office and residential development	Base	Pending	n/a	27	17,223	goal final action is late <b>first quarter</b> 2018
1125 Merrill St	1125 Merrill St	Demolition of the existing building and construction of a new mixed-use development consisting of office space on the first and second floors, one residential unit on the third floor and one residential unit on the fourth floor	Base	Pending	n/a	1	2,479	goal final action is early <b>second quarter</b> 2018
506 Santa Cruz	506 Santa Cruz	Demolition of the existing building and construction of a new mixed-use development consisting of retail space on the first floor, office space on the second and third floors, and three residential units on the fourth floor	Base	Pending	n/a	3	6,112	goal final action is early <b>second quarter</b> 2018
556 Santa Cruz	556 Santa Cruz	Demolition of existing buildings and construction of a new mixed-use development consisting of retail space on the first floor, office space on the second and third floors, and three residential units on the fourth floor	Base	Pending	n/a	-4	4,087	goal final action is early <b>second quarter</b> 2018
<b>Total Entitlements Approved</b>						<b>458</b>	<b>352,898</b>	
<i>Percentage of Specific Plan Maximum Allowable Development</i>						<i>67%</i>	<i>74%</i>	
<b>Total Entitlements Proposed</b>						<b>34</b>	<b>85,151</b>	
<i>Percentage of Specific Plan Maximum Allowable Development</i>						<i>5%</i>	<i>18%</i>	
<b>Total Entitlements Approved and Proposed</b>						<b>492</b>	<b>438,049</b>	
<i>Percentage of Specific Plan Maximum Allowable Development</i>						<i>72%</i>	<i>92%</i>	
<b>Total Building Permits Issued</b>						<b>18</b>	<b>115,758</b>	
<i>Percentage of Specific Plan Maximum Allowable Development</i>						<i>3%</i>	<i>24%</i>	
<b>Specific Plan Maximum Allowable Development</b>						<b>680</b>	<b>474,000</b>	

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# El Camino Real/Downtown Specific Plan Project Update Nov. 2017



ID	Address	Project	Land Use Category	Entitlement Status	Net New Residential Units	Net New Non Residential Square Feet
1	1704 El Camino Real, Menlo Park, CA 94025	Hampton Inn	Hotel	Pending	0	29,252
2	133 Encinal Avenue, Menlo Park, CA 94025	133 Encinal Ave	Housing Development	Approved	24	-6,166
3	1540 El Camino Real, Menlo Park, CA 94025	1540 El Camino Real (former Beltramo's)	Mixed-use Development	Pending	27	17,223
4	1400 El Camino Real, Menlo Park, CA 94025	1400 El Camino Real	Commercial Development	Approved	0	31,725
5	555 Glenwood Avenue, Menlo Park, CA 94025	Marriott Residence Inn	Commercial Development	Approved	0	71,921
6	1300 El Camino Real, Menlo Park, CA 94025	1300 El Camino Real	Mixed-use Development	Approved	183	99,024
7	1125 Merrill Street, Menlo Park, CA 94025	1125 Merrill Street	Mixed-use Development	Pending	1	2,479
8	506 Santa Cruz Avenue, Menlo Park, CA 94025	506 Santa Cruz Avenue	Mixed-use Development	Pending	3	6,112
9	556 Santa Cruz Avenue, Menlo Park, CA 94025	556 Santa Cruz Avenue	Mixed-use Development	Pending	-4	4,087
10	1020 Alma Street, Menlo Park, CA 94025	1020 Alma Street	Commercial Development	Approved	0	15,208
11	500 El Camino Real, Menlo Park, CA 94025	500 El Camino Real	Mixed-use Development	Approved	215	123,501
12	1295 El Camino Real, Menlo Park, CA 94025	1295 El Camino Real	Mixed-use Development	Approved	15	-4,474
13	1275 El Camino Real, Menlo Park, CA 94025	1275 El Camino Real	Mixed-use Development	Approved	3	9,923
14	650 Live Oak Avenue, Menlo Park, CA 94025	650 Live Oak Ave	Mixed-use Development	Approved	15	10,858
15	727 El Camino Real, Menlo Park, CA 94025	Hotel Lucent	Hotel	Approved	0	3,497
16	612 College Avenue, Menlo Park, CA 94025	612 College Avenue	Housing Development	Approved	3	-1,620
17	115 El Camino Real, Menlo Park, CA 94025	115 El Camino Real	Mixed-use Development	Pre-Application	4	-6,977
18	706 Santa Cruz Avenue, Menlo Park, CA 94025	706 through 716 Santa Cruz Avenue	Mixed-use Development	Pending	4	19,388
19	1149 Chestnut Street, Menlo Park, CA 94025	1149 Chestnut Street	Commercial Development	Approved	0	-536
20	840 Menlo Avenue, Menlo Park, CA 94025	840 Menlo Avenue	Mixed-use Development	Pending	3	6,610
21	889 Santa Cruz Avenue, Menlo Park, CA 94025	889 Santa Cruz Ave	Commercial Development	Approved	0	37



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## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-296-CC

**Informational Item:** Update on bus shelter installation in Belle Haven

### Recommendation

This is an informational item and does not require City Council action. This report has been updated since the November 14, 2017, report and will be staff's last update on bus shelter installation as construction is planned to be completed before the next regular City Council meeting in January 2018.

### 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 countywide 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 City 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 July 22, 2017.

Staff also ordered two additional shelters in mid-July 2017 directly from the same vendor that supplies the SamTrans shelters, Tolar Manufacturing. As noted in previous staff reports, ordering, production and delivery of the shelter typically takes three to four months. Delivery occurred in late November 2017 as previously planned and reported to the City Council.

City staff has also worked to construct a small new concrete pad for installation of the shelter adjacent to 130 Terminal Avenue next to the current bus stop. The concrete work allows the bus shelter to be placed behind the existing sidewalk in order to keep required pedestrian and ADA access along the sidewalk clear. The concrete was poured during the week of November 27. The bus shelter is scheduled to be installed during the week of December 4 (weather permitting).

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.

### **Attachments**

None

Report prepared by:

Nicole H. Nagaya, Assistant Public Works Director



## STAFF REPORT

### City Council

**Meeting Date:** 12/5/2017  
**Staff Report Number:** 17-306-CC

**Informational Item:** 3rd Quarter Update on 2017 City Council Work Plan

### Recommendation

This is an informational item and does not require City Council action.

### Policy Issues

It has been the City Council's policy to adopt its work plan annually. Any policy issues that may arise from the implementation of individual work plan items will be considered at that time.

### Background

On January 27, 2017, the City Council held a Special Meeting at the Arrillaga Family Recreation Center to discuss and identify the work plan items for the year. On February 7, 2017, the City Council approved the work plan and staff used it to help craft the fiscal year 2017-18 budget.

### Analysis

The City Council work plan for 2017 includes 57 items, listed in the table (Attachment A). The list has been grouped into themes and priority levels to help categorize the items. The themes, in no specific order, include:

- Responding to the development needs of private residential and commercial property owners
- Realizing Menlo Park's vision of environmental leadership and sustainability
- Attracting thoughtful and innovative private investment to Menlo Park
- Providing high-quality resident enrichment, recreation and discovery
- Maintaining and enhancing Menlo Park's municipal infrastructure and facilities
- Furthering efficiency in city service delivery models
- Improving Menlo Park's multimodal transportation system to move people and goods through Menlo Park more efficiently

This quarterly report includes status updates on individual work plan items.

### 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. Status update for the 2017 City Council Work Plan

Report prepared by:

Chip Taylor, Assistant City Manager

Responding to the development needs of private residential and commercial property owners.				
Extremely Important				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
1	<b>Address Housing Element Implementation Programs</b>		Work has been postponed due to City Council-directed work on the expansion of EV charger regulations citywide. Current targets for completion are June 2018 for the zoning ordinance amendments related to limiting the loss of existing residential units and modifications to the R-2 zoning. Completion of an anti-discrimination ordinance is targeted for the end of 2017, as originally scheduled.	Work has been postponed due to City Council-directed work on the expansion of EV charger regulations citywide. Current targets for completion are June 2018 for the zoning ordinance amendments related to limiting the loss of existing residential units and modifications to the R-2 zoning. Completion of an anti-discrimination ordinance is targeted for March 2018, City staff is working on the development of an ordinance.
	(a) Amend the Zoning Ordinance to be consistent with State law and limit the loss of existing residential units or the conversion of existing units to commercial space (Program H2.C)			
	(b) Amend the Zoning Ordinance to modify R-2 zoning to tie floor area to dwelling units to minimize underutilization of R-2 zoned lots and maximize unit potential, unless unique features of a site prohibit additional units being constructed (Program H2.C)			
	(c) Adopt an Anti-Discrimination Ordinance to prohibit discrimination based on the source of a person's income or the use of rental subsidies, including Section 8 and other rental programs (Program H1.G).			This work was coordinated with the update of the Housing Commission's Workplan and the prioritization of the displacement measures. The Housing Commission and staff are systematically working through those priorities.
Very Important				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
2	<b>Implement Downtown/EI Camino Real Specific Plan Biennial Review</b>		Work on the project has been impacted by staff vacancies. The completion of Phase 1 is targeted for June 2018. Phase 2 is targeted for completion in December 2018, as originally scheduled.	Work on the project has been impacted by staff vacancies. The completion of Phase 1 is targeted for June 2018. Phase 2 is targeted for completion in December 2018, as originally scheduled.
	(a) Phase 1 which consists of text and graphic changes related to setbacks, sidewalk widths, hotel incentives and parking, and TDM programs among others will be completed in 2017.			
	(b) Phase 2, which includes more extensive research, environmental review and policy changes is expected to be completed in 2018. The directed changes require consultant assistance.			
3	<b>Enhanced Housing Program</b>			
	(a) Draft agendas, staff reports and attend monthly Housing Commission meetings.			The Housing Commission presented an updated workplan to City Council along with recommendations for prioritizing anti-displacement policies. The Commission has begun meeting monthly and the two additional commissioners are participating in the work of the Commission. The Commission has organized subcommittees to begin work on the top priorities of the Workplan and Anti-displacement Policy Priorities.

	(b) Work with Housing Commission to present prioritized list of actions to City Council.	✓	The Commission has approved recommendations for prioritization.	
	(c) Present recommended actions to Housing Commission and City Council for items the City Council prioritizes for 2017.	✓		
	(d) Conduct public outreach on any new requirements or programs.	✓		
<b>Important</b>				
	Project	Status	Update: Quarter 2	Update: Quarter 3
4	<b>Stanford University 2018 General Use Permit Review</b> (a) Tracking the project, attending public meetings, and preparing comments on the Notice of Preparation and draft environmental documents. The schedule for this project is dependent on an outside agency.	✓	The next step is the review of the Draft EIR, which is scheduled for release later in mid-September 2017. In addition, the City Council subcommittee has been meeting regularly with Stanford.	Comments on the Draft EIR are due on December 4. The City Council is scheduled to review a comment letter on November 29.
5	<b>Single Family Residential Requirements and Guidelines</b> (a) Development of project goals and a work program through the Planning Commission and City Council and obtaining consultant assistance.		Work on the project has been impacted by staff vacancies and is currently targeted for 2018-19.	
<b>Realizing Menlo Park's vision of environmental leadership and sustainability.</b>				
<b>Extremely Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
6	<b>Green Infrastructure Plan</b> (a) Approval of the work plan for the Green Infrastructure Plan, and future implementation phases will follow.	✓	The Green Infrastructure Work Plan was approved by City Council in May. This is a multi-year effort that involves identifying Green Infrastructure opportunities in the public right-of-way. Staff will begin evaluating capital improvement and transportation projects for the incorporation of Green Infrastructure for stormwater.	
<b>Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
7	<b>Community Zero Waste Plan</b> (a) The plan will be complete.	✓	The Community Zero Waste Plan will go to City Council on 9/12	Approved by City Council in September
8	<b>Update Heritage Tree Ordinance</b> (a) The consultant will be selected, community outreach, and commission meetings will commence.	In Progress		The City Council awarded the project to California Tree and Landscaping, Inc. and the contract is currently being finalized. Community Engagement and Commission meetings will commence after January 1.
<b>Attracting thoughtful and innovative private investment to Menlo Park.</b>				
<b>Extremely Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
9	<b>Downtown Streetscape Improvement Project (Specific Plan)</b>			

	(a) Completion of the first round of street cafés.	✓		
	(b) Evaluation of the Paseo at a City Council study session in order to determine whether to construct a permanent Paseo and at what location (i.e., Chestnut Street or Curtis Street).	In Progress	The next step is to conduct the evaluation and schedule a City Council study session.	On September 26, the City Council directed the removal of the Paseo. The Paseo was completely removed by October 3.
10	<b>Downtown Parking Structure and Mix of Uses Design Contest</b>			
	(a) Confirm City's legal rights to develop on parking plazas 1-3. Present proposed contest to City Council. Conduct outreach for project submissions. Facilitate evaluation of submitted projects, ensuring that at least one of the options is a single-use parking garage. Present a final proposal to Council (It may be necessary for this process to extend into 2018, based on community input.)		Staff is meeting with stakeholders to formulate a proposal that will come before City Council this fall.	Staff explored potential opportunities to partner with private entities to assist with conducting a design competition for possible mixed-use development. Staff has met with various interested developers and even received an unsolicited offer from a developer. Staff anticipates presenting options for moving forward to the City Council at a study session.
<b>Providing high-quality resident enrichment, recreation, and discovery.</b>				
<b>Extremely Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
11	<b>Belle Haven Pool Analysis and Audit</b> (a) Complete the study.	✓	The Parks and Recreation Commission approved the audit and is recommending adoption of the full \$6-8 million renovation, which will be presented at the Sept 26 City Council meeting. Next step would be to research funding sources, as a new work plan project if City Council chooses to go forward.	City Council accepted the audit and plan on November 7. Funding sources will be considered as a part of the overall Facilities Master Plan Update once that is completed. This project is considered complete.
<b>Very Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
12	<b>Parks and Recreation Facilities Master Plan Update</b>			
	(a) Development of RFQ .	✓	Consultant interviews are schedule for July 2017 with selection to be approved at the August 29 City Council meeting.	
	(b) Release of scope of work and RFP.	✓	Consultant selected and meetings to develop scope have begun	
	(c) City Council approval of consultant contract.	✓	Anticipated 9/26 City Council meeting	9/26 City Council meeting contract approved with Gates + Associates
	(d) Analysis of existing conditions.		Should begin in November	Kick off meeting scheduled for December 13
	(e) Opportunities and constraints completed.			Anticipated by February 2018
	(f) Some community engagement will have begun			Anticipated Spring 2018
13	<b>Bedwell Bayfront Park Master Plan</b>			



	(a) Development of the plan and City Council approval.	✓	Second community meeting and open house held June 17, 2017. Survey and feedback on plan alternatives to be presented at Community meeting on August 10 and in online survey. Presentation to Park and Rec Commission October, Final recommendations to City Council Nov. 7.	City Council accepted the Bedwell Bayfront Park Master Plan on November 14, 2017. Funding sources will be considered as part of the overall Facilities Master Plan Update once that is completed. This project is considered complete.
14	<b>Park Playground Equipment</b>			
	(a) Identification of the first park (likely to be Nealon Park).	In Progress	The Parks and Recreation Commission has created a subcommittee to assist in the process and Nealon Park has been identified as the first park. Next steps include preparation of the RFP.	The RFP is being prepared and is targeted for release by early 2018.
	(b) Determination of the proposed equipment.			
	(c) Going out to bid.			
<b>Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
15	<b>Jack Lyle Park Restroom</b>			
	(a) Complete construction drawings.	In Progress	Staff has submitted comments to the consultant on the construction drawings and specifications. A lot merger application is being prepared. A building permit application will be submitted concurrently with the project bidding once the drawings are finalized. Due to staff vacancies, construction of this project will be delayed and is not anticipated to begin until early 2018.	Construction drawings are complete, bid documents need to be finalized. Project was placed on hold due to staff vacancies.
	(b) Obtain building permit.			
	(c) Go out to bid.			
	(d) Award the construction contract.			
	(e) Construct the restroom.			
16	<b>Library Space Needs Study</b>			
	(a) The Space Needs Study should be completed in 2017.	✓		
17	<b>Willow Oaks Park Improvements</b>			
	(a) Complete the community engagement process.	In Progress	Staff presented to the Parks and Recreation Commission and received feedback on the design of the proposed improvements. The consultant is in the process of incorporating the feedback and preparing the documents needed for the application to the Planning Commission. A lot merger application is also being prepared. Due to staff vacancies, construction of this project will be delayed and is not anticipated to begin until 2018.	
	(b) Design the improvements.	In Progress		Project was placed on hold due to staff vacancies.
	(c) Go to bid.			
18	<b>Burgess Park Snack Shack</b>			





	(a) Identification of the project scope and location and determination of the future use of the improvements in order for the City Council to authorize the private fundraising to proceed in a manner similar to the Menlo Gates project along Ravenswood Avenue.	In Progress	Presentation by community group managing project was made on July 26 to the Parks and Rec Commission. Commission will discuss again at the September 27 meeting.	On September 27, the Parks and Rec Commission recommended moving this project forward contingent upon: funding from private sources, impacts from possible library project, lease to a private vendor once complete, staff time prioritization among other pending projects is low
<b>Maintaining and enhancing Menlo Park's municipal infrastructure and facilities.</b>				
<b>Extremely Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
19	<b>Water System Master Plan</b> (a) Presenting components of the plan phases, such as staffing options for operations and maintenance, and ultimately City Council acceptance of the entire Plan.	In Progress	The Consultant has completed the seismic vulnerability assessment and the hydraulic model of the water system. Staff has also began the process of hiring two additional water operators. Due to staff vacancies, the project is delayed. A presentation of the findings will be made to City Council in early 2018.	Staff is in the process of making offers to two water workers. The consultant is completing the water system master plan for staff review. A presentation of the finding is on track for early 2018.
20	<b>Sidewalks on Santa Cruz Ave</b> (a) Construction of the sidewalks should be completed in 2017.	✓	Construction is complete except for punch list items. Paving of the street from University Drive to Olive Street was done as part of the Street Resurfacing Project after the completion of the sidewalk work.	
21	<b>Trash Capture Device Installation</b> (a) The devices should be installed by summer 2017.	✓		
22	<b>Administration Building Emergency Generator</b> (a) The project is out bid and construction should be completed in 2017.	✓	Construction of the generator began in June and the contractor is on schedule to complete the project in September 2017.	Project was completed in September.
23	<b>Chrysler Pump Station Improvements</b> (a) Completing the design and going out to bid.	In Progress	City Council approved a budget of \$6.2 million for the construction of the pump station in May. A funding agreement for the architectural design was executed with the Bohannon Development Company. Due to staff vacancies, this project is delayed. The next step is Planning Commission review in late October.	Staff applied for a grant to cover up to \$3 million and is working with the Bohannon Development Company on refining the design, lot lines, easements, etc. Planning Commission review is now scheduled for January 2018.
24	<b>Emergency Water Supply</b> (a) The first well at the Corporation Yard is scheduled for completion by the end of 2017.	In Progress	The capacity of the well was determined during the testing phase. This information has been used to design the aboveground components of the well, which include the pump and the generator. Staff is currently in the process of reviewing the plans and specifications for the work. The construction is delayed and anticipated to begin in the early 2018.	Staff is currently in the process of finalizing the plans and specifications for the design of the pump and generator. The project is expected to be bid in early 2018.

	(b) For the second well, staff is evaluating different sites and plans to make a recommendation on the proposed well to the City Council in the summer of 2017.	In Progress	Staff is currently in the process of evaluating sites for the second well in coordination with the Water System Master plan hydraulic analysis. Staff will return to the City Council with an update before conducting community outreach. Due to the coordination effort with the Water System Master Plan, a recommendation on a site for a second well is not anticipated until early 2018.	Staff is in the process of evaluating locations for the second well, which are being included in the Water System Master Plan. The feasibility of the locations with respect to the water distribution system hydraulics and access to customers is being assessed.
<b>Very Important</b>				
<b>No.</b>	<b>Project</b>	<b>Status</b>	<b>Update: Quarter 2</b>	<b>Update: Quarter 3</b>
25	<b>Library Landscaping</b>			
	(a) A smaller landscaping project between the main public entrance and the staff/service entrance will be completed by the fall of 2017.	✓	Installation of new landscaping, irrigation and outdoor tables has begun.	The landscaping associated with the smaller project was installed.
	(b) Additional improvements for 2017 include the installation of additional outdoor tables.	✓		Two additional outdoor tables were installed in October.
26	<b>Arrillaga Family Recreation Center HVAC System Upgrade</b>			
	(a) System design.	In Progress	As part of the budget process, project was amended to include additional work in the Police Department and to split the work into two phases - design and construction. Existing funding is sufficient to design the improvements, but additional funding would be needed in fiscal year 2018-19 to construct the improvements. The next step will be designing the system upgrades in the two buildings. Consistent with the budget and available funds for construction, the project will go out to bid in 2018-19.	Due to staff vacancies, the project is scheduled for design in FY 2018-19.
	(b) Going out to bid.			
27	<b>Belle Haven Child Development Center Kitchen and Bathroom Remodel</b>			
	(a) Preparing the applicable plans and specifications.	✓	Construction of the project began in June and will be completed by September.	
	(b) Obtaining applicable permits.	✓		
	(c) Hire contractor.	✓		
	(d) Complete construction.	✓		Construction was completed in August.
28	<b>Burgess Pool Capital Improvements</b>			
	(a) Key milestones for 2017 will be determined upon completion of the lease negotiations.	In Progress	Lease anticipated to be approved by the City Council on September 12; anticipate asking City Council to approve creation of sinking fund and make allocation at this meeting.	Burgess instructional pool heater and chemical controllers scheduled for replacement December 2017. City Council approved lease extension through January 2018 including modifications until new agreement has been completed.

29	<b>San Francisquito Creek Upstream of 101 Flood Protection Project</b>			
	(a) Tracking the project.	In Progress	A community meeting is scheduled for October to discuss the technical findings of the proposed improvements.	
	(b) Attend public meetings.			
	(c) Prepare comments on the draft environment impact report which is currently targeted for release in September 2017 for a 60-day review period.			The Draft EIR is expected to be released in early 2018.
<b>Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
30	<b>Nealon Park Sports Field Sod and Irrigation System Replacement</b>			
	(a) The completion of the project is targeted for 2017.	✓	The contracts for the installation of the irrigation pump and sod were awarded in March. Construction of the irrigation pump was completed in June. Installation of the sod, along with drainage improvements, has been completed.	
31	<b>Gatehouse Fence Replacement</b>			
	(a) Preparing the design details and going out to bid.	In Progress	Staff is currently in the process of reviewing the cost proposal for design services.	Project is currently on hold pending the library siting analysis.
32	<b>Facilities Maintenance Master Plan</b>			
	(a) Selection of a consultant to prepare the report.	In Progress	Work has not started but the identified milestones is targeted for completion in 2017.	Due to staff vacancies, the project is currently on hold.
33	<b>Reservoir Reroof and Mixers</b>			
	(a) Going out to bid and scheduled to be completed in 2017.	In Progress	The reservoir mixer project was bid separately in July. Due to a single and unsuccessful bid, the project will be delayed. The reroof project will be prioritized as part of the Water System Master Plan.	The reservoir mixer project went out to bid again, but only one unsuccessful bid was received. The project will be delayed.
<b>Furthering efficiency in city service delivery models.</b>				
<b>Extremely Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
34	<b>Complete Streets Commission Pilot</b>			
	(a) Establish the mission/charge for the Commission.	✓		
	(b) Update the Commissions/Committee policies, procedures, roles and responsibilities by March.	✓		
	(c) Consolidate the Commission meetings as of May 2017.	✓	The first meeting was held on May 10.	
35	<b>Cost Allocation plan and user fee study</b>			
	(a) Award contract and begin work on study.	✓		



	(b) Review draft reports	In Progress	Draft reports are currently underway and expect to be completed mid-Sept.	Review of draft reports underway.
	(c) City Council review and consideration of changes to the Master Fee Schedule		An information item transmitting the draft Cost Allocation Plan and User Fee study is scheduled for 10/10/17.	The information item has been moved Q1 2018.
	(d) Implement City Council approve Master Fee Schedule changes		Changes approved to the Master Fee Schedule go into effect no sooner than 60 days following City Council final approval.	
36	<b>City Hall Remodel Project</b>			
	(a) Completion of construction.	In Progress	Phases 5 and 6 are complete. All staff have moved into their permanent working spaces.	Staff is continuing to finalize all aspects of the project. Completion is anticipated spring of 2018.
37	<b>Complete a fee study for solid waste services</b>			
	(a) The fee study will be completed.	✓	The fee study is going to City Council on 9/11	
<b>Very Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
38	<b>Information Technology Master Plan Implementation</b>			
	(a) Complete Study and seek City Council acceptance of the plan and direction on key initiatives.	✓	City Council accepted the plan and provide direction on the top 12 initiatives to staff.	
	(b) Recruit new staff and contractors to implement the ITMP recommended wireless network, network redesign, core switch replacement, virtual server migration, and storage area network upgrades.	✓	Recruitment is underway for the Enterprise Applications Support Specialist (EASS), a five-year provisional term position. A finalist has been identified and the employee is currently undergoing pre-employment background.	
	(c) Establish an 2017-18 ITMP implementation team comprised of existing staff and other outside consultants as necessary; identify backfill resources as necessary.	In Progress	A team from Community Development, Public Works and Administrative Services is evaluating potential land management software replacement products per City Council direction. An information item on progress is planned for the Sept 12th meeting.	
	(d) Launch implementation of the application upgrades as determined by resources available (e.g. budget, available staff capacity, etc.).			
	(e) Provide project updates to the City Council on the ITMP implementation project in August and January.			
39	<b>Development of a Citywide Communications Program</b>			
	(a) Hire a consultant.	✓	Adopted with the 2017-18 budget - Released RFQ on 8/10	City Council approved staff recommendation to hire EnvirolIssues.
	(b) Develop a plan.	In Progress		
	(c) Fund the plan.			
<b>Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
40	<b>Organizational study for Public Works maintenance services</b>			
	(a) Consultant will be selected.	In Progress	RFP is being created by staff.	
	(b) Background and review will commence.			


	(c) The organization study will review the current maintenance processes, document their current form and propose improvements. The review process will use industry standard practices as appropriate to provide a better understanding of how the current processes could be improved. The review will incorporate other studies that have been completing or are in process such as the Water System Master Plan to provide data for the review. The review will include all the maintenance functions performed by the City.			
41	<b>Organizational study for Development Services</b> (a) Consultant will be selected. (b) Background and review will commence.		RFP is being created by staff.	
42	<b>Community Services Strategic Plan Implementation</b> (a) Complete a community needs analysis determining need for after school programs including age groups, services, partnerships and efficiencies to meet changing community needs. (b) Complete a community needs analysis determining opportunities for new/additional programs expanding participation at Onetta Harris Community Center, Senior Center and Belle Haven Youth Center.	  In Progress	Hours expanded at Senior Center and programs for "older adults" now available. Needs assessment for Onetta Harris Community Center and Youth Center in planning stages - anticipate results by January 1, 2017	Staff currently implementing needs assessment and plan for OHCC and BH Youth Center.
43	<b>Federal and State Lobbying Initiative</b> (a) Develop legislative platform. (b) Hire lobbyist.	Delayed	Adopted with the 2017-18 budget - RFP released 8/10	City Council continued item.
<b>Improving Menlo Park's multimodal transportation system to move people and goods through M</b>				
<b>Extremely Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
44	<b>Haven Avenue Streetscape Improvement</b> (a) Complete the work in the City right-of-way (between the San Mateo County line and the bridge over the Atherton Channel) following completion of the Anton Menlo apartments. (b) Obtain an encroachment permit for work within Caltrans right-of-way.	  	The City Council approval of a resolution and maintenance agreement on June 20 were the final items needed to obtain an encroachment permit from Caltrans. Permit issuance is expected in September 2017.	Caltrans issued the encroachment permit in October 2017, but cost escalation has caused a funding gap for the project, which will delay construction. Staff anticipates bringing a report to the City Council to determine next steps in early 2018.
45	<b>Willow/101 Interchange</b> (a) Respond to ongoing construction issues as they arise. The schedule for this project is dependent on an outside agency.		Construction of the interchange began in May 2017 and is ongoing.	Construction of the interchange began in May 2017 and is ongoing. Phase 2 construction began in November 2017 with activation of two new temporary signals at the interchange. Staff is working to install temporary traffic calming measures to alleviate local impacts, and the Council will consider these recommendations on December 5, 2017.
46	<b>Transportation Master Plan</b>			

	(a) Finalize the scope of work.	✓		
	(b) Award a consultant a contract.	✓	City Council approved consultant contract with W-Trans on May 2, 2017. A kick-off meeting was held with staff on June 14, 2017, and data collection efforts have commenced.	
	(c) Initiative community engagement.	✓	Staff has initiated the creation of a Transportation Master Plan Committee of residents, Commissioners, and Councilmembers and expects the City Council to appoint members in August. Outreach at neighborhood events, including the Block Party and the Summer Concert Series in August, is underway.	
	(d) Develop a draft list of projects for consideration.	In Progress		Work on the draft list of strategies and recommendations is underway. Due to challenges in scheduling the first Oversight & Outreach Committee meeting and subsequent staff vacancies, the overall project timeline will be delayed approximately 3 months.
47	<b>Transit Improvements</b>			
	(a) Begin service for revised shuttle routes.	✓	Modified shuttle routes began operations in March 2017, adding service to Belle Haven and Sharon Heights in particular. Additional changes to the Marsh Road Shuttle began in July 2017 to improve on-time performance and provide more frequent service.	
	(b) Initiate Transportation Management Association (TMA) study.	In Progress	Funding for the TMA study was approved in the 2017-18 City budget. Staff is developing a schedule and next steps for the study.	The next step is a City Council study session, which is targeted for early 2018.
	(c) Install new bus stop amenities (new, redesigned signs and shelters in Belle Haven).	In Progress	SamTrans installed a bus shelter at Market Place Park in Belle Haven in late July 2017. Staff is coordinating with SamTrans staff on the preparation of the license agreement for existing and proposed shelters and has ordered two additional shelters. Staff has begun inventory and design of new shuttle signs.	Staff has purchased two additional bus shelters for installation in Belle Haven. One shelter will be installed at the Onetta Harris Community Center complex and the other is targeted for installation along Willow Road pending coordination with AC Transit and Caltrans.
48	<b>Chilco Street Scape and Sidewalk Installation</b>			
	(a) Finalize the concept plans for all phases, final design plans for Phases 3a, 3b, and 4a.	In Progress	Staff provided comments on the Phase 3a, 3b, 5, and 6 plans in May and June. The next step is to prepare conceptual plans of design alternatives for review with Belle Haven residents before finalizing plans.	Staff is reviewing updated plans with Belle Haven residents.
	(b) Begin construction of Phases 3a and 3b.			

Very Important				
No.	Project	Status	Update: Quarter 1	Update: Quarter 3
49	High Speed Rail Coordination & Environmental Review			

	(a) Authorization of a reimbursement agreement with the High Speed Rail Authority.	✓		
	(b) Participate in expected environmental review milestones for the San Francisco-San Jose project section.	In Progress	Staff is continuing to participate and monitor the status of the environmental review process. As of June 29, the High Speed Rail Authority recently announced a change in the schedule to allow for additional outreach, although the revised timeline has not yet been finalized.	Release of the environmental review documents has been delayed.
50	<b>Oak Grove, University, Crane Bicycle Improvement Project</b>			
	(a) Finalize design plans, award a construction contract, construction, finalizing trial metrics to be evaluated, and collect before and after data.	✓		
	(b) Award a construction contract.	✓	Construction contract was awarded in June 2017.	
	(c) Construction.	✓	Construction began in June 2017, and is nearly complete.	Construction was completed in July.
	(d) Finalize trial metrics to be evaluated.	✓	Staff is returning to the City Council on August 29, 2017, to finalize the trial metrics.	City Council finalized the trial metrics in August.
	(e) Collect before and after data.	In Progress	Before data was collected in spring 2017. Data collection during the one-year pilot will be collected in early and mid-2018.	The first round of data collection occurred in October and November 2017. Next step will be the second round of data collection and project evaluation in mid-2018.
51	<b>Ravenswood Avenue/Caltrain Grade Separation Study</b>			
	(a) Complete the final PSR and identification of a preferred alternative for grade separation at Ravenswood Avenue.	In Progress	The third community workshop was held on June 7, and the City Council received an informational update on the meeting on June 20. Throughout the summer, staff has been meeting with property owners with direct access impacts, prior to fall meetings of the Complete Streets and Planning Commission for recommendations and City Council consideration of a preferred alternative in late 2017.	City Council considered the preferred alternative options in October and requested additional information. Staff is scheduled to present to the Atherton Town Council at at Study Session on December 6.
52	<b>Willows Neighborhood Complete Streets</b>			
	(a) Host an initial community meeting in Spring 2017 to share the history of the project.	✓	Community meeting at Laurel Upper School was held on May 17, 2017.	



	(b) Develop a scope of work.	Delayed	Funding for the study was approved in the 2017-18 City budget. Next step will be to develop the scope of work. This step is contingent on filling existing vacancies in the Transportation Division. Assuming the vacancies are filled by the end of October, the scope of work would be developed and shared with the City Council for consideration by the end of 2017.	Staff vacancies in the Transportation Division have delayed work on this project.
	(c) Award a consultant contract to conduct the study.		Award of a contract is expected to be delayed until 2018.	
53	<b>Initiate Citywide Safe Routes to School Program</b>			
	(a) Identify a staff person to lead the effort making contact with each school within the five public school districts serving Menlo Park. To accomplish this work, staff would need to complete the reorganization of the Bicycle and Transportation Commissions to a Complete Streets Commission no later than May 2017; other internal staff assignments may need to be shifted to accomplish this item.	In Progress	Funding for the study was approved in the 2017-18 City budget. Next step will be to develop a request for qualifications for assistance leading this work.	This initiative has been delayed by staff vacancies. Staff has begun development of a draft request for qualifications (RFQ). Next step will be to complete the draft RFQ, meet with Complete Streets Commission subcommittee representatives to review, and release the RFQ. Release is expected to occur in early 2018.
	(b) Convene a quarterly stakeholder meeting (starting in Q4) with representative of each school and other relevant groups to be identified.			
	(c) Identify a prioritized list and schedule for Safe Routes infrastructure plans for each school.			
	(d) Potentially hire a consultant to develop a recommended program approach to implement a comprehensive, future Safe Routes to Schools Program.			
54	<b>Middle Avenue Caltrain Crossing Study</b>			
	(a) Award a consultant a contract.			
	(b) Conduct community engagement on potential alternatives.	In Progress	The first community workshop was held on May 4. The City Council received an informational update on the meeting on May 23. The next meeting is expected to occur in late 2017.	This project has been delayed by staff vacancies and the response by the City to the Stanford University Center for Academic Medicine project. The next community meeting is estimated to occur by March 2018.
	(c) Develop preliminary designs for potential alternatives.	In Progress	Next step is to begin to develop preliminary designs for alternatives.	Staff is reviewing draft alternatives which will be presented at the next community meeting (estimated to occur by March 2018).
<b>Important</b>				
No.	Project	Status	Update: Quarter 2	Update: Quarter 3
55	<b>EI Camino Real Corridor Study</b>			
	(a) Submitting encroachment permit applications to Caltrans for the east-west crossing improvements.	Delayed	Staff completed review of the preliminary design concepts of the east-west crossing improvements for Encinal Avenue, Ravenswood Avenue, Roble Avenue, Middle Avenue, and Cambridge Avenue. Middle Avenue and Cambridge Avenue modifications would be required as a condition of approval for the pending Middle Plaza at 500 EI Camino Real project. Vacancies in the Transportation Division have delayed the other crossing improvements.	Staff completed review of the preliminary design concepts of the east-west crossing improvements for Encinal Avenue, Ravenswood Avenue, Roble Avenue, Middle Avenue, and Cambridge Avenue. Middle Avenue and Cambridge Avenue modifications would be required as a condition of approval for the Middle Plaza at 500 EI Camino Real project. Vacancies in the Transportation Division have delayed the other crossing improvements.

	(b) Completing the additional analysis requested by the City Council for northbound traffic conditions.		Next step is to schedule an El Camino Real Subcommittee meeting to review results of the traffic analysis and finalize next steps. However, vacancies in the Transportation Division have delayed this project.	Next step is to schedule an El Camino Real Subcommittee meeting to review results of the traffic analysis and finalize next steps. However, vacancies in the Transportation Division have delayed this project.
56	<b>Middlefield Rd/Ravenswood and Ringwood Avenues Traffic Signals Modification</b>			
	(a) Finalize scope of planned improvements.	Delayed	Funding for the study was approved in the 2017-18 City budget. Next steps will be to prepare analysis and conceptual design finalize improvement plans. However, vacancies in the Transportation Division have delayed this project. Assuming the vacancies are filled by the end of October, the scope of the improvements would be identified by mid-2018.	Vacancies in the Transportation Division have delayed this project. While the scope of the improvements has not yet been finalized, staff has worked with the Town of Atherton on potential design options through an ongoing project the Town is pursuing, the Middlefield Road Bicycle Lanes Improvement Project.
57	<b>Revisions to the 2016 California Green Building Standards Code for Electric Vehicle Chargers</b>			
	(a) Adopt increased requirements for electric vehicle chargers that will be applicable citywide	In Progress	Target completion date is end of 2017	

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