SPECIAL AND REGULAR MEETING AGENDA

Date: **5/21/2019**
Time: **5:30 p.m.**
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

According to City Council policy, all regular meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

5:30 p.m. Study Session

A. Call to Order

B. Roll Call

C. Pledge of Allegiance

SS1. Presentation: Prof. Bennon from Stanford Global Project Center – feasibility of tunnels for rails

SS2. City manager budget presentation

D. Presentations and Proclamations

D1. Proclamation: Public Works week (May 20 - 26, 2019)

D2. Presentation: update on San Fransciquito Creek JPA projects

F. Consent Calendar

F1. Adopt Resolution No. 6502, preliminary approval of the engineer's report for the Menlo Park landscaping assessment district, and Resolution No. 6503, intention to order the levy and collection of assessments for the landscaping assessment district for fiscal year 2019-20 (Staff Report #19-105-CC)

F2. Award contracts totaling $511,857 to Towne Ford Sales and Priority 1 Safety for hybrid vehicles and outfitting (Staff Report #19-106-CC)

F3. Authorize the city manager to execute agreements as required by conditions of approval for the Menlo Gateway project and reimburse fees collected through the construction street impact fee (Staff Report #19-108-CC)

G. Public Hearing

G1. Consider the Planning Commission's recommendation and approve Resolution No. 6501 to amend and restate conditional development permit for the Sharon Hills development (1-45 Biltmore Lane; 1115-1135 Continental Drive; 2-55 Hallmark Circle; 1-15 Oliver Circle; 2-26 Susan Gale Court; 2300 Tioga Drive; 1200-1371 Trinity Drive) (Staff Report #19-102-CC)

H. Regular Business

H1. Authorize the City manager to amend a contract with ICF Jones & Stokes, Inc. to prepare an environmental impact report for the proposed willow village master plan project at 1350-1390 Willow Road, 925-1098 Hamilton Avenue, and 1005-1275 Hamilton Court for the amount of $967,522 and future augments as may be necessary to complete the environmental review for the proposed project (Staff Report #19-095-CC)

H2. Complete Streets Commission update and approval of the Complete Streets Commission's work plan and the Middle Avenue and Olive Street bike improvements project on a page (Staff Report #19-086-CC)

H3. Adopt Resolution No. 6504 approving the removal of on-street parking on Santa Cruz Avenue between Olive Street and Avy/Orange Avenue and identify a preferred conceptual design to accommodate the installation of bike lanes and sidewalks (Staff Report #19-109-CC)

H4. Adopt pilot program to implement the Institute for Local Government's public engagement framework (Staff Report #19-098-CC)

I. Informational Items

I1. City Council agenda topics: June to August 2019 (Staff Report #19-104-CC)

I2. Update on best practices for addressing chronic homelessness (Staff Report #19-107-CC)

J. City Manager's Report

K. City Councilmember Reports

L. Adjournment

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the commission on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.
At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the city clerk's office, 701 Laurel St., Menlo Park, CA 94025 during regular business hours. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

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 and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 5/16/2019)

STAFF REPORT

City Council
Meeting Date: **5/21/2019**
Staff Report Number: **19-105-CC**

Consent Calendar: **Adopt Resolution No. 6502, preliminary approval of the engineer's report for the Menlo Park landscaping assessment district, and Resolution No. 6503, intention to order the levy and collection of assessments for the landscaping assessment district for fiscal year 2019-20**

Recommendation

Staff recommends that the City Council:
1. Adopt Resolution No. 6502, the preliminary approval of the engineer's report for the landscaping assessment district for fiscal year 2019-20, which proposes an increase to the tree assessment by 10 percent, which results in $81.20 per single family equivalent per year and an increase to the sidewalk assessment by 20 percent, which results in $43.38 per single family equivalent per year (Attachment A.)
2. Adopt Resolution No. 6503, the intention to order the levy and collection of assessments for the landscaping assessment district for fiscal year 2019-20 pursuant to the Landscaping and Lighting Act of 1972 (Attachment B.)
3. Set the date for the public hearing for June 18.

Policy Issues

If the City Council does not order the levy and collection of assessments, the impact on City resources would be $1,027,060 (the total amount of the proposed tree and sidewalk assessments.)

Background

The landscaping assessment district provides funding for the maintenance of street trees, street sweeping and sidewalk repairs due to street tree root damage throughout the city.

Tree maintenance

Between 1960 and 1982, the city had a 3-person tree crew to care for trees in city parks, medians and street trees. At that time, the tree crew trimmed street trees as requested by residents. There was no specific long-term plan in place to address tree maintenance. As the street trees grew, it took considerably more effort per tree to provide proper care and the city did not have the resources to keep up with the required maintenance needs.

The voters approved Measure N in 1982 as an advisory measure to the City Council regarding formation of the City landscaping assessment district. The landscaping assessment district was formalized in 1983 to provide proper street-tree maintenance. Programmatic changes have occurred over the past 36 years to address new regulations and maintain the existing tree canopy. Proper care of the tree canopy continues to be identified as a priority by property owners, the Environmental Quality Commission and the City Council. In 1998, the City expressed concern regarding the declining health of the trees, of which 80 percent were classified as mature trees. Due to the lack of City resources to maintain older trees, there was a growing concern that most of the street trees would fail around the same time. Consequently, the City moved forward in adopting proactive measures to minimize the risk of failure by replacing mature unhealthy trees with younger healthier trees.

In 1998, the City went through a Proposition 218 ballot measure, which was approved by voters. The approval of the ballot measure resulted in an increased assessment and reduction of the tree trimming/evaluation schedule to once every five years from once every seven years. In addition, the City implemented a reforestation program with a portion of the landscaping assessment district funds in fiscal year 2008-09.

<u>Street sweeping</u>
Street sweeping is performed throughout the City to remove debris for aesthetic, bicycle and pedestrian safety, and health reasons, as well as compliance with stormwater regulations to improve water quality. Street sweeping work has been performed by contract services since 1992.

<u>City tree-damaged sidewalk repair</u>
As trees mature, their extensive network of roots inevitably break through the sidewalk resulting in uplift. Without a proactive saw cutting and/or sidewalk removal and replacement program, the sidewalks will continue to deteriorate and become tripping hazards and more costly to repair over time.

Before 1990, property owners and the City split the cost of repairing damaged sidewalks by City street trees. Each year the City entered into individual agreements with approximately 200 property owners to conduct these repairs. The annual cost was a financial burden to some residents on fixed incomes and burdensome for the city to administer; therefore, the City established an assessment for tree-related sidewalk repair in 1990 to make the program more cost-effective and efficient to operate.

Analysis

Each fiscal year, the City Council must direct the preparation of an engineer's report, budgets and proposed assessments before the assessments can be levied. The engineer's report establishes the foundation and justification for the continued collection of the landscape assessments for fiscal year 2019-20. On January 29, the City Council adopted Resolution No. 6478 describing the improvements and directing the preparation of an engineer's report for the Landscaping Assessment District for fiscal year 2019-20. In developing the engineer's report, staff and the consultant reviewed the existing budget and operating needs to maintain street trees and sidewalk repair requirements at the current level of service. The report describes in detail the incorporation of the proposed budget and the method used for apportioning the total assessment among properties within the landscaping assessment district. This method involves identifying the benefit received by each property in relation to a single-family equivalent (SFE.) The proposed budgets and findings from the engineer's report are described below.

<u>Tree maintenance assessment</u>
Staff has contracted with West Coast Arborists since 2004 to perform tree grid trimming, planting and removal, and emergency services as necessary. The grid trimming, which consists of the majority of work performed by West Coast Arborists, involves the pruning of a set number of trees on an annual basis. Currently, the city performs tree grid pruning on a 5-year cycle. The grid pruning strategy is common practice within municipal arboriculture, as it becomes cost effective to maintain the trees on a regular basis. When pruning is deferred for longer periods, fast growing trees can become prone to limb failure and hazards, requiring more expensive measures in the long run.

On September 10, 2014, the City approved a new five-year contract with West Coast Arborists for tree maintenance. Under the contract terms, compensation for the work is based on prevailing wages determined by the State's Department of Industrial Relations (DIR.) However, in August 2015, DIR created a new laborer classification for tree maintenance work and issued a prevailing wage determination. The new prevailing wages resulted in a 52 percent to 105 percent increase in wages for West Coast Arborists. For fiscal year 2016-17, to offset the new state requirements, West Coast Arborists requested a 31 percent price adjustment to the unit costs for the tasks included in the 2014 contract. City Council authorized the city manager to amend the existing contract with West Coast Arborists and adjust the rates by 31 percent. For fiscal year 2017-18, West Coast Arborists agreed to keep the same rates as fiscal year 2016-17. For fiscal year 2018-19, West Coast Arborists requested a 3.6 percent rate increase, and for fiscal year 2019-2020, a 3.9 percent increase. The City has the option to renew the contract with West Coast Arborists, which expires in September 2019, up to 5 additional years.

The tree maintenance program expenditures include the contract for grid tree pruning services, debris removal (includes street sweeping), general operating expenses, vehicle and equipment maintenance and the salaries and benefits associated with the staff time required to manage the program and work on street trees. Additional tree care required due to pests and disease, increasing prevailing wage costs associated with the tree-pruning contract, and a recent increase in the street sweeping contract rates have resulted in higher expenditures projected for fiscal year 2019-20.

The street sweeping contractor, Contract Sweeping Services Inc., increased rates by 28 percent for fiscal year 2018-19 due to drastic increases in equipment prices, operations and employee retention. For fiscal year 2019-20 rates will increase by 3 percent. Currently, San Mateo County Measure M funds pay for these services; however, with the increase in rates, it has been necessary to utilize the landscape assessment to partially fund street sweeping contract services.

As shown in Table 1, the estimated expenses are greater than the revenue. However, a fund balance of approximately $203,595.49 is projected to be carried over from fiscal year 2018-19. The fund balance is primarily the result of vacancies in the tree program in past years.

Table 1: Tree maintenance assessments proposed fiscal year 2019-20 budget	
Projected beginning fund balance	$203,600
Estimated revenues:	
Tree assessment revenue	$730,200
General fund contribution	$252,680
Measure M funds	$143,000
Total	**$1,329,480**
Estimated expenses	
Street tree maintenance	$806,930
Debris removal (including street sweeping services)	$290,230
Administration and County assessment fees	$154,600
Total	**$1,251,760**
Projected ending fund balance	$77,720

Table 2 below summarizes the proposed rates for parcels with and without street trees. The assessment for properties without street trees, but in close proximity to parcels with street trees, is 50 percent of the tree assessment due to the direct benefit of the nearby trees.

Table 2: Annual tree assessment rates proposed fiscal year 2019-20 (10 percent increase)

Property type	Properties with trees	Properties without trees
Single family	$81.20 per parcel	$40.60 per parcel
R-2 zone, in use as single family	$81.20 per parcel	$40.60 per parcel
Condominium/townhouse	$73.08 per unit $365.40 max. per project	$36.54 per unit $182.70 max per project
Other multifamily	$64.96 per unit $324.80 max per project	$32.48 per unit $162.40 max. per project
Commercial	$81.20 per 1/5 acre $4,060 max. per project	$40.60 per 1/5 acre $203 max. per project
Industrial	$81.20 per 1/5 acre $4,060 max. per project	$40.60 per 1/5 acre $203 max. per project
Parks, educational	$81.20 per parcel	$40.60 per parcel
Miscellaneous, other	$0.00 per parcel	$0.00 per parcel

Sidewalk assessment

The sidewalk repair program includes sidewalk, curb, gutter and parking strip repair and replacement due to damage caused by street trees. In fiscal year 2018-19, the program had a $500,000 budget. The program is broken into two separate contracts, one for sidewalk saw cutting ($100,000) and the other for sidewalk replacement ($400,000). Under the saw cutting program, the city retains a contractor to address minor tripping hazards, which are fixed by performing horizontal saw cuts rather than removing the entire sidewalk section. Since the city adopted this approach, it has reduced the need for complete concrete removal, which has resulted in significant cost savings over the years. No increases in the sidewalk saw cutting contract or budget are proposed.

For the sidewalk replacement program, the City Council awarded a multiyear contract to Golden Bay Construction November 11, 2015. However, the annual sidewalk replacement need exceeds the current budget of $400,000 and a backlog of requests has occurred. To address the sidewalk replacement needs that are backlogged and perform additional work that staff receives annually; a budget increase from $500,000 to $550,000 per year is needed. The sidewalk saw cutting program will remain $100,000, and the sidewalk replacement will increase to $450,000. As part of the city's fiscal year 2019-20 Capital Improvement Program budget, staff has proposed this increase. Staff is recommending a 20 percent increase to the sidewalk repair assessment to continue addressing the program backlog in fiscal year 2019-20. It is expected that the backlog would be completed in approximately three years at this funding level. At this assessment level in the future, it is expected that the fund would be able to pay for the annual calls staff receives on tripping hazards once the backlog is completed.

Table 3: Sidewalk, curb, gutter, parking strip assessment rates proposed fiscal year 2019-20 (20 percent increase)			
Parcels with trees	**Assessment rate**	**Parcels without trees**	**Assessment rate**
Sidewalks, curbs, gutters	$43.38 (per parcel)	Parcels with or without improvements	$14.32 (per parcel)
Parking strips and gutters	$43.38 (per parcel)	Miscellaneous, other	$0.00 (per parcel)
Curbs and/ or gutters only	$29.06 (per parcel)		
No improvements	$14.32 per parcel)		
Miscellaneous, other	$0.00 (per parcel)		

Table 4: Sidewalk assessments proposed fiscal year 2019-20 budget	
Projected beginning fund balance	$24,270
Estimated revenues:	
Sidewalk assessment revenue	$296,860
General fund contribution	$300,000
Total	**$621,130**
Estimated expenses:	
Sidewalk, curb, gutter parking strip repair/replacement	$550,000
Projected ending fund balance	$71,130

Comparison to maximum authorized rate and previous fiscal year

The assessments are subject to an annual adjustment based on the engineering news record construction cost index (CCI) for the San Francisco Bay Area. The maximum authorized assessment rate for fiscal year 2019-20, based on current and accumulated unused CCI increases reserved from prior years are $114.15 per SFE benefit unit for tree maintenance and $50.96 per SFE benefit unit for sidewalk maintenance. These increases would be legally permissible without additional ballot proceedings. The estimated budget in the engineer's report proposes assessments for fiscal year 2019-20 to be levied at a rate below the allowable maximum described above: $81.20 per SFE for tree maintenance and $43.38 per SFE for sidewalk maintenance. The sidewalk assessment has only increased three times since it was formed in 1990, in fiscal years 2017-18, 2018-19 and 2019-20. The tree assessment has been increasing over the last five years. The comparison assessments for single-family properties with City trees and sidewalks levied in fiscal year 2018-19 and the proposed rates for fiscal year 2019-20 are shown below:

Table 5: Assessment (annual, per SFE) fiscal year 2019-20					
Assessment	**Fiscal year 2018-19 rate**	**Percent increase**	**Fiscal year 2019-20 rate**	**Amount increase**	**Maximum allowable assessment**
Tree assessment	$73.82	10 percent	$81.20	$7.38	$114.15
Sidewalk assessment	$36.16	20 percent	$43.38	$7.22	$50.96

While the ongoing cost of maintenance of trees and sidewalks has significantly increased since the inception of the landscaping assessment district, the City has tried to minimize rate increases. Incremental rate increases combined with monies allocated from the general fund ensures the maintenance program remains proactive while maintaining a balanced funding approach.

If the City Council approves the attached resolutions, staff will publish a legal notice of the assessment public hearing at least 10 days before the hearing, which is tentatively scheduled for June 18. Once the assessments are confirmed and approved, the levies will be submitted to the county controller for inclusion onto the property tax roll for fiscal year 2019-20.

Approval of engineer's report

SCI Consulting Group has completed the preliminary engineer's report (Attachment C) for the landscaping assessment district, which includes the landscaping assessment district's proposed fiscal year 2019-20 budget. The budget covers tree maintenance, the City's street sweeping program, and the sidewalk repair program. The report describes in detail the method used for apportioning the total assessment among properties within the landscaping assessment district. This method involves identifying the benefit received by each property in relation to a single-family residence.

Impact on City Resources

Funding for the entire tree maintenance, street sweeping and sidewalk repair programs under the landscaping assessment district come from a variety of sources, including the carry-over of unspent funds from prior years, annual tax assessment revenues, and contributions from the general fund. If the City Council does not order the rate increase, levy and collection of assessments, the impact on City resources would be $1,027,060 (the total amount of the proposed tree and sidewalk assessments.)

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

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

Attachments

A. Resolution No. 6502, preliminary approval of the engineer's report
B. Resolution No. 6503, intention to order the levy and collection of assessments
C. Engineer's report dated May 2019

Report prepared by:
Theresa Avedian, Senior Civil Engineer

Reviewed by:
Justin Murphy, Deputy City Manager/Public Works Director

RESOLUTION NO. 6502

RESOLUTION OF PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL YEAR 2019-2020

WHEREAS, on the 29th day of January, 2019, the Menlo Park City Council did adopt Resolution No. 6478, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District (District) for Fiscal Year 2019-20, pursuant to provisions of Article XIIID of the California Constitution and the Landscaping and Lighting Act of 1972, in said City and did refer the proposed improvements to SCI Consulting Group and did therein direct SCI Consulting Group to prepare and file with the Clerk of said City a report, in writing, all as therein more particularly described, under and in accordance with Section 22565, *et. seq.,* of the Streets and Highways Code and Article XIIID of the California Constitution; and

WHEREAS, said SCI Consulting Group prepared and filed with the City Clerk of said City a report in writing as called for in Resolution No. 6478 and under and pursuant to said Article and Act, which report has been presented to this Council for consideration; and

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

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

1. That the plans and specifications for the existing improvements and the proposed new improvements to be made within the District contained in said report, be, and they are hereby, preliminarily approved;

2. That the Engineer's estimate of the itemized and total costs and expenses of said improvements, maintenance, and servicing thereof, and of the incidental expenses in connection therewith, contained in said report be, and each of them is hereby, preliminarily approved;

3. That the diagram (Exhibit A) showing the exterior boundaries of the District referred to and described in said Resolution No. 6478 and the lines and dimensions of each lot or parcel of land within said District as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which the report applies, each of which lot or parcel of land has been given a separate number upon said diagram, as contained in said report be, and it is hereby, preliminarily approved;

4. That the proposed continued assessment of the total amount of the estimated costs and expenses of the proposed improvements upon the several lots or parcels of land in said District in proportion to the estimated benefits to be received by such lots or parcels, respectively, from said improvements including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto, as contained in said report be, and they are hereby, preliminarily approved; and

5. That said report shall stand as the Engineer's Report for the purpose of all subsequent proceedings to be had pursuant to said Resolution No. 6478.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first of May, 2019, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first of May, 2019.

____
Judi A. Herren, City Clerk

RESOLUTION NO. 6503

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO ORDER THE CONTINUATION AND COLLECTION OF ASSESSMENTS FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL YEAR 2019-20 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, pursuant to Resolution No. 6478 describing improvements and directing the preparation of the Engineer's Report for Fiscal Year 2019-20 for the City of Menlo Park Landscaping District, adopted on January 29, 2019, by the City Council of Menlo Park; and

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

WHEREAS, by said Resolution No. 6478, which said report has been submitted and preliminarily approved by this Council in accordance with said Article and Act.

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

1. In its opinion, the public interest and convenience require, and it is the intention of this Council, to order the continuation and collection of assessments for Fiscal Year 2019-20 pursuant to the provisions of Article XIIID of the California Constitution and the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in Exhibit A hereto attached and by reference incorporated herein;

2. The cost and expense of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon the assessment district designated as "City of Menlo Park Landscaping District" (District) the exterior boundaries of which District are the composite and consolidated area as more particularly described on a map thereof on file in the office of the Clerk of said City, to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the District and the general location of said District;

3. Said Engineer's Report prepared by SCI Consulting Group, preliminarily approved by this Council, and on file with the Clerk of this City, is hereby referred to for a full and detailed description of the improvements, the boundaries of the assessment district and the proposed assessments upon assessable lots and parcels of land within the District;

4. The authorized maximum assessment rates for the District include an annual adjustment by an amount equal to the annual change in the Engineering News Record Index, not to exceed 3.00 percent per year, plus any uncaptured excesses. Assessment rates for the tree portion of the assessments are proposed to increase during Fiscal Year 2019-20 by 10.00%. Including the authorized annual adjustment, the maximum authorized assessment rate for street tree maintenance for Fiscal Year 2019-20 is $114.15 per single family equivalent benefit unit, and the assessment rate per single family equivalent benefit unit for Fiscal Year 2019-20 is $81.20

which is less than the maximum authorized rate. Assessment rates for the sidewalk repairs portion of the assessments are proposed to increase during Fiscal Year 2019-20 by 20.00%. Including the authorized annual adjustment, the maximum authorized assessment rate for sidewalk maintenance for Fiscal Year 2019-20 is $50.96 per single family equivalent benefit unit, and the assessment rate per single family equivalent benefit unit for Fiscal Year 2019-20 is $43.38, which is less than the maximum authorized rate;

5. Notice is hereby given that Tuesday, the 18th day of June, 2019, at the hour of 7:00 o'clock p.m., or as soon thereafter as the matter may be heard, in the regular meeting place of said Council, Council Chambers, Civic Center, 701 Laurel Street, Menlo Park, California, be, and the same are hereby appointed and fixed as the time and place for a Public Hearing by this Council on the question of the continuation and collection of the proposed assessment for the construction or installation of said improvements, including the maintenance and servicing, or both, thereof, and when and where it will consider all oral statements and all written protests made or filed by any interested person at or before the conclusion of said hearing, against said improvements, the boundaries of the assessment district and any zone therein, the proposed diagram or the proposed assessment, to the Engineer's estimate of the cost thereof, and when and where it will consider and finally act upon the Engineer's Report;

6. The Clerk of said City is hereby directed to give notice of said Public Hearing by causing a copy of this resolution to be published once in *The Daily News*, a newspaper circulated in said City, and by conspicuously posting a copy thereof upon the official bulletin board customarily used by the City for the posting of notices, said posting and publication to be had and completed at least ten (10) days prior to the date of public hearing specified herein; and

7. The Office of the Public Works Director of said City is hereby designated as the office to answer inquiries regarding any protest proceedings to be had herein, and may be contacted during regular office hours at the Civic Center, 701 Laurel Street, Menlo Park, California, 94025, or by calling (650) 330-6740.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing Council Resolution was duly and regularly passed and adopted at a meeting by said Council on the twenty-first day of May, 2019, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first of May, 2019.

____
Judi A. Herren, City Clerk

Exhibit A

City of Menlo Park Landscaping District

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

City of Menlo Park

Landscaping Assessment District

Engineer's Report

Fiscal Year 2019-20

May, 2019

Pursuant to the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution

Engineer of Work:
SCIConsultingGroup
4745 Mangels Blvd.
Fairfield, California 94534
Phone 707.430.4300
Fax 707.430.4319
www.sci-cg.com

CITY OF MENLO PARK

MENLO PARK CITY COUNCIL

Mayor Ray Mueller
Mayor Pro Tem Cecilia Taylor
Council Member Catherine Carlton
Council Member Drew Combs
Council Member Betsy Nash

CITY MANAGER

Starla Jerome-Robinson

PUBLIC WORKS DIRECTOR

Justin Murphy

CITY CLERK

Judi Herren

CITY ATTORNEY

Bill McClure

ENGINEER OF WORK

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

TABLE OF CONTENTS

LIST OF FIGURES

INTRODUCTION

ASSESSMENT BACKGROUND

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

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

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

ASSESSMENT PROCESS

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

ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS

In each subsequent year for which the assessments will be continued, the City Council must direct the preparation of an Engineer's Report, budgets and proposed assessments for the upcoming fiscal year. After the Engineer's Report is completed, the City Council may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Council.

The maximum authorized assessment rate, as increased each year by the change in the ENR Index, is the maximum assessment rate that can be levied in the given fiscal year without approval from property owners in another assessment ballot proceeding. In fiscal year 1998-99, the assessments were levied at the maximum rate for that fiscal year. Since this first fiscal year after the ballot proceeding, the assessments for tree maintenance have been levied below the maximum authorized rate, and the assessment rate for sidewalk repairs has not been increased above the original rate.

From December 2017 to December 2018, the ENR Index increased .83 percent. The maximum amount assessments can be increased annually is the ENR Index plus any uncaptured excess reserved from prior years, to a maximum increase to the ENR not to exceed 3%.

Based on accumulated excess reserves from prior years, the maximum authorized rates for fiscal year 2019-20 are $114.15 for trees and $50.96 for sidewalks without another ballot proceeding. (No additional ballot proceeding is required because the maximum authorized assessment rates, including the annual adjustments in these rates, were approved in the 1998 ballot proceeding. The actual rate levied in any given fiscal year can be revised up, with an annual maximum increase of 3%, or down, by any amount that does not cause the actual rates levied to exceed the maximum authorized assessment rates.)

The City reduced the assessment rate for tree maintenance in fiscal year 2000-01 and increased the assessment rate in fiscal years 2002-03, 2005-06 through 2009-10, 2014-15, and 2016-17 through 2018-19. In other fiscal years it was not necessary to increase the rate, due to sufficient reserve funds carried forward from prior fiscal years, combined with general benefit contributions. For fiscal year 2019-20 the proposed assessments for tree maintenance are proposed to increase 10.0% from fiscal year 2018-19, and the assessments for sidewalk maintenance are proposed to increase 20.0% (which includes some uncaptured excess reserved from prior years) from fiscal year 2018-19. The proposed rates are $81.20 per Single Family Equivalent (SFE) for tree maintenance and $43.38 per SFE for sidewalk maintenance. The comparison of actual rates levied in fiscal year 2018-19 and the proposed rates for fiscal year 2019-20 are shown below.

Sidewalk Maintenance

FY 2018-19 Rate	ENR Increase Applied	FY 2019-20 Rate	Increase
$36.16	20.0%	$43.38	$7.22

Tree Maintenance

FY 2018-19 Rate	ENR Increase Applied	FY 2019-20 Rate	Increase
$73.82	10.0%	$81.20	$7.38

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

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the assessments. This hearing is currently scheduled for June 18, 2019. At this hearing, the Council will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2019-20. If so confirmed and approved, the assessments will be submitted to the County Controller for inclusion on the property tax roll for Fiscal Year 2019-20.

LEGAL ANALYSIS

PROPOSITION 218

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

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

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

SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

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

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

DAHMS V. DOWNTOWN POMONA PROPERTY

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

BONANDER V. TOWN OF TIBURON

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

BEUTZ V. COUNTY OF RIVERSIDE

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

GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO

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

COMPLIANCE WITH CURRENT LAW

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

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

PLANS & SPECIFICATIONS

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

Final Level of Service	=	**Baseline Level of Service (≈zero, pre-development)**	+	**Enhanced Level of Service**

The City of Menlo Park maintains street trees, sidewalks, curbs, gutters, and parking strips throughout the City.

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

METHOD OF ASSESSMENT

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

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

DISCUSSION OF BENEFIT

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

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

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

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

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

A. PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.

B. ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.

C. IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT.

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

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

F. ENHANCED DESIRABILITY OF THE PROPERTY.

G. REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE.

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

- Proximity
- Expanded or improved access
- Views

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

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

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

BENEFIT FACTORS

The special benefits from the Improvements are further detailed below:

PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

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

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

ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

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

IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT

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

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

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

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

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

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

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

ENHANCED DESIRABILITY OF THE PROPERTY

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

REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE

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

GENERAL VS. SPECIAL BENEFIT

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

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

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

The City's total budget for maintenance and improvement of its trees and sidewalk facilities is $1,801,808. Of this total budget amount, the City will contribute $300,000 from sources other than the assessments for sidewalk repair and $252,682 for street tree maintenance. These contributions by the City, as well as $143,000 in funds from Measure M, total $695,682, equating to approximately 38.6% of the total budget for maintenance and more than offset the cost of the general benefits resulting from the improvements.

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

METHOD OF ASSESSMENT

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

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

ASSESSMENT APPORTIONMENT - STREET TREES

PROPERTIES WITH STREET TREES

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

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the improvements in proportion to the number of dwelling units that occupy each property and the relative number of people who reside in multi-family residential units compared to the average number of people who reside in a single-family home. The population density factors for the County of San Mateo from the 1990 US Census (the most recent data available when the Assessment was established) are depicted below. The SFE factors for condominium, townhouse, and multi-family parcels, as derived from relative dwelling unit population density, are also shown below.

FIGURE 1 – RESIDENTIAL ASSESSMENT FACTORS

Property Type	*Total Population*	*Occupied Households*	*Persons per Household*	*SFE Factor**
Single Family Residential	412,685	140,248	2.94	1.0
Condominium/Townhouse	54,284	19,331	2.81	0.9
Multi-Family Residential	158,004	65,981	2.39	0.8

Source: 1990 Census, San Mateo County

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

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

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

PROPERTIES WITHOUT STREET TREES

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

ASSESSMENT APPORTIONMENT - SIDEWALK PROGRAM

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

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

ASSESSMENT APPORTIONMENT - OTHER PROPERTIES

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

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

APPEALS AND INTERPRETATION

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

FIGURE 2 – TREE MAINTENANCE ASSESSMENTS

Property Type	*2019-20 Assessment Rates*	
Parcels with Trees		
Single Family	$81.20	(per Parcel)
R-2 Zone, in use as single family	$81.20	(per Parcel)
Condominium/Townhouse	$73.08	(per Unit, $365.4 max. per Project)
Other Multi-family	$64.96	(per Unit, $324.8 max. per Project)
Commercial	$81.20	(per 1/5 acre, $4060 max. per Project)
Industrial	$81.20	(per 1/5 acre, $4060 max. per Project)
Parks, Educational	$81.20	(per Parcel)
Miscellaneous, Other	$0.00	(per Parcel)
Parcels without Trees		
Single Family	$40.60	(per Parcel)
R-2 Zone, in use as single family	$40.60	(per Parcel)
Condominium/Townhouse	$36.54	(per Unit, $182.7 max. per Project)
Other Multi-family	$32.48	(per Unit, $162.4 max. per Project)
Commercial	$40.60	(per 1/5 acre, $203 max.)
Industrial	$40.60	(per 1/5 acre, $203 max.)
Parks, Educational	$40.60	(per Parcel)
Miscellaneous, Other	$0.00	(per Parcel)

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

Parcels with Trees	*2019-20 Assessment Rates*	
Sidewalks, curbs, gutters	$43.38	(per Parcel)
Parking strips and gutters	$43.38	(per Parcel)
Curbs and/or gutters only	$29.06	(per Parcel)
No improvements	$14.32	(per Parcel)
Miscellaneous, Other	$0.00	(per Parcel)
Parcels without Trees		
Parcels with or without improvements	$14.32	(per Parcel)
Miscellaneous, Other	$0.00	(per Parcel)

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

ASSESSMENT

WHEREAS, on January 22, 2019 the City Council of the City of Menlo Park, County of San Mateo, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution (collectively "the Act"), adopted its Resolution Initiating Proceedings for the Levy of Assessments within the Landscaping Assessment District;

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

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

The amount to be paid for said improvements and the expense incidental thereto, to be paid by the Landscaping Assessment District for the fiscal year 2019-20 is generally as follows:

FIGURE 4 – SUMMARY COST ESTIMATE

	F.Y. 2019-20 Budget
Street Tree Program	$806,932
Street Sweeping	$290,226
Sidewalk Program	$550,000
Incidental Expenses	$154,650
TOTAL BUDGET	$1,801,808
Plus:	
Projected Fund Balance	$203,595
Less:	
City Contribution for General Benefits	($695,682)
Contribution from Carry-Over Fund Balances	($282,662)
NET AMOUNT TO ASSESSMENTS	$1,027,060

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

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

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

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

Based on the preceding annual adjustments, the maximum assessment rate for Fiscal Year 2018-19 was $110.82 for tree maintenance and $49.48 for Sidewalk maintenance. The change in the ENR from December 2017 to December 2016 was 0.83%. Therefore, the maximum authorized assessment rate for Fiscal Year 2019-20 has been increased from $110.82 to $114.15 per single family equivalent benefit unit for tree maintenance, and from $49.48 to $50.96 per single family equivalent benefit unit for sidewalk maintenance. However, the estimate of cost and budget in this Engineer’s Report proposes assessments for fiscal year 2019-20 at the rate of $81.20 per single family equivalent benefit unit for tree maintenance, which is less than the maximum authorized assessment rate and is a 10.0% increase over the rate assessed in the previous fiscal year. The proposed assessment rate for fiscal year 2019-20 for sidewalk maintenance is $43.38 per single family equivalent benefit unit, which is also less than the maximum authorized assessment rate and is a 20.0% increase over the rate assessed in the previous fiscal year.

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

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of San Mateo for the fiscal year 2019-20. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2019-20 for each parcel or lot of land within the said Landscaping Assessment District.

May 2, 2019

Engineer of Work

By ______________________________
John W. Bliss, License No. C52091

REGISTERED PROFESSIONAL ENGINEER
JOHN W. BLISS
C 52091
CIVIL
STATE OF CALIFORNIA

FIGURE 5 – ENGINEER'S COST ESTIMATE, FISCAL YEAR 2019-20

2019-20
CITY OF MENLO PARK LANDSCAPING ASSESSMENT DISTRICT
ENGINEER'S COST ESTIMATE

A.	Tree Maintenance		
	Salaries & Benefits	$428,656.92	
	Operating Expense	$44,275.00	
	Fixed Assets & Capital Outlay	$4,500.00	
	Vehicle & Equipment Maintenance	$15,000.00	
	Professional Services (Tree Spraying, Tree Trimming, Misc.)	$314,500.00	
	Subtotal - Tree Maintenance		$806,931.92
B.	Debris Removal		
	Salaries & Benefits	$69,547.78	
	Operating Expense	$5,678.00	
	Street Sweeping Contract	$215,000.00	
	Subtotal - Debris Removal		$290,225.78
C.	Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement		
	Construction Costs	$550,000.00	
	Design & Inspection	$0.00	
	Subtotal - S/W,C,G, & PS Repair/Replace		$550,000.00
	Subtotal Tree/Debris/Reforestation/Sidewalk		$1,647,157.70
D.	Incidentals		
	Indirect Costs & Administration	$139,650.00	
	County Collection Fees	$15,000.00	
	Subtotal - Incidentals		$154,650.00
	Total Cost		**$1,801,807.70**

Engineer's Cost Estimate, Fiscal Year 2019-20 (continued)

Projected Fund Balance	$203,595.49
Tree Maintenance Ending Fund Balance	($258,391.00)
Less General Fund Contribution	($252,681.67)
Measure M	($143,000.00)
Sidewalk Fund Ending Balance	($24,271.00)
Less General Fund CIP Contribution to Sidewalk Fund	($300,000.00)
Net to Assessment	**$1,027,059.52**

Revenue

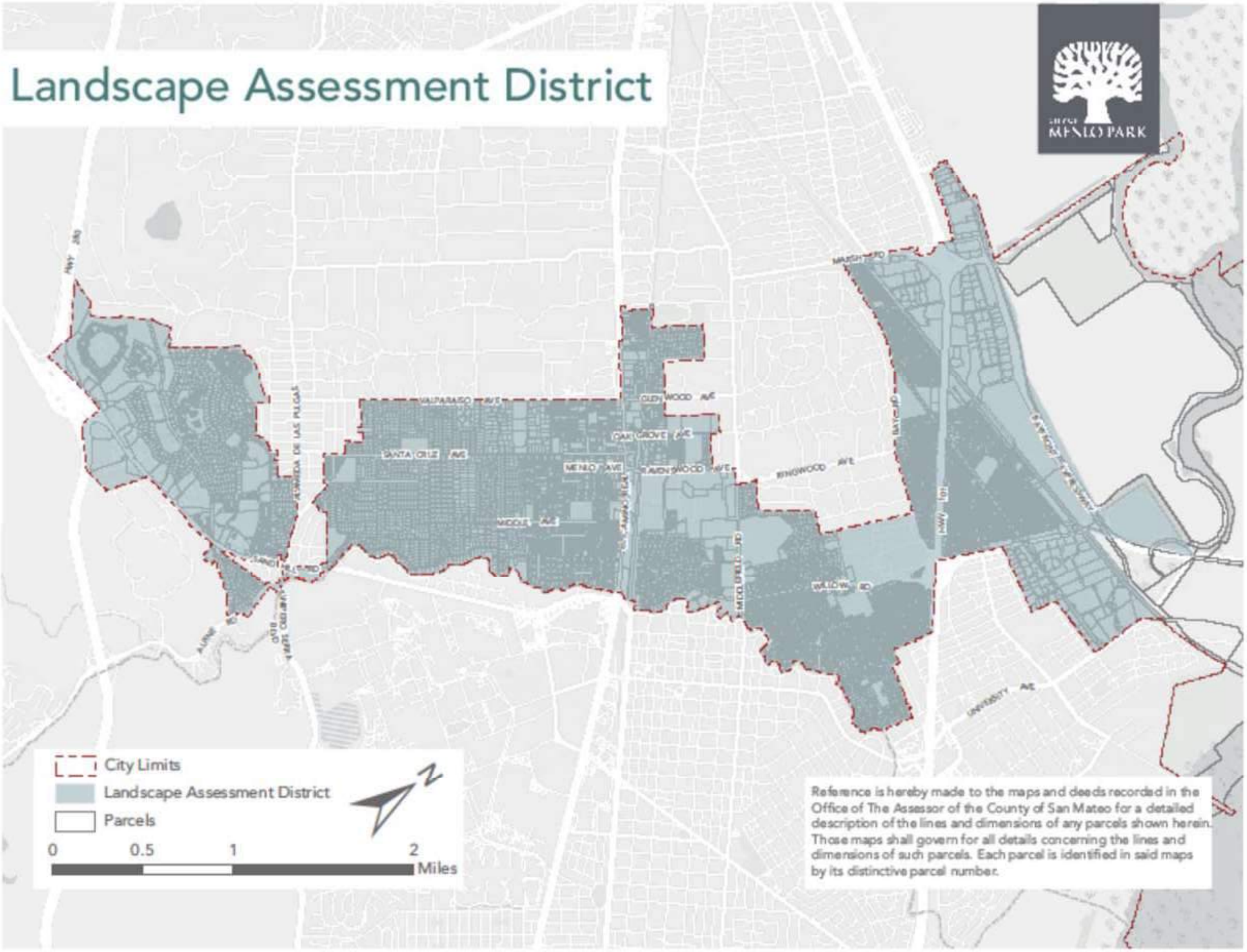
Single Family Equivalent Benefit Units - Trees		8,992.64
Single Family Equivalent Benefit Units - Sidewalks		6,843.18
	2019/20	2018/19
Assessment Rate for Tree Fund/ SFE	$81.20	$73.82
Assessment Rate for Sidewalk Fund/ SFE	$43.38	$36.16
Revenue for Tree Fund		$730,202.37
Revenue for Sidewalk Fund		$296,857.15
Total Revenue *		**$1,027,059.52**

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

ASSESSMENT DIAGRAM

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

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


Landscape Assessment District
MENLO PARK
City Limits
Landscape Assessment District
Parcels
0
0.5
1
2
Miles
Reference is hereby made to the maps and deeds recorded in the Office of The Assessor of the County of San Mateo for a detailed description of the lines and dimensions of any parcels shown herein. Those maps shall govern for all details concerning the lines and dimensions of such parcels. Each parcel is identified in said maps by its distinctive parcel number.

APPENDIX A – ASSESSMENT ROLL, FY 2019-20

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

STAFF REPORT

City Council	
Meeting Date:	**5/21/2019**
Staff Report Number:	**19-106-CC**
Consent Calendar:	**Award contracts totaling $511,857 to Towne Ford Sales and Priority 1 Safety for hybrid vehicles and outfitting**

Recommendation

Staff recommends that the City Council:

A. Award a contract to Towne Ford Sales in the amount of $378,260 for the purchase of eight (8) hybrid utility patrol vehicles.
B. Award a contract to Priority 1 Safety in the amount of $128,597 for the outfitting of safety equipment.
C. Allow a contingency of $5,000 to be used for any unforeseen costs associated with vehicle and equipment purchases.

Policy Issues

The cost of each of the expenditures exceeds the city manager’s authority so requires City Council approval.

Background

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

Staff is also considering the City’s sustainability goals. The City Council adopted a climate action plan that includes a community greenhouse gas (GHG) reduction goal of 27 percent by 2020. The climate action plan provides a list of strategies to explore in order to achieve this goal, such as an environmental purchasing policy for city purchases.

Some environmentally preferable products or services may cost more when compared to non-environmentally preferable products and services, and the City Council can make the final decision on whether to authorize paying a higher cost to achieve environmental goals.

Analysis

On April 9, staff solicited proposals for eight hybrid utility patrol vehicles through a request for proposal (RFP) process. The RFP was advertised on the City’s website, and 10 vendors were notified via email. Proposals were due and opened April 23. One complete proposal was received.

The vehicles are all Ford models, the City’s standard. This purchase will replace the three oldest police vehicles and add five additional vehicles in accordance with the staffing increase for Beat 4 for a total of eight. This is the last purchase replacing fuel powered Crown Victorias with hybrid utility patrol in the police fleet. On October 9, 2018, City Council approved the purchase of four hybrid utility patrol vehicles, scheduled to arrive summer 2019. There is an additional cost of approximately $11,500 per hybrid vehicle compared to the gasoline powered policy utility, which equates to a premium of approximately 31 percent. Given the City's climate action plan, staff believes that this opportunity to purchase the hybrid model to continue greening the City fleet is warranted. Priority 1 Safety is currently the only local police safety equipment outfitter.

The sustainability division has conducted a review of potential sustainable options for the police vehicles. The focus on this review was to address the GHG reduction in options for gasoline powered, hybrid and electric vehicle options. As previously mentioned, one of the goals for the City is to reduce the GHG emissions from the City's vehicle fleet and the highest user of fleet vehicles is the police department. This creates a significant opportunity to explore GHG reductions for city operations.

The normal cycle for a police vehicle to be replaced is every six years, which is how the gas, hybrid, and electric vehicle police vehicle options were evaluated.

The GHG emissions produced by eight police gas powered vehicles over a six year period is 168 metric tons, and costs $365,474 to purchase. The hybrid option for eight cars would produce 133 metric tons of GHG emissions and cost $547,854 (including fuel costs.) Electric vehicles (EV) would produce 1 metric ton of GHG emissions, and cost approximately $922,592 (inclusive of energy cost and four charging stations.)

EVs would be the best choice for GHG reduction. However there are no pursuit rated police vehicles available for purchase in the market. The soonest possible release is in the next decade, and would cost significantly more than the hybrid option due to the need for charging stations. There are no level 3 EV chargers (super chargers) on the City campus, which would allow for 30-minute charging capacity that the police department would need.

The hybrid is the best available option for GHG reduction and will supplement the police department's four hybrid detective vehicles, two electric motorcycles, two electric parking enforcement vehicles and four hybrid utility patrol vehicles scheduled to arrive summer 2019.

The sustainability division is conducting a more thorough analysis for an EV fleet transition that will be completed by August 2019, which will outline vehicle replacement strategies over the next 5-10 years, incorporating the City's initiatives to reduce GHG emissions and increase charging infrastructure. This will also include funding opportunities to expedite the transition.

City staff recommends that the City Council approve the purchase and outfitting of all eight hybrid vehicles.

If the City Council decides that it does not want to pay the premium for the Ford hybrid police utility vehicle at this time, then City Council should provide direction on vehicle purchase.

Impact on City Resources

The costs of the vehicle and equipment purchase as follows:

Table 1				
Vendor	**Description**	**Type**	**Quantity**	**Cost**
Towne Ford Sales	Police black and white hybrid utility vehicles	Ford Utility Hybrid	8	$378,260
Priority 1 Safety	Safety equipment purchase and installation.	Vehicle Outfitting	8	$128,597
Contingency		Vehicles and Outfitting	1	$5,000
Total				**$511,857**

The vehicle replacement program budget has adequate funds from the general fund to cover the purchase of five vehicles this fiscal year and will request additional funding for the other three through the budget process for next fiscal year.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

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

Report prepared by:
Donald Weber, Public Works Supervisor - Fleet

Report reviewed by:
Brian Henry, Assistant Public Works Director

THIS PAGE INTENTIONALLY LEFT BLANK

STAFF REPORT

City Council
Meeting Date: 5/21/2019
Staff Report Number: 19-108-CC

Consent Calendar: **Authorize the city manager to execute agreements as required by conditions of approval for the Menlo Gateway project and reimburse fees collected through the construction street impact fee**

Recommendation
Staff recommends that the City Council authorize the city manager to execute agreements as required by conditions of approval for the Menlo Gateway project and reimburse fees collected through the construction street impact fee.

Policy Issues
City Council authorization is required to allow the city manager to enter into agreements.

Background
In June 2010, the City Council voted to approve the Menlo Gateway development (the Project), including two phases encompassed by 100-190 Independence Drive ("the Independence Phase") and 105-155 Constitution Drive ("the Constitution Phase"), subject to voter approval of a ballot measure for the November 2, 2010 general election. The voters approved Measure T, and the Project approvals became effective with the certification of the election results on December 7, 2010.

The Independence Phase of the Project was completed in early 2018, and the Constitution Phase is anticipated to be completed in September 2019. As part of the Constitution Phase, the Project is required to complete infrastructure improvements in the public right-of-way along Constitution and Chrysler Drives as part of their approved plans.

Analysis
In April 2019, the City observed damage to public streets spanning the Project vicinity. Upon further investigation, the damage stems from a variety of sources including Project construction, heavy vehicle traffic, and natural causes (aging, weather, etc.) The City executed a three-inch asphalt lift for the affected area in 2012, otherwise, there are no records of repair work within the last twenty years. Consequently, the impacted street has proven substandard to meet current traffic usage. In 2017, the Project retrofitted a span of Chrysler Drive, adjacent to the impaired roadway, as part of its conditions of approval for the Independence Phase. Consequently, amending the current damaged area represents a continuation of work that is vital to public safety and street functionality. The limits of work described herein are shown graphically in Attachment A.

Repair work is proposed to correct this issue by reconstructing the damaged roadways based on the projected traffic index value, which is determined by the proportion of bus, truck and heavy vehicles and total traffic volume. The proposed section would need to be more robust than existing conditions to handle the anticipated heavy vehicle loads.

The Project is partially liable for exacerbating the damage to the affected streets, and neighboring developers have agreed to share in the scope of the repair work. As the street is nearing the end of its useful life and is in need of repairs, the City could provide a contribution to the repairs by reimbursing the Project a portion of the Construction Street Impact fees paid, which are collected to offset damage to roadways by construction activity. Staff is pursuing this approach in order to gain efficiencies in contractor mobilization, minimize construction disruptions to surrounding businesses, and obtain a uniform paving surface along the affected streets instead of a patchwork effect. The specific work scope and terms would be subject to individual funding agreements between the City and each neighboring developer committed to the repair (particularly Bohannon and Facebook.) Such agreements are required prior to commencement of work, and the final agreement terms would be subject to approval by the City attorney and the public works director. Staff recommends that the City Council authorize the city manager to execute agreements as necessary to complete the conditions of approval for the Project and reimburse fees collected through the construction street impact fee.

Impact on City Resources

Staff time associated with review and development of the agreements is fully recoverable through fees collected from the Project. The City's share of the street reconstruction is approximately $600,000 and would be funded by reimbursing a portion of the Project's Constitution Phase payment of the Construction Street Impact fee of approximately $880,000.

Environmental Review

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

Public Notice

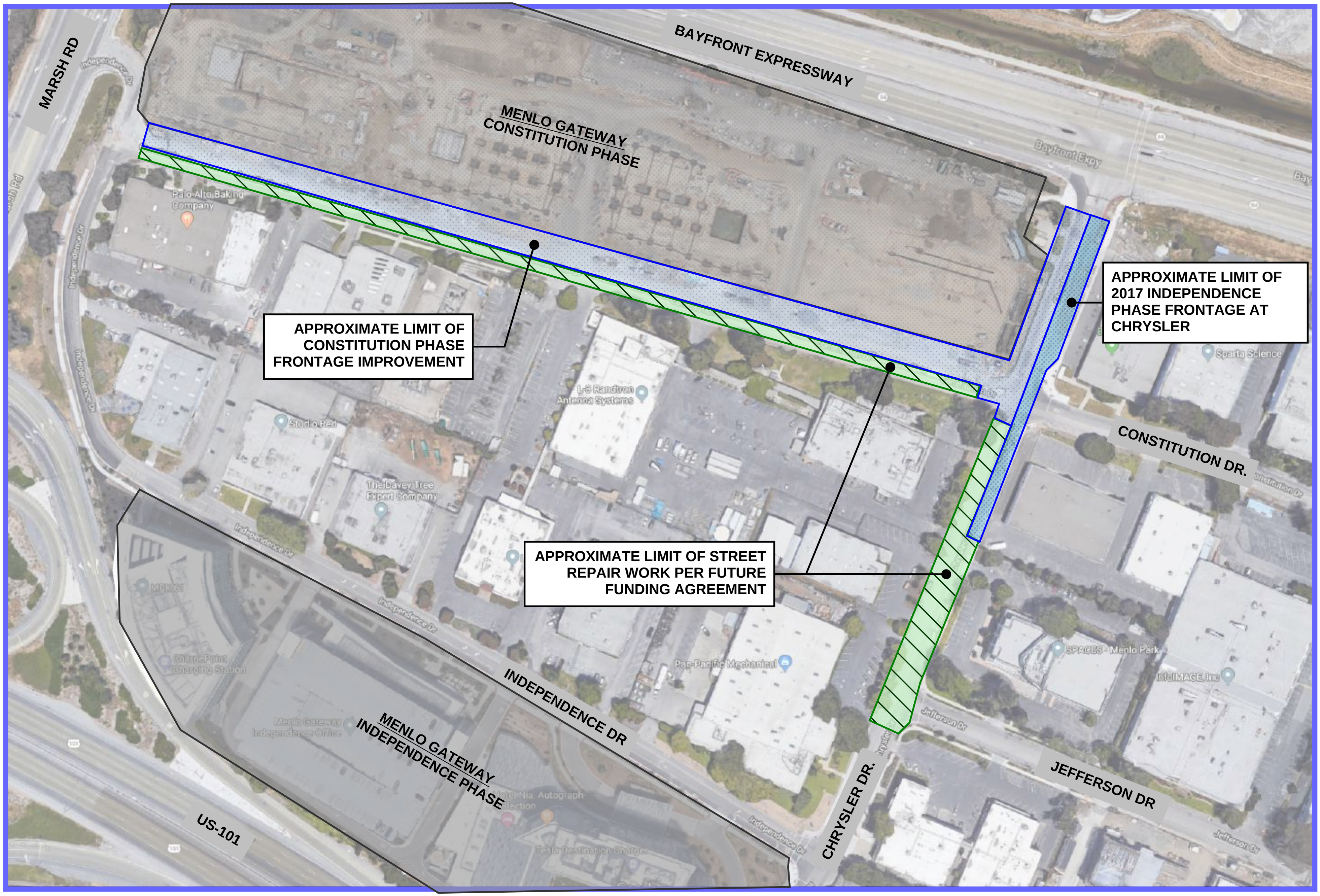
Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. Proposed area of street repair work

Report prepared by:
Michael Fu, Associate Civil Engineer

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



ATTACHMENT A - PROPOSED AREA OF STREET REPAIR WORK

NTS

THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF MENLO PARK

STAFF REPORT

City Council
Meeting Date: **5/21/2019**
Staff Report Number: **19-102-CC**

Public Hearing: **Consider the Planning Commission's recommendation and approve Resolution No. 6501 to amend and restate conditional development permit for the Sharon Hills development (1-45 Biltmore Lane; 1115-1135 Continental Drive; 2-55 Hallmark Circle; 1-15 Oliver Circle; 2-26 Susan Gale Court; 2300 Tioga Drive; 1200-1371 Trinity Drive)**

Recommendation

Staff recommends that the City Council follow the Planning Commission's recommendation to approve an amended and restated conditional development permit (CDP) for the Sharon Hills development. The changes would allow small-scale modification and expansion projects on existing townhouses to be processed through the ministerial building permit process, provided the proposals have received architectural approval by the Sharon Hills Community Association (SHCA.) No changes to the number of dwelling units or other development standards are proposed, and the three standard lots that were created as part of this CDP (1200 and 1205 Trinity Drive, and 2300 Tioga Drive) would not be affected by the proposed changes. The draft resolution approving the amended CDP, and the CDP itself, are included as Attachments A and B, respectively.

Policy Issues

Each CDP request is considered individually. The subject request involves setting up a new administrative review process for small-scale exterior changes to the existing townhouse buildings, which has the potential to make the City's review process more efficient for the townhouses covered by this CDP.

Background

Project description

The applicant is proposing to amend and restate an existing CDP to establish a more efficient review process for small-scale renovation and expansion projects. The applicant's project description letter, including example photographs of recently-approved changes, is attached as Attachment C.

Site location

The site contains 77 townhomes and associated private recreational facilities, three single-family residential parcels, and a public park (Sharon Hills Park.) The subject properties are located in Sharon Heights, at the end of Valparaiso Avenue. The combined site is approximately 38 acres in size and adjoins the Town of Atherton and Unincorporated San Mateo County on the west and north, respectively. The nearby residences that are within the City of Menlo Park are part of the R-E-S (residential estate suburban) and r-1-s (single family suburban residential) zoning districts. A location map is included as Attachment D.

<u>Original development</u>

The subject parcels were developed through a CDP that was approved in 1982 (Attachment E.) The property was referred to at the time as 4000 Valparaiso Avenue or “The Hill.” As specified in the zoning ordinance, a “conditional development permit may be issued to allow adjustment of the requirements of the district in order to secure special benefits possible through comprehensive planning of such large development. Further, such adjustment is intended to allow relief from the monotony of standard development; to permit the application of new and desirable development techniques; and to encourage more usable open space than would otherwise be provided with standard development.”

The adopted CDP specifies that “Precise Development Plans shall be submitted to the Planning Commission for Architectural Control review and approval prior to the issuance of Building Permits.” Following the Planning Commission’s approval of the initial precise development plans, construction of the townhomes and associated improvements (e.g., streets) took place in the early-/mid-1980s. The approvals of the project resulted in the formation of the SHCA, which is the homeowners’ association (HOA) for the townhouse portion of the development. The SHCA is governed by CC&Rs (covenants, conditions and restrictions.) Each of the SHCA townhomes occupies a parcel owned by that particular homeowner, while the common areas and recreational facilities are under the control of the SHCA.

The three conventional lots that were created in conjunction with the CDP share the R-E-S(X) zoning and remain covered by the CDP, but function like all other single-family residential lots. Owners of these properties can improve and redevelop their properties like other detached, single-family residential owners can, and they are not part of the SHCA. Sharon Hills Park, which was developed as part of the CDP, has been dedicated to the City and is maintained and improved similar to other public parks.

<u>Current process for townhouse modifications</u>

For the townhomes, interior alterations and “like for like” exterior material replacements are processed through the City’s ministerial building permit process (e.g., without any public Planning Commission design review.) For substantive exterior changes, including exterior material changes that are not “like for like,” as well as additions that take place within the individual homeowner’s parcel lines, Planning Commission architectural control review and approval is required, as a result of the CDP provision regarding precise development plans. For such projects, the SHCA CC&Rs also require review and recommendation by their Architectural Control Committee (ACC) and final action by the SHCA Board, prior to submitting an architectural control application to the City. The SHCA review process is detailed and thorough, and SHCA representatives have confirmed that not every proposal is approved. The number of proposals for exterior changes has increased in recent years, possibly as a result of the buildings’ ages and changing aesthetic preferences.

Planning Commission review of proposed changes

On April 8, the Planning Commission reviewed the proposal to amend and restate the CDP. The staff report and meeting minutes are available via hyperlink at Attachments F and G, respectively. The Commission reviewed a presentation by the applicant, received public comment from three SHCA residents speaking in support, and unanimously recommended approval (4-0, with three absences) per staff's recommendation.

Analysis

Since 2012, the City has processed seven architectural control applications in the Sharon Hills development. In preliminary discussions with the SHCA regarding this proposal, staff generally concurred that the current requirement for Planning Commission review may be unnecessary, given the fact that the SHCA's own review processes are detailed and allow for input from fellow SHCA homeowners. In addition, the fact that the Planning Commission and the broader public has had limited input on the recent example cases (all approved on the Planning Commission consent calendar) also indicates that these types of changes could be processed under the ministerial building permit review.

After reviewing the original CDP, which is in an outdated format and which includes a number of completed provisions that were specific to the original construction of the project, staff determined that it would be clearest to propose a comprehensively amended and restated CDP that would replace the earlier CDP in its entirety (as opposed to modifying or supplementing the current CDP.) The earlier Planning Commission staff report has a full summary of the CDP structure, although the City Council may wish to focus on the proposed review process for SHCA-overseen areas, summarized in Table 1.

Table 1: Proposed SHCA review process examples

Project type	Applicable building permit	SHCA review	PC architectural control	Community development director
Interior-only changes to townhouses	Y	N	N	N
Interior-only changes to recreational facilities	Y	Y	N	N
Exterior changes within townhouse lot lines or recreation facility zones	Y	Y	N	N
Exterior changes outside townhouse lot lines	Y	Y	Y	N
Landscaping planting changes	N	Y	N	N
Landscaping extent changes	N	Y	N	Y

Staff believes that the revised CDP would effectively achieve the SHCA's objectives, while still addressing the general public interest for attractive and context-sensitive aesthetics. The SHCA's review and approval process would continue to allow for input from the SHCA owners themselves and to address detailed design feedback, and the Planning Commission's review would be focused on more substantive projects.

Staff recommends that the City Council adopt the amended and restated CDP.

Correspondence

Staff has received nine letters regarding the request, included as Attachment H. The letters are all supportive of the proposal, with several noting that the SHCA review process provides adequate oversight.

Impact on City Resources

The project sponsor is required to pay planning, building and public works permit fees, based on the City's master fee schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines, in that the subject properties have already been developed, and the number of dwelling units and other critical development regulations would not change. The proposal would only modify the review process for small-scale modifications to the existing townhomes.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Attachments

A. Resolution No. 6501 approving the amended and restated CDP
B. Draft amended and restated CDP [note: owner names have been removed from this version of Exhibit A for privacy, but will be added back if approved]
C. Project description letter
D. Location map
E. Adopted CDP, 1982
F. Hyperlink – Planning Commission staff report, April 9: menlopark.org/DocumentCenter/View/21171/F3---Sharon-Hills-CDP
G. Hyperlink – Planning Commission minutes, April 9: menlopark.org/AgendaCenter/ViewFile/Minutes/_04082019-3259
H. Correspondence

Report prepared by:
Thomas Rogers, Principal Planner

Report reviewed by:
Mark Muenzer, Community Development Director
Deanna Chow, Assistant Community Development Director

RESOLUTION NO. 6501

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK APPROVING THE AMENDED AND RESTATED CONDITIONAL DEVELOPMENT PERMIT FOR SHARON HILLS

WHEREAS, the parcels addressed 1-45 Biltmore Lane; 1115-1135 Continental Drive; 2-55 Hallmark Circle; 1-15 Oliver Circle; 2-26 Susan Gale Court; 2300 Tioga Drive; 1200-1371 Trinity Drive; and associated common areas and recreational facilities ("the Property") are regulated through an existing conditional development permit adopted by the City Council in 1982; and

WHEREAS, the Applicant (Sharon Hills Community Association or SHCA) is proposing to allow small-scale modification and expansion projects on existing townhouses to be processed through the ministerial building permit process, provided the proposals have received architectural approval by the SHCA, while still requiring larger-scale expansions to receive Planning Commission architectural control approval; and

WHEREAS, the SHCA conducts a detailed and robust review process of all such projects prior to City review, including opportunities for input from SHCA owners, and such applications may be denied or modified by the SHCA; and

WHEREAS, the current requirement for architectural control for small-scale modification and expansion projects could be seen as redundant to the SHCA architectural review and approval process; and

WHEREAS, recent projects of this type that have been presented for Planning Commission architectural control review have not generated input or discussion from the general public or the Planning Commission itself, and have been unanimously approved; and

WHEREAS, in conjunction with the City Attorney and SHCA, staff has comprehensively reviewed and revised the conditional development permit to remove completed provisions, restate binding development standards, and define a new review process to allow small-scale modification and expansion projects within the individual townhouse lot lines to be processed under the applicable building permit review, provided they have received SHCA approval; and

WHEREAS, the proposed project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the California Environmental Quality Act (CEQA) Guidelines, in that the subject properties have already been developed, and the number of dwelling units and other critical development regulations would not change; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the Planning Commission of the City of Menlo Park on April 8, 2019 whereat all persons interested therein might appear and be heard; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter and voted affirmatively to recommend to the City Council of the City of Menlo Park to approve the amended and restated conditional development permit; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled and held before the City Council of the City of Menlo Park on May 21, 2019 whereat all persons interested therein might appear and be heard; and

WHEREAS, the City Council of the City of Menlo Park having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter, voted affirmatively to approve the amended and restated conditional development permit for Sharon Hills; and

WHEREAS, upon approval by the City Council, the amended and restated conditional development permit for Sharon Hills would become effective and binding on the Property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park hereby approves the amended and restated conditional development permit for the property attached hereto as Exhibit A and incorporated herein by this reference.

I, Judi A. Herren, 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 twenty-first day of May, 2019, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2019.

____
Judi A. Herren, City Clerk

AMENDED AND RESTATED CONDITIONAL DEVELOPMENT PERMIT

Sharon Hills

This amended and restated Conditional Development Permit (CDP) replaces in its entirety the CDP adopted by the Menlo Park City Council on November 16, 1982.

1. GENERAL INFORMATION:

   1.1. Applicant: Sharon Hills Community Association (SHCA) (and its successors and assigns)

   1.2. Property Owner: Owners of properties described in Exhibit A (and their successors and assigns)

   1.3. Nature of Project: An amendment to a Conditional Development Permit (CDP) to enable the following:

      1.3.1. Remove completed or otherwise unnecessary provisions of the 1982 CDP;

      1.3.2. Restate ongoing development regulations and other obligations;

      1.3.3. Reference existing administrative procedures for deck extensions into the Public Utility Easement (PUE) and Emergency Access Easement (EAE) Common Areas; and

      1.3.4. Establish a review process to allow small-scale exterior modifications to be processed through the building permit process, without Planning Commission architectural control review.

   1.4. Project Location (Project Site)

      1.4.1. Address: 1-45 Biltmore Lane; 1115-1135 Continental Drive; 2-55 Hallmark Circle; 1-15 Oliver Circle; 2-26 Susan Gale Court; 2300 Tioga Drive; 1200-1371 Trinity Drive

      1.4.2. Assessor's Parcel Numbers (APNs) and Legal Descriptions: Exhibit A

      1.4.3. Area of Property: ± 38 acres

      1.4.4. Plat of Property: Exhibit B

      1.4.5. Zoning: R-E-S(X) (Residential Estate Suburban, Conditional Development)

2. DEVELOPMENT STANDARDS:

2.1. Permitted Uses: Cluster housing, recreational facilities to serve the project, single-family detached dwellings, and a public park (Sharon Hills Park).

2.2. Overall Residential Density: The development shall consist of 77 townhouse units and three detached dwellings. The three detached dwellings may each include a Secondary Dwelling Unit (SDU) in accordance with applicable City regulations, but the 77 townhouse units may not.

2.3. Townhouse Units

2.3.1. Building Coverage: Maximum building coverage at the site shall be 15 percent. As documented by the SHCA in 2009, the hypothetical enclosure of all atriums existing as of 2009, including both the interior atriums (bounded by four walls) and the outer atriums (bounded by three walls, which SHCA refers to as "patios") would not exceed this limit; as a result; no additional building coverage calculations are required for any enclosure of those types of atriums, but may be required for building additions that extend past the bounded building footprints (i.e., areas where at least three existing walls create an interior or exterior atrium).

2.3.2. Height: Building height shall not exceed 35 feet from the average natural grade, and all buildings shall be properly screened from nearby residential areas.

2.3.3. Roads and Parking: Road and parking areas shall not exceed twenty percent of the site.

2.3.4. Landscaping: Sixty-five percent of the Project Site shall consist of open areas, including common open space, pathways, public parks, non-roofed recreational facilities, and other areas not occupied by structures with roofs (including trellises), but not including driveways, streets, or open parking areas.

2.3.5. Parking: Two garage parking spaces shall be provided for each housing unit. Additional guest parking for the residential development shall continue to be provided at the ratio of one parking space per unit, and as is more specifically set forth in the SHCA CC&Rs (Covenants, Conditions & Restrictions).

2.3.6. Utilities: All utilities should be placed underground.

2.3.7. Floor Area Limit (FAL): As a result of the fact that the FAL standard did not exist at the time the 1982 CDP was adopted, and because none of the approved development standards are proposed to change, the townhouse units remain exempt from FAL.

2.4. Conventional Lots

2.4.1. The three conventional lots (1200 Trinity Drive, 1205 Trinity Drive, and 2300 Tioga Drive) shall conform with the development regulations for the R-E-S Zoning District with the exception of the 100-foot width requirement. As a result of the latter provision, all three lots are standard lots as it relates to Zoning Ordinance Chapter 16.59 ("Lots").

3. PROJECT PLANS AND APPROVALS:

3.1. Townhouse Units and Associated Recreational Facility Buildings

3.1.1. Interior-Only Changes: Modifications that only affect the interior of the townhouse units or recreational facility buildings shall be processed through the building permit process to the extent applicable. Such interior-only changes do not require approval by the SHCA Board of Directors, although any modifications to the recreational facility buildings will require authorization by SHCA as the owners of those buildings.

3.1.2. Exterior Changes:

3.1.2.1. Exterior modifications to individual townhouse units that fall within the townhouse unit's lot line as shown on the Sharon Hills I Residential Subdivision Map (Volume 109, Pages 88-92) shall be processed through the building permit process to the extent applicable, provided that the SHCA Board of Directors have granted approval of the project, and documentation of such approval is submitted with the building permit application. Examples of such modifications include, but are not limited to:

- Size of and placement of windows and sliding doors
- Decks/railings where deck size does not change
- Front and/or garage doors
- Skylights
- Roofs over interior atriums
- Structures to separate adjoining decks between two townhouse units
- Outside shades/blinds/awnings for windows or decks
- Enclosure of outside atriums ("patios", in SHCA terminology)
- Chimney removal

3.1.2.2. Exterior modifications to the recreational facilities that fall within the “Exception to P.U.E.” zone on the Sharon Hills I Residential Subdivision Map (Volume 109, Page 92) shall be processed through the building permit process to the extent applicable, provided that the SHCA Board of Directors have granted approval of the project, and documentation of such approval is submitted with the building permit application.

3.1.2.3. Exterior modifications to individual townhouse units that fall outside the townhouse unit’s lot line as shown on the Sharon Hills I Residential Subdivision Map (Volume 109, Pages 88-92) shall require SHCA Board of Directors review and approval and City of Menlo Park Planning Commission Architectural Control review and approval, prior to being processed through the building permit process to the extent applicable. Any submittal for Planning Commission Architectural Control review shall include application elements (e.g., plans, color and materials board) as specified by the Planning Division. Deck extensions or other encroachments into the “P.U.E. & Emergency Access Easement” zones on the Sharon Hills I Residential Subdivision Map (Volume 109, Pages 88-92) shall also follow administrative procedures as specified in the January 31, 2011 letter from Charles Taylor (included as Exhibit C), or any successor letter from the Public Works Director or his/her designee.

3.1.3. Changes to plantings within existing landscaped areas shall be at the discretion of the SHCA, subject to compliance with all applicable City regulations (for example: Heritage Tree Ordinance, Water-Efficient Landscaping Ordinance). Changes to the extent of landscaped/paved areas themselves shall require review and approval of the Community Development Director or designee.

3.2. Conventional Lots:

3.2.1. Modifications to, or redevelopment of, the three conventional lots (1200 Trinity Drive, 1205 Trinity Drive, and 2300 Tioga Drive) shall be processed in accordance with applicable Zoning Ordinance and other Municipal Code requirements.

3.2.2. As noted in Section 2.4.1, the three conventional lots are standard lots, and as such do not require Planning Commission use permit review for using a substandard lot as a building site. However, use permit review may be required as specified in the Zoning Ordinance for other reasons (e.g., certain modifications to nonconforming structures, excavation within required setbacks, etc.), consistent with other standard lots.

4. STANDARD CONDITION:

4.1. This Permit may be amended by majority vote of the City Council. Application for amendment shall be made by the SHCA, in writing, to the Planning Commission. The Planning Commission shall then forward its recommendation to the City Council.

5. GENERAL CONDITIONS:

5.1. Indemnity By Applicant: Applicant shall indemnify, defend and hold harmless the City, and its elective and appointive boards, commissions, officers, agents, contractors, and employees (collectively, City Indemnified Parties) from any and all claims, causes of action, damages, costs or expenses (including reasonable attorneys' fees) arising out of or in connection with, or caused on account of, the development and occupancy of the Project, any Approval with respect thereto, or claims for injury or death to persons, or damage to property, as a result of the operations of Applicant or its employees, agents, contractors, representatives or tenants with respect to the Project (collectively, Applicant Claims); provided, however, that the Applicant shall have no liability under this Section for Applicant Claims that (a) arise from the gross negligence or willful misconduct of any City Indemnified Party, or (b) arise from, or are alleged to arise from, the repair or maintenance by the City of any improvements that have been offered for dedication by the Applicant and accepted by the City.

5.2. Covenants Run with the Land: All of the conditions contained in this Conditional Development Permit shall run with the land comprising the Property and shall be binding upon, and shall inure to the benefit of the Applicant and its heirs, successors, assigns, devisees, administrators, representatives and lessees, except as otherwise expressly provided in this Conditional Development Permit.

5.3. Severability: If any condition of this Conditional Development Permit, or any part hereof, is held by a court of competent jurisdiction in a final judicial action to be void, voidable or enforceable, such condition, or part hereof, shall be deemed severable from the remaining conditions of this Conditional Development Permit and shall in no way affect the validity of the remaining conditions hereof.

5.4. Exhibits: The exhibits referred to herein are deemed incorporated into this Conditional Development Permit in their entirety.

APN	prc_legal_description	prc_date_last_sale	addr_st_nmbr	addr_st_name
074560998	(common area)			
074560999	(common area)		1371	TRINITY DR
074563010	LOT 1 SHARON HILLS- I RSM 109/88-92	3/2/2006 0:00	2	SUSAN GALE CT
074563020	LOT 2 SHARON HILLS - I RSM 109/88-92	10/28/1986 0:00	4	SUSAN GALE CT
074563030	LOT 3 SHARON HILLS - I RSM 109/88-92	9/8/2006 0:00	12	SUSAN GALE CT
074563040	LOT 4 SHARON HILLS - I RSM 109/88-92	12/1/2006 0:00	14	SUSAN GALE CT
074563050	LOT 5 SHARON HILLS - I RSM 109/88-92	1/29/2009 0:00	22	SUSAN GALE CT
074563060	LOT 6 SHARON HILLS - I RSM 109/88-92	3/30/2012 0:00	24	SUSAN GALE CT
074563070	LOT 7 SHARON HILLS - I RSM 109/88-92	3/10/2000 0:00	26	SUSAN GALE CT
074563080	LOT 8 SHARON HILLS - I RSM 109/88-92	10/7/2015 0:00	19	SUSAN GALE CT
074563090	LOT 9 SHARON HILLS - I RSM 109/88-92	6/15/2018 0:00	15	SUSAN GALE CT
074563100	LOT 10 SHARON HILLS - I RSM 109/88-92	4/21/2017 0:00	11	SUSAN GALE CT
074563110	LOT 11 SHARON HILLS - I RSM 109/88-92	12/9/2015 0:00	1335	TRINITY DR
074563120	LOT 12 SHARON HILLS - I RSM 109/88-92	2/28/1995 0:00	1325	TRINITY DR
074563130	LOT 13 SHARON HILLS - I RSM 109/88-92	4/15/2015 0:00	1315	TRINITY DR
074563140	LOT 14 SHARON HILLS - I RSM 109/88-92	4/30/1993 0:00	1305	TRINITY DR
074563150	LOT 15 SHARON HILLS - I RSM 109/88-92	10/29/2013 0:00	2	HALLMARK CIR
074563160	LOT 16 SHARON HILLS - I RSM 109/88-92	7/5/2005 0:00	4	HALLMARK CIR
074563170	LOT 17 SHARON HILLS - I RSM 109/88-92	10/4/2002 0:00	12	HALLMARK CIR
074563180	LOT 18 SHARON HILLS - I RSM 109/88-92	8/8/1985 0:00	14	HALLMARK CIR
074563190	LOT 19 SHARON HILLS - I RSM 109/88-92	7/29/1997 0:00	16	HALLMARK CIR
074563200	LOT 20 SHARON HILLS - I RSM 109/88-92	5/30/2002 0:00	22	HALLMARK CIR
074563210	LOT 21 SHARON HILLS - I RSM 109/88-92	8/29/1985 0:00	24	HALLMARK CIR
074563220	LOT 22 SHARON HILLS - I RSM 109/88-92	5/12/2017 0:00	26	HALLMARK CIR
074563999	(common area)			
074564010	LOT 70 SHARON HILLS - I RSM 109/88-92	3/18/2011 0:00	1300	TRINITY DR
074564020	LOT 71 SHARON HILLS - I RSM 109/88-92	9/30/1987 0:00	1310	TRINITY DR
074564030	LOT 72 SHARON HILLS - I RSM 109/88-92	10/7/2013 0:00	1320	TRINITY DR
074564040	LOT 73 SHARON HILLS - I RSM 109/88-92	9/29/2011 0:00	1330	TRINITY DR
074564050	LOT 74 SHARON HILLS - I RSM 109/88-92	8/9/1995 0:00	1340	TRINITY DR
074564060	LOT 75 SHARON HILLS - I RSM 109/88-92	4/27/2016 0:00	1350	TRINITY DR
074564070	LOT 76 SHARON HILLS - I RSM 109/88-92	12/30/1998 0:00	1360	TRINITY DR
074564080	LOT 77 SHARON HILLS - I RSM 109/88-92	2/23/1988 0:00	1370	TRINITY DR
074564999	(common area)			
074572010	LOT 23 SHARON HILLS - I RSM 109/88-92	7/6/1999 0:00	55	HALLMARK CIR
074572020	LOT 24 SHARON HILLS - I RSM 109/88-92	10/16/1985 0:00	51	HALLMARK CIR
074572030	LOT 25 SHARON HILLS - I RSM 109/88-92	4/12/2002 0:00	45	HALLMARK CIR
074572040	LOT 26 SHARON HILLS - I RSM 109/88-92	6/15/2012 0:00	41	HALLMARK CIR
074572050	LOT 27 SHARON HILLS - I RSM 109/88-92	5/18/2018 0:00	35	HALLMARK CIR
074572060	LOT 28 SHARON HILLS - I RSM 109/88-92	5/12/2011 0:00	31	HALLMARK CIR
074572070	LOT 29 SHARON HILLS - I RSM 109/88-92	3/11/2016 0:00	25	HALLMARK CIR
074572080	LOT 30 SHARON HILLS - I RSM 109/88-92		23	HALLMARK CIR
074572090	LOT 31 SHARON HILLS - I RSM 109/88-92	11/16/2017 0:00	21	HALLMARK CIR
074572100	LOT 32 SHARON HILLS - I RSM 109/88-92	7/9/1986 0:00	2	OLIVER CT
074572110	LOT 33 SHARON HILLS - I RSM 109/88-92	2/28/1986 0:00	4	OLIVER CT
074572120	LOT 34 SHARON HILLS - I RSM 109/88-92	8/24/2005 0:00	15	OLIVER CT
074572130	LOT 35 SHARON HILLS - I RSM 109/88-92	4/23/2012 0:00	11	OLIVER CT
074572140	LOT 36 SHARON HILLS - I RSM 109/88-92	10/7/1986 0:00	5	OLIVER CT

074572150	LOT 37 SHARON HILLS - I RSM 109/88-92	7/10/2015 0:00	3	OLIVER CT
074572160	LOT 38 SHARON HILLS - I RSM 109/88-92	9/2/2005 0:00	1	OLIVER CT
074572170	LOT 39 SHARON HILLS - I RSM 109/88-92	11/22/1993 0:00	45	BILTMORE LN
074572180	LOT 40 SHARON HILLS - I RSM 109/88-92	12/1/2017 0:00	43	BILTMORE LN
074572190	LOT 41 SHARON HILLS - I RSM 109/88-92	5/31/1989 0:00	41	BILTMORE LN
074572200	LOT 42 SHARON HILLS - I RSM 109/88-92	4/13/2018 0:00	35	BILTMORE LN
074572210	LOT 43 SHARON HILLS - I RSM 109/88-92	6/8/2017 0:00	33	BILTMORE LN
074572220	LOT 44 SHARON HILLS - I RSM 109/88-92	5/20/1993 0:00	31	BILTMORE LN
074572230	LOT 45 SHARON HILLS - I RSM 109/88-92	10/31/2001 0:00	25	BILTMORE LN
074572240	LOT 46 SHARON HILLS - I RSM 109/88-92	5/12/1987 0:00	23	BILTMORE LN
074572250	LOT 47 SHARON HILLS - I RSM 109/88-92	12/1/2004 0:00	21	BILTMORE LN
074572260	LOT 48 SHARON HILLS - I RSM 109/88-92	4/20/1993 0:00	15	BILTMORE LN
074572270	LOT 49 SHARON HILLS - I RSM 109/88-92	1/16/2002 0:00	11	BILTMORE LN
074572280	LOT 50 SHARON HILLS - I RSM 109/88-92	10/1/1993 0:00	5	BILTMORE LN
074572290	LOT 51 SHARON HILLS - I RSM 109/88-92	4/17/2012 0:00	3	BILTMORE LN
074572300	LOT 52 SHARON HILLS - I RSM 109/88-92	3/3/1987 0:00	1	BILTMORE LN
074572310	LOT 53 SHARON HILLS - I RSM 109/88-92	9/28/2017 0:00	16	BILTMORE LN
074572320	LOT 54 SHARON HILLS - I RSM 109/88-92	6/22/2001 0:00	14	BILTMORE LN
074572330	LOT 55 SHARON HILLS - I RSM 109/88-92	3/25/2015 0:00	12	BILTMORE LN
074572340	LOT 56 SHARON HILLS - I RSM 109/88-92	4/14/2016 0:00	42	BILTMORE LN
074572350	LOT 57 SHARON HILLS - I RSM 109/88-92	6/27/2008 0:00	44	BILTMORE LN
074572360	LOT 58 SHARON HILLS - I RSM 109/88-92	11/5/2015 0:00	1285	TRINITY DR
074572370	LOT 59 SHARON HILLS - I RSM 109/88-92	6/25/2010 0:00	1275	TRINITY DR
074572380	LOT 60 SHARON HILLS - I RSM 109/88-92	10/2/1987 0:00	1265	TRINITY DR
074572390	LOT 61 SHARON HILLS - I RSM 109/88-92	1/26/2015 0:00	1255	TRINITY DR
074572400	LOT 80 SHARON HILLS - I RSM 109/88-92	5/19/2010 0:00	1205	TRINITY DR
074572997	(common area)			
074572999	(common area)			
074573010	LOT 62 SHARON HILLS - I RSM 109/88-92	9/16/1986 0:00	1250	TRINITY DR
074573020	LOT 63 SHARON HILLS - I RSM 109/88-92	6/15/1995 0:00	1260	TRINITY DR
074573030	LOT 64 SHARON HILLS - I RSM 109/88-92	4/20/2017 0:00	1270	TRINITY DR
074573040	LOT 65 SHARON HILLS - I RSM 109/88-92	8/30/1996 0:00	1280	TRINITY DR
074573050	LOT 66 SHARON HILLS - I RSM 109/88-92	5/25/2017 0:00	1290	TRINITY DR
074573060	LOT 67 SHARON HILLS - I RSM 109/88-92	8/18/2000 0:00	1135	CONTINENTAL DR
074573070	LOT 68 SHARON HILLS - I RSM 109/88-92	6/16/2009 0:00	1125	CONTINENTAL DR
074573080	LOT 69 SHARON HILLS - I RSM 109/88-92	12/31/2012 0:00	1115	CONTINENTAL DR
074573090	LOT 78 SHARON HILLS - I RSM 109/88-92	10/28/1985 0:00	2300	TIOGA DR
074573100	LOT 79 SHARON HILLS - I RSM 109/88-92	8/5/2013 0:00	1200	TRINITY DR
074573999	(common area)			

SHARON HILLS-I

BEING A RE-SUBDIVISION OF SHARON HILLS AS SHOWN IN VOLUME 97 OF MAPS, PAGES 62-66 AND LYING WITHIN THE

CITY OF MENLO PARK
SAN MATEO, CALIFORNIA
CONSISTING OF 5 SHEETS

JENNINGS·McDERMOTT·HEISS, INC.
CIVIL ENGINEERS AND LAND PLANNERS
SAN JOSE — CALIFORNIA

SCALE 1" = 50'

OWNERS CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY OR HOLDERS OF SECURITY INTERESTS, OR HAVE SOME RIGHT, TITLE OR INTEREST, IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY. WE CONSENT TO THE MAKING AND THE RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINES, AND HEREBY DEDICATE TO PUBLIC USE TRINITY DRIVE, La LOMA DRIVE, CONTINENTAL DRIVE, AND A PORTION OF HALLMARK CIRCLE, THE PUBLIC STREETS AS SHOWN HEREON. EMERGENCY ACCESS AND PUBLIC UTILITY EASEMENTS ARE OFFERED FOR DEDICATION OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED P.U.E. LYING WITHIN LOTS 78, 79 & 80, THE PRIVATE STREETS AND THE COMMON AREAS LYING WITHIN PARCELS B, C, AND D EXCEPTING THE AREA DESIGNATED "EXCEPTION TO P.U.E." AS SHOWN HEREON. WE ALSO HEREBY DEDICATE TO PUBLIC USE FOR PARK PURPOSES THOSE CERTAIN AREAS DESIGNATED AS PARCELS A & E. WE ALSO HEREBY DEDICATE TO PUBLIC USE EASEMENTS FOR SANITARY SEWERS UNDER, UPON OR OVER THOSE CERTAIN STRIPS OF LAND DELINEATED AND DESIGNATED AS (S.S.E.) SANITARY SEWER EASEMENT.

IT IS HEREBY UNDERSTOOD THAT THOSE COMMON AREAS DESIGNATED AS PARCELS B, C & D CONSTITUTES A PRIVATE COMMON OPEN SPACE FOR THE COLLECTIVE USE & BENEFIT OF LOT OWNERS OF LOTS 1 to 80 INCLUSIVE, AND ARE NOT OFFERED FOR DEDICATION TO THE GENERAL PUBLIC; ALSO, INDIVIDUAL OWNERS OF LOTS 1 THROUGH 80 INCLUSIVE HAVE THE RIGHT TO INSTALL, OPERATE AND MAINTAIN PRIVATE UTILITIES WITHIN SAID COMMON AREAS.

OWNERS: Jack R. Blackwell
BLACKWELL HOMES, A PARTNERSHIP
BY: JACK R. BLACKWELL, INC., PRESIDENT

TRUSTEE Enid Dodough
CALIFORNIA RECONVEYANCE COMPANY, A CALIFORNIA CORPORATION, SUCCESSOR IN INTEREST TO PALO ALTO FINANCIAL CORPORATION, A CALIFORNIA CORPORATION.
BY: Enid Dodough, Assistant Vice President

(STATE OF CALIFORNIA) SS.
(COUNTY OF SANTA CLARA)

ON THIS 14th DAY OF April, 1983, BEFORE ME, Nancy Ann Moon, A NOTARY PUBLIC IN AND FOR THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, PERSONALLY APPEARED JACK R. BLACKWELL, KNOWN TO ME TO BE THE PRESIDENT OF JACK R. BLACKWELL, INC., A CORPORATION, AS A CORPORATE CO-PARTNER IN BLACKWELL HOMES, A CO-PARTNERSHIP, WHICH HAS EXECUTED THE WITHIN INSTRUMENT AND DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME ON BEHALF OF SAID PARTNERSHIP.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Nancy Ann Moon, NOTARY PUBLIC

OFFICIAL SEAL
NANCY ANN MOON
NOTARY PUBLIC — CALIFORNIA
Santa Clara County
My Commission Expires Nov. 28, 1983

(STATE OF CALIFORNIA) S.S.
(COUNTY OF Los Angeles)

ON THIS 20th DAY OF APRIL, 1983, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED Enid Dodough KNOWN TO ME TO BE THE Assistant Vice President OF THE CORPORATION HEREIN NAMED THAT EXECUTED THE WITHIN INSTRUMENT AS TRUSTEE, PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS. WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.
MY COMMISSION EXPIRES FEB. 21, 1986

Hana Hulak
NOTARY PUBLIC IN AND FOR SAID COUNTY & STATE

OFFICIAL SEAL
HANA HULAK
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
LOS ANGELES COUNTY
My Commission Exp. Feb. 21, 1986

ENDORSEMENT

THE SIGNATURES REPRESENTING THE COUNTY OF SAN MATEO, AND PACIFIC GAS & ELECTRIC COMPANY, AS SUCCESSORS IN INTEREST TO EASEMENTS AS SHOWN ON THIS MAP OVER SAID LAND, WHICH CANNOT RIPEN INTO A FEE HAVE BEEN OMITTED AS PROVIDED IN SECTION 66436 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

SURVEYOR'S CERTIFICATE

I, ROBERT G. McDERMOTT, HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA AND THAT THIS MAP, CONSISTING OF FIVE (5) SHEETS, CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF March 82 THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR WILL BE PLACED IN THE POSITIONS INDICATED ON OR BEFORE March 1984, AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED 4/14, 1983

Robert G. McDermott
ROBERT G. McDERMOTT, L.S. 2734

CITY ENGINEER'S CERTIFICATE

I, LAUREN L. MERCER, CITY ENGINEER OF THE CITY OF MENLO PARK, STATE OF CALIFORNIA, HEREBY CERTIFY THAT I HAVE EXAMINED THE WITHIN MAP AND FIND IT IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT, AS AMENDED AND OF ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATED: April 27, 1983.

Lauren L. Mercer RCE 15240
CITY ENGINEER OF THE CITY OF MENLO PARK, STATE OF CALIFORNIA.

COUNTY RECORDER'S CERTIFICATE

FILE NO. 83041228 FEE $14.00
ACCEPTED FOR RECORD AND RECORDED IN VOLUME 109 OF MAPS AT PAGES 88, 89, 90, 91 & 92, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN MATEO, THIS 29th DAY OF APRIL, 1983 AT 1:50 P.M., AT THE REQUEST OF TRANSAMERICA TITLE INSURANCE COMPANY.

MARVIN CHURCH, SAN MATEO CO. RECORDER
BY: Irene M. O'Allis
DEPUTY COUNTY RECORDER

CITY CLERKS CERTIFICATE

I, MARGARET E. SNOWDEN, CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF THE CITY OF MENLO PARK, CALIFORNIA, HEREBY CERTIFY THAT SAID COUNCIL, BY A RESOLUTION ADOPTED AT A REGULAR MEETING HELD ON THE 26th DAY OF April, 1983, DID APPROVE THE WITHIN MAP, AND DID ACCEPT ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AS OFFERED FOR DEDICATION TO PUBLIC USE.

Margaret E. Snowden
CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL, MENLO PARK, CALIF.

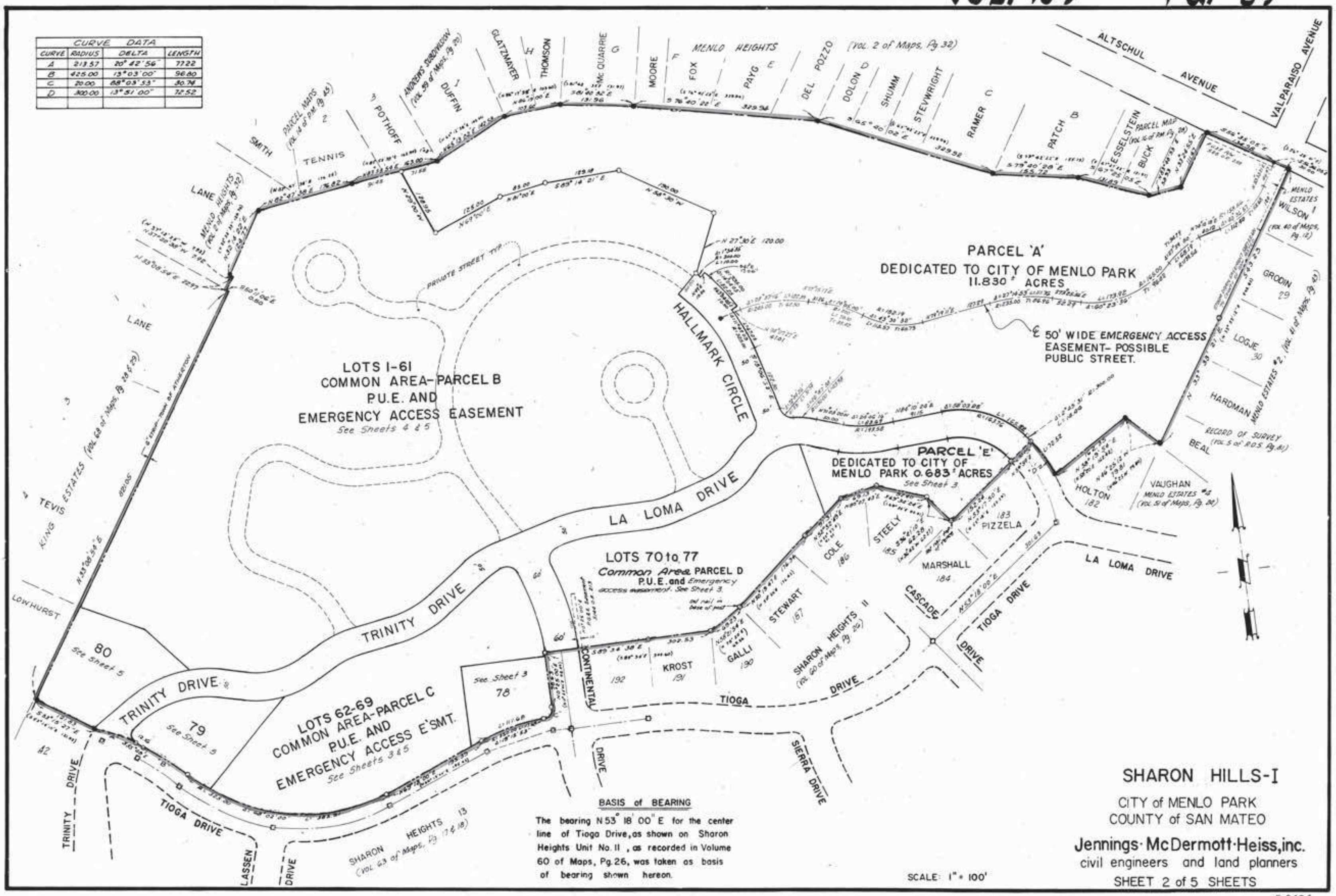
LEGEND & NOTES

(171.31)	RECORD DATA
●	¾" IRON PIPE FOUND UNLESS NOTED
○	¾" IRON PIPE SET WITH TAG LS. 2734, UNLESS NOTED
⊡	R.R. SPIKE FOUND UNLESS NOTED
P.U.E.	PUBLIC UTILITY EASEMENT
S.S.U.	SANITATION SEWER EASEMENT
———	LIMIT OF PUBLIC STREET
- - - - -	LIMIT OF PRIVATE STREET
—··—	DISTINCTIVE BORDER

ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF. THE DISTINCTIVE BORDER INDICATES THE BOUNDARY OF LAND SUBDIVIDED BY THIS MAP (APPROXIMATELY 37.762 ACRES.)

A SOILS REPORT WAS PREPARED BY APPLIED SOIL MECHANICS, INC. FILE No. A6-0721-J3 2-22-77 AND IS ON FILE IN THE CITY OF MENLO PARK.

SHEET 1 OF 5 SHEETS
J.M.H. 2404



CURVE DATA

CURVE	RADIUS	DELTA	LENGTH
A	213.57	20° 42' 56"	77.22
B	425.00	13° 03' 00"	96.80
C	20.00	88° 03' 53"	30.74
D	300.00	13° 51' 00"	72.52

BASIS of BEARING

The bearing N 53° 18' 00" E for the center line of Tioga Drive, as shown on Sharon Heights Unit No. II, as recorded in Volume 60 of Maps, Pg. 26, was taken as basis of bearing shown hereon.

SCALE: 1" = 100'

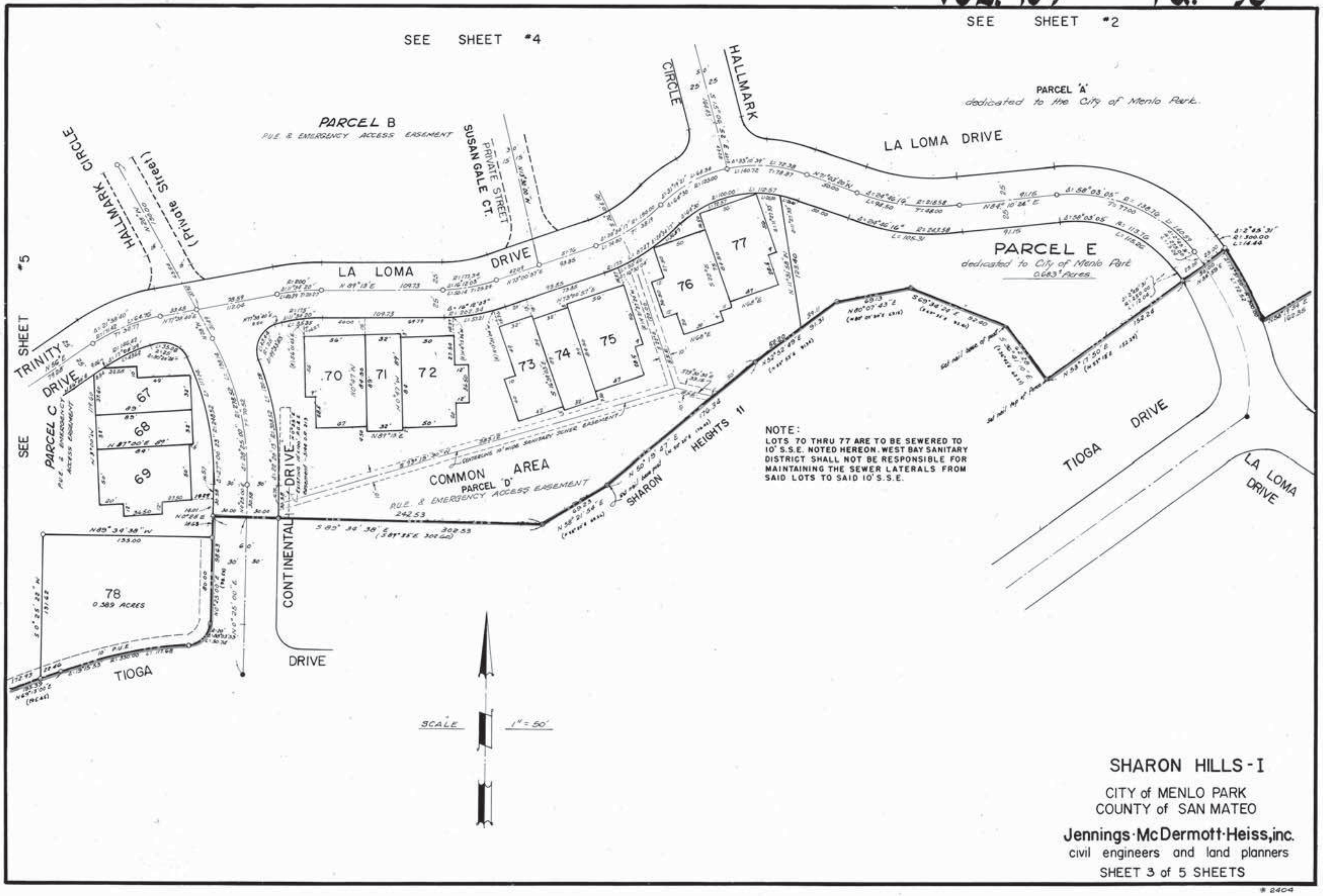
SHARON HILLS-I

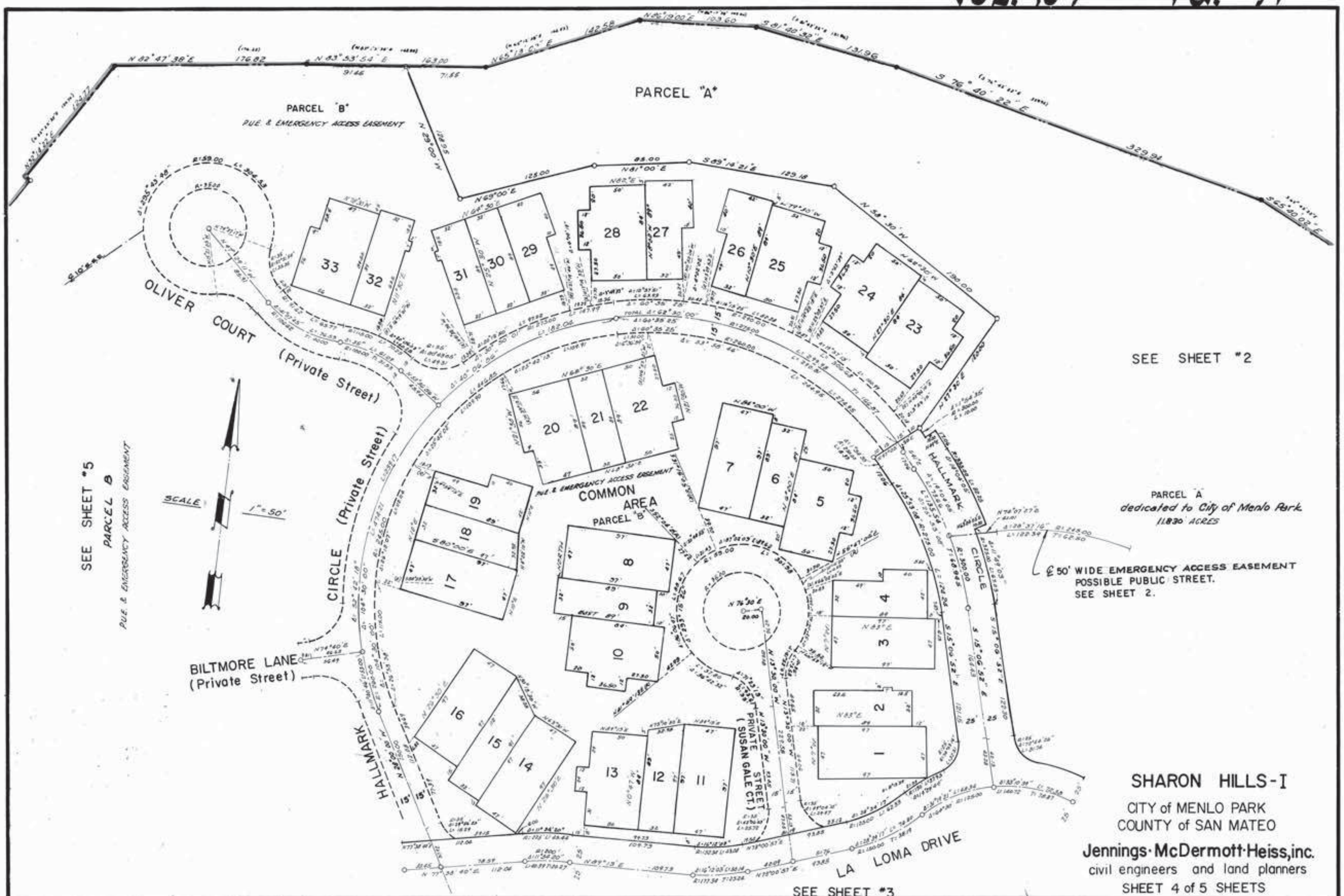
CITY of MENLO PARK
COUNTY of SAN MATEO

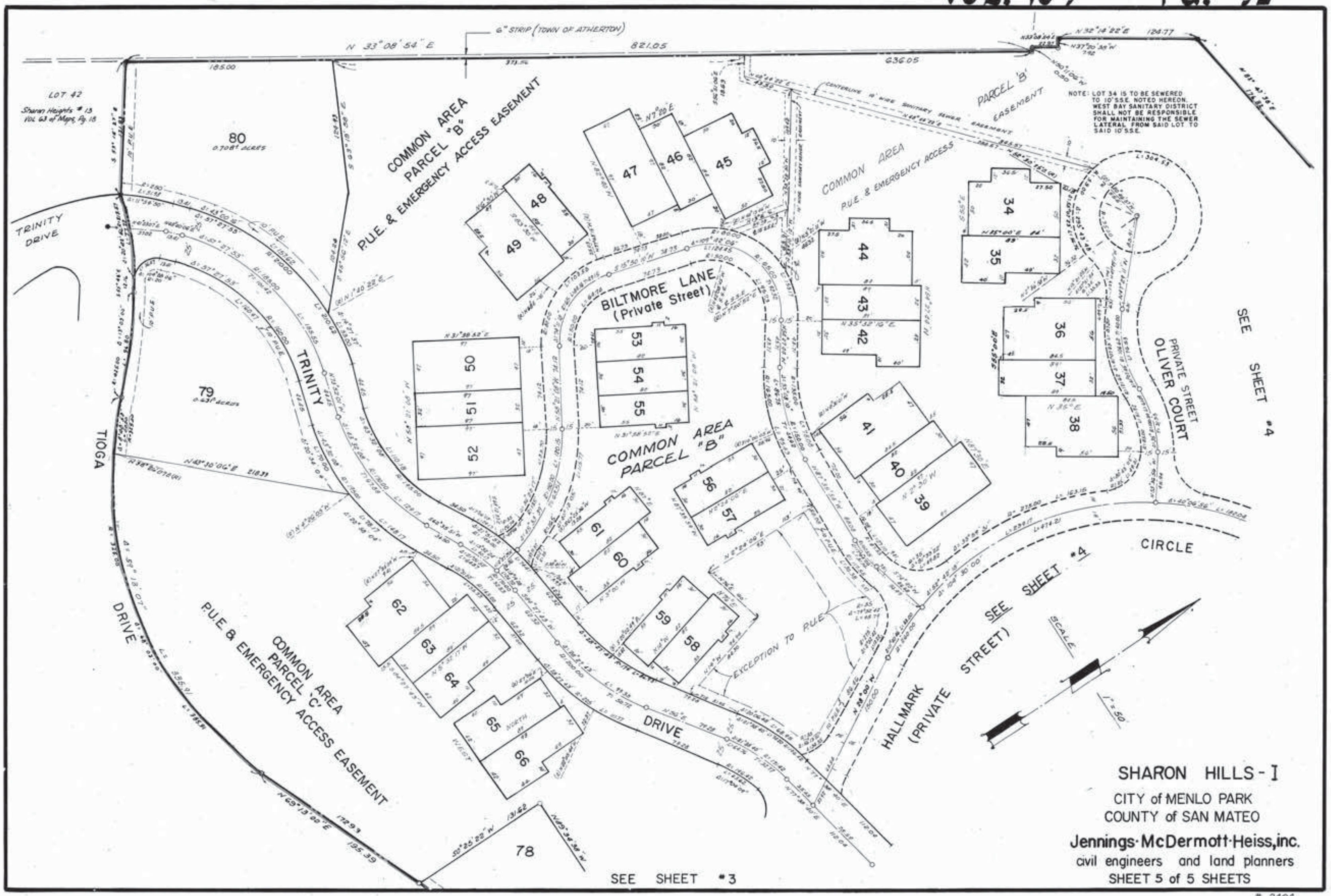
Jennings·McDermott·Heiss, inc.
civil engineers and land planners
SHEET 2 of 5 SHEETS

2404

VOL. 109 PG. 90


SEE SHEET #4
SEE SHEET #2
SEE SHEET #5
PARCEL 'A' dedicated to the City of Menlo Park.
PARCEL B
P.U.E. & EMERGENCY ACCESS EASEMENT
SUSAN GALE CT.
PRIVATE STREET
HALLMARK CIRCLE
(Private Street)
CIRCLE
HALLMARK
LA LOMA DRIVE
LA LOMA DRIVE
PARCEL E
dedicated to City of Menlo Park
0.683± Acres
TRINITY DRIVE
PARCEL C
P.U.E. & EMERGENCY ACCESS EASEMENT
67
68
69
70
71
72
73
74
75
76
77
78
0.389 ACRES
COMMON AREA
PARCEL 'D'
P.U.E. & EMERGENCY ACCESS EASEMENT
CONTINENTAL DRIVE
DRIVE
SHARON HEIGHTS
TIOGA DRIVE
TIOGA
LA LOMA DRIVE
NOTE:
LOTS 70 THRU 77 ARE TO BE SEWERED TO 10' S.S.E. NOTED HEREON. WEST BAY SANITARY DISTRICT SHALL NOT BE RESPONSIBLE FOR MAINTAINING THE SEWER LATERALS FROM SAID LOTS TO SAID 10' S.S.E.
SCALE 1" = 50'
SHARON HILLS - I
CITY of MENLO PARK
COUNTY of SAN MATEO
Jennings·McDermott·Heiss, inc.
civil engineers and land planners
SHEET 3 of 5 SHEETS
2404


PARCEL "A"
PARCEL "B"
PUE & EMERGENCY ACCESS EASEMENT
OLIVER COURT (Private Street)
CIRCLE (Private Street)
BILTMORE LANE (Private Street)
HALLMARK
HALLMARK CIRCLE
PRIVATE STREET (SUSAN GALE CT.)
LA LOMA DRIVE
COMMON AREA PARCEL "B"
PUE & EMERGENCY ACCESS EASEMENT
SEE SHEET #2
SEE SHEET #3
SEE SHEET #5
PARCEL B
PUE & EMERGENCY ACCESS EASEMENT
SCALE 1" = 50'
PARCEL A
dedicated to City of Menlo Park
11.830 ACRES
℄ 50' WIDE EMERGENCY ACCESS EASEMENT
POSSIBLE PUBLIC STREET.
SEE SHEET 2.
SHARON HILLS-I
CITY of MENLO PARK
COUNTY of SAN MATEO
Jennings·McDermott·Heiss,inc.
civil engineers and land planners
SHEET 4 of 5 SHEETS



SHARON HILLS - I
CITY of MENLO PARK
COUNTY of SAN MATEO
Jennings·McDermott·Heiss, inc.
civil engineers and land planners
SHEET 5 of 5 SHEETS

2404

CITY OF MENLO PARK

701 LAUREL STREET, MENLO PARK, CA 94025-3483
www.menlopark.org

January 31, 2011

Ms. Karen Cindrich
Sharon Hills Homeowner's Association
1310 Trinity Drive
Menlo Park, CA 94025

Subject: SHARON HILL DECK EXTENSIONS AMENDMENT LETTER

Dear Ms. Cindrich:

This letter is in response to your letter dated October 26, 2010, and amends the letter from the City dated May 1, 2008, which outlined instructions for clearing title and establishing exclusive use common area easements for deck extensions encroaching into common area, emergency access easements, and public utility easements.

The request to delete the seventh bullet point of the City's May 1, 2008 letter (relating to confirming the 15 percent building coverage limit) is not granted, but the City does confirm that the associated research presented by Don Caddes to Thomas Rogers did verify that the coverage of the buildings themselves were a fair bit below that limit. This analysis can be supplemented by a comprehensive (albeit non-survey) analysis of additional coverage from roofed decks (if there are any). The presence/absence of roofed decks can be confirmed through photographs and other less formal methods. Please coordinate with Thomas Rogers on this element of the request (throgers@menlopark.org or 650-330-6722).

The City of Menlo Park is willing to entertain a compromise for any party desirous of obtaining a building permit for a deck extension on the terms outlined in this letter. It is our understanding, that over time, the below actions will likely clear title and create the private use easements for all of the previous constructed deck extensions which are not in compliance the Associations' Conditions, Covenants, and Restrictions (CC&R's) and City requirements. The new instructions are detailed below:

1. Any person desiring a deck extension must survey the full extent of the affected unit, plus the full extent of the immediately surrounding units (contiguous or otherwise) which are adjacent to the affected unit. Payment to the California licensed land surveyor may be paid for by homeowner(s) or shared with the Association. The City will not contribute to any payment to the surveyor. [Note: This is less than previously required but more than what was requested by the HOA.]
2. Issuance of a building permit is contingent upon the Homeowner's Association granting to the homeowner an exclusive use easement for the deck extension into the common area.

A complete submittal package for both the proposed easement <u>and</u> any existing non-compliant encroachment revealed by the survey must be presented to the Engineering Division concurrently with the building permit application. Each easement submittal for an individual lot is a separate package consisting of the following and is in addition to any Building Division permit requirements for the deck extension itself:

1. Cover or transmittal letter
2. Two (2) copies of the plat, legal description, and closure calculations of the proposed easement. Each copy must be prepared, sealed, and signed by a California Licensed Land Surveyor
3. Draft easement grant deed from HOA to lot owner prepared by lawyer or title company
4. Title report, dated within two (2) months of the submittal date
5. Review fee per the current Master Fee Schedule

In addition to the above, the homeowner for the proposed deck extension must also provide:

6. A copy of the proposed building permit plans for deck extension
7. A letter from the Homeowner's Association stating that the Association has reviewed the architecture of the proposed deck extension and is in agreement with the plans being presented to the City

Once the exclusive use common area easements are approved by the City, the Homeowner must record the grant deed at the County of San Mateo Recorder's Office. A conformed copy must be returned to the Building and Engineering Divisions prior to release of the building permit.

It should be noted that the owner of a lot with a deck that encroaches into the common area, emergency access easement and utility easement where there is no existing easement grant deed for the encroachment, does not have good title to their deck and such fact must be disclosed to a purchaser of the lot. The HOA should notify all lot owners that do not have such easements of this potential issue affecting resale of lots. Any lot owner desiring to clear up title to their individual lot can submit a package as noted above to clear up title and avoid any problem on resale.

Should you have any questions, please do not hesitate to contact Jennifer Ng, Senior Civil Engineer, at jcng@menlopark.org or 650-330-6740.

Sincerely,

Charles Taylor
Engineering Services Manager
Public Works Department

c: file
Ron LaFrance – Building Division
Thomas Rogers – Planning Division
Bill McClure – City Attorney

Y:\EngDiv\Administration\Development Services\Easements\Sharon Heights Deck Extension amendment 1.13.11.doc

Sharon Hills Community Association

1340 Trinity Drive
Menlo Park, California

Menlo Park City Council
701 Laurel Street
Menlo Park, CA 94025

September 11, 2018

Via: Menlo Park Planning Commission

Dear Menlo Park City Council,

On November 16, 1982, you approved a Conditional Development Permit (CDP) for the construction of the Sharon Hills Community Association (SHCA).

The original 1982 CDP's Statement of Purpose in part states, "The Conditional Development Zoning District… was created to promote creative design and to permit the application of innovative and desirable development techniques, consistent with the aesthetic and environmental character of the community." SHCA supports and encourages that original intent of the CDP.

Now in 2018, 36 years later, in accordance with the 1982 CDP, homeowners continue to submit applications to the City Planning Commission for all exterior modifications to their townhouse. This CDP requirement occurs only after the homeowner already has obtained approval from both SHCA's Architectural Control Committee (ACC) and the Board as required by our Declaration of Covenants, Conditions and Restrictions (CC&R's). Then the CDP requires the homeowner to engage in an additional lengthy and costly process.

In discussions with both the City Planning Department and City Planning Commission, the relevance today for this process has been questioned. Additionally, given the thoroughness of the SHCA's ACC and Board's previous review process, needing to follow the 1982 CDP takes away valuable staff time from processing more complicated projects. Accordingly, we are suggesting that the CDP be amended to support the SHCA's ACC and Board to continue to oversee and approve as sufficient oversight to any such changes <u>within</u> the SHCA's homeowner's lot line, as defined by the homeowner's deed, while any changes to open space <u>outside</u> the lot line would still be governed by this amended CDP. Indeed, the SHCA Board and ACC's focus is to allow changes that improve and encourage creative design affecting the aesthetic and environmental character of our community consistent with moving into the 21st Century and the overall look of our community.

We encourage your favorable consideration to our suggested amendment to the 1982 CDP resulting in a more efficient townhome exterior modification process for both The City of Menlo Park as well as the SHCA.

Sincerely,

Cynthia Schreuder

Cynthia Schreuder
President, Sharon Hills Community Association Board

Sharon Hills

Original patio/atrium

Enclosed patio/atrium with updated windows and one upstairs deck removed

Sharon Hills

SHCA townhouse original kitchen window

SHCA townhouse updated kitchen window

Sharon Hills

SHCA townhouse original deck

SHCA townhouse updated deck

ATTACHMENT D

CITY OF MENLO PARK

LOCATION MAP

SHARON HILLS CDP AMENDMENT

DRAWN: THR CHECKED: KTP DATE: 04/08/19 SCALE: 1" = 400' SHEET: 1

N

"SHARON HILLS"

CONDITIONAL DEVELOPMENT PERMIT

I. Statement of Purpose: The Conditional Development Zoning District, which provides the authority under which Conditional Development Permits may be granted, was created to promote comprehensive planning of large parcels of land to protect the natural environment by allowing flexibility from the strict requirements of the zoning district with which it is combined; to encourage development of more usable open space; to promote creative design and to permit the application of innovative and desirable development techniques, consistent with the aesthetic and environmental character of the community.

II. General Information:

A. Applicant: Blackwell Homes.

B. Nature of Project for Which the Permit is Being Applied for: A single family planned unit development of 77 townhouses and three detached dwellings.

C. Property Location: Westerly end of Valparaiso Avenue, bounded by Tioga Drive.

D. Assessor Parcel Number: 074-561-010 to 220, 074-562-010 to 060, 074-571-010 to 470, 074-562-070, 080, 074-571-480 to 500.

E. Area of Property: 38± acres.

F. Present Zoning: R-E-S (Residential Estate Suburban)

G. Proposed Zoning: R-E-S-X (Residential Estate Suburban--Conditional Development)

H. Permitted Uses: Clustered housing, single family detached dwellings, recreational facilities to serve the project.

III. Project Plans and Approvals:

A. General Development Plans:

The General Development Plans for the project shall be reviewed and approved by both the City Council and the Planning Commission. They will consist of the following: Site Plan, Preliminary Grading Plan, Building Elevations, Parking Plan, Preliminary Off-Site Improvement Plans, and Preliminary Landscaping Plans. The zone reclassification will not be approved until both the City Council and the Planning Commission have approved the General Development Plans.

III. Project Plans and Approvals (cont'd.):

B. Precise Development Plans:

The Precise Development Plans shall be submitted to the Planning Commission for Architectural Control review and approval prior to the issuance of Building Permits. The Precise Plans shall conform with the General Development Plans and shall be comprised of the following:

1. Site Plan:	Site Plan shall show all major dimensions and exact location of all proposed buildings and related improvements, e.g., walls, fences, patios driveways, external lighting, public and private roads, fire hydrants, etc.
2. Final Grading and Drainage Plans:	The final grading and drainage plans shall show the exact finish grade elevations and final design of the drainage system.
3. Building Elevations and Floor Plans:	Elevation drawings shall show all exterior finishes, colors and all painted and stained surfaces and major dimensions; plans for passive solar design features and domestic hot water systems shall be included.
4. Detailed Landscaping Plan	The detailed landscaping plan, including the 12.5 acre park, shall show the exact location of all plant material and plant schedule (listing size and quantity of plant material) and all other landscaping materials (including paved areas). The plan shall also show the construction details of all fences, walls and exterior lighting fixtures.
5. Parking Plan:	The parking plan shall show all required and guest parking.
6. Off-Site Improvement Plan:	The off-site improvement plan shall delineate all the off-site improvements that are to be constructed in conjunction with the project and shall show all construction details, including the construction details for the extension of Valparaiso Avenue, if required.
7. Subdivision Maps:	The Tentative Subdivision Map for the resubdivision of the subject property shall show all the newly created easements.

IV. Development Standards:

A. Building setbacks, coverage and open space shall be in accordance with the approved General Development Plans. Building coverage shall not exceed 15% of the building site; road and parking areas shall not exceed 20% of the site; open areas, including patios and common open space, shall be at least 65% of the site.

B. Building height shall not exceed 35 ft. from the average natural grade, and all buildings shall be properly screened from nearby residential areas.

C. Two garage parking spaces shall be provided for each housing unit. Additional guest parking for the residential development shall be provided at the ratio of one parking space per unit.

D. All utilities shall be placed underground.

E. Parking and landscaping shall be installed and maintained according to the approved plans.

F. Dedication of the proposed 12.5 acre park shall be part of the Subdivision Map submitted for Planning Commission and City Council consideration. Applicant shall install and maintain improvements for a two-year period, subject to City approval and acceptance of dedication.

G. All subdivision improvements on the 38-acre site, including the 12.5 acre parcel, shall be installed by the applicant to the approval of the City Engineer, as specified in the Tentative Subdivision Map; Map shall show the location of any required parking for the 12.5 acre parcel.

V. Other Conditions:

A. A standard Subdivision Map shall be recorded prior to conveyance of any portion of the property, complying with all provisions of this Permit.

B. Conventional lots created in connection with this development shall conform with the development regulations for the R-E-S Zoning District, with the exception of the 100 ft. width requirement.

C. Conditions, covenants and restrictions (CC & R's) governing the planned unit development (or condominium) portions of the project shall meet with the approval of the City Attorney and Condominium Ordinance provisions.

D. This Permit shall be binding upon the applicant and any subsequent owner of the property or portion thereof.

V. Other Conditions (cont'd.):

E. The construction of the project shall commence within one year from the date of approval of this Permit by the City Council; otherwise, this Permit shall be null and void.

F. Allocate 17,600 g.p.d. (80 res. units eq.) of sewer capacity for the project.

G. Applicant shall prepare an appropriate disclosure statement concerning the soil character of the project site and request that the State Department of Real Estate include said statement in its Public Report. The Report shall also be referred to in the CC & R's, and such Report shall be approved by the City Attorney.

H. Applicant shall set up a trust fund not to exceed $200,000.00 for the maintenance of the park proposed to be dedicated to the City.

I. Notwithstanding all the above conditions all the applicable conditions of the Tentative Subdivision Map approval are part of this Conditional Development Permit.

J. This Permit may be amended by a majority vote of the City Council. Application for amendment shall be made by the property owner, in writing, to the Planning Commission. The Planning Commission shall then forward its recommendation to the City Council.

Acknowledged and agreed to by applicant:

BLACKWELL HOMES, a Partnership

By: KENNETH M. BLACKWELL, INC., Partner

~~By:~~ Kenneth M Blackwell for Blackwell Homes
Kenneth M. Blackwell, President

Approved by the Menlo Park Planning Commission:

Leon C Pirofalo
Leon C. Pirofalo, Director of Community Development

Date: September 27, 1982

Approved by the Menlo Park City Council:

Margaret E. Snowden
Margaret E. Snowden, City Clerk

Date: November 16, 1982

Doc 0346D

Rogers, Thomas H

From: Michael Asimow <asimow@law.stanford.edu>
Sent: Monday, October 29, 2018 10:32 AM
To: Rogers, Thomas H
Subject: Sharon Hills permit amendment

Dear Mr. Rogers, I'd like to indicate my strong support for the proposed permit amendment which eliminates a redundant Planning Commission review of small-scale modifications for the Sharon Hills Community Association. As a former SHCA president, I express my gratitude that you're proceeding with this amendment which will be an improvement in efficiency for all. Sincerely, Michael Asimow

--
Michael Asimow
Stanford Law School
Stanford CA, 94305-8610
650-723-2431

Rogers, Thomas H

From: Ed and Constance <ecvincent@comcast.net>
Sent: Tuesday, October 30, 2018 1:01 PM
To: Rogers, Thomas H
Subject: MP Building permit process

I believe the ACC for SHCA provides adequate oversight for these kind of changes in addition to the oversight of the MP Building Permit Process.

Constance Vincent

4 Hallmark Circle, Menlo Park

Sharon Hills Community Assoc.

Rogers, Thomas H

From: Brian Amerige <brian@fivedetails.com>
Sent: Tuesday, October 30, 2018 3:08 PM
To: Rogers, Thomas H
Subject: SHCA CDP Amendment

Hi Thomas,

Just wanted to drop you a quick note regarding the Sharon Hills Community Association's proposal to amend the CDP. I live in Sharon Hills, and I'm in emphatic support of it.

The community's architectural control committee does a great job overseeing small-scale changes to our homes, and I know the time and cost of *also* working with Menlo Park's planning commission scares some homeowners away from improving their properties (which is a shame, since the improvements are usually identical to those already approved for other homeowners).

Good luck,
Brian.

Rogers, Thomas H

From: cheryl stewart <cjs_cardinal@yahoo.com>
Sent: Tuesday, October 30, 2018 3:42 PM
To: Rogers, Thomas H
Subject: Support for SHCA Amendment to CDP

I am writing in support of the proposal to allow small scale building and expansion projects for SHCA Townhouses proceed only with the MP Building Permit Process.

I believe the ACC for SHCA provides adequate oversight for these kind of changes in addition to the oversight of the MP Building Permit Process.

Thank you,

Cheryl Stewart
11 Susan Gale Court
Menlo Park, CA 94025

From: Susan M <sml3susan@gmail.com>
Sent: Tuesday, October 30, 2018 4:27 PM
To: Rogers, Thomas H
Cc: Howard R. Mullin (howardrmullin@gmail.com)
Subject: SHCA Townhouse proposal

Thomas,

Howard and I are emailing you in support of the proposal to allow small scale building and expansion projects for SHCA Townhouses proceed only with the MP Building Permit Process.

Sincerely,
Susan Mullin
1290 Trinity Drive
Menlo Park, CA 94025

Rogers, Thomas H

From: Carol Dressler <cdress@stanford.edu>
Sent: Tuesday, October 30, 2018 5:04 PM
To: Rogers, Thomas H
Subject: thank you for your consideration

I am writing in support of the proposal to allow small scale building and expansion projects for SHCA Townhouses proceed only with the MP Building Permit Process.
Best,
Carol Dressler
1300 Trinity Drive
Menlo Park

From: George Newcombe <gnewcombe@mac.com>
Sent: Tuesday, October 30, 2018 5:47 PM
To: Rogers, Thomas H
Subject: SHCA

Dear Mr. Rogers:

As a former member of the Board of the Sharon Hills Homeowners Association and a former member of its Architectural Control Committee, I write to support the proposal to allow building and expansion projects for SHCA townhouses so long as any such modifications comply with all Menlo Park Building Permit requirements. The ACC and Board of the HOA scrutinize each and every modification to the exterior of all townhouses. I am comfortable that this scrutiny is sufficient to ensure that any modifications are consistent with the character and designs of the Sharon Hills community. Compliance with Menlo Park building permit requirements, which incorporate all extant building codes, ensures that any such modification will be done appropriately.

Thus, there is no need for such modifications to be brought before the Planning Commission, which is a costly and time consuming process.

Sincerely,

George M. Newcombe
14 Susan Gale CT
Menlo Park, CA 94025

> I am writing in support of the proposal to allow small scale building and expansion projects for SHCA Townhouses proceed only with the MP Building Permit Process.
>
> or
>
> I believe the ACC for SHCA provides adequate oversight for these kind of changes in addition to the oversight of the MP Building Permit Process

Rogers, Thomas H

From: Sheila Sello <sksello@sbcglobal.net>
Sent: Wednesday, October 31, 2018 9:01 AM
To: Rogers, Thomas H
Subject: Sharon Hills Community Assoc. (HOA)

I am writing in support of the proposal to permit small scale building and expansion projects for SHCA townhouses to proceed with the Menlo Park Bldg. Permit process ONLY.
Thank you very much.

Sheila Sello
Resident
Sharon Hills Community/HOA

Sent from my iPad

Rogers, Thomas H

From: Jeanne Scherba <scherbajeanne@hotmail.com>
Sent: Friday, November 2, 2018 10:07 AM
To: Rogers, Thomas H
Subject: Amendment

I support the SHCA amendment to the CDP.

Jeanne Scherba
14 Hallmark Circle
Menlo Park, Ca.

CITY OF MENLO PARK

STAFF REPORT

City Council
Meeting Date: **5/21/2019**
Staff Report Number: **19-095-CC**

Regular Business: **Authorize the City manager to amend a contract with ICF Jones & Stokes, Inc. to prepare an environmental impact report for the proposed willow village master plan project at 1350-1390 Willow Road, 925-1098 Hamilton Avenue and 1005-1275 Hamilton Court for the amount of $967,522 and future augments as may be necessary to complete the environmental review for the proposed project**

Recommendation

Staff recommends that City Council authorize the city manager to approve a contract amendment with ICF Jones & Stokes, Inc. (ICF) for the amount of $967,522 and future augments as may be necessary to complete the environmental review for the proposed master plan project, based on the proposed scope and budget included as Attachment A.

Policy Issues

The applicant is proposing to redevelop the site through the master plan process, as provided for in the zoning ordinance, by utilizing a conditional development permit (CDP) and entering into a development agreement (DA) with the City. The proposed project would require the Planning Commission and the City Council to consider the merits of the proposed master plan, including the appropriateness of the applicant's proposed amendments, and the project's consistency with the City's general plan and zoning ordinance, along with the Municipal Code, and other adopted policies and programs of the City such as the below market rate housing program. Authorizing the City Manager to enter into a contract with ICF would allow the City to conduct the environmental review which is necessary for the overall entitlement review of the project proposal and does not imply an endorsement of the project. The policy implications of the project proposal are considered on a case-by-case basis, and will be informed by additional analysis as the project review proceeds.

Background

The approximately 59-acre subject site is generally located along Willow Road between Hamilton Avenue and Ivy Drive; previously referred to as the ProLogis Menlo Science and Technology Park. Facebook Building 20 is located to the northwest and multi-family and neighborhood commercial uses are to the west, across Willow Road. The subject site is generally bordered by the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy right-of-way and Mid-Peninsula High School to the south, the Dumbarton Corridor to the north, and properties within the Menlo Business Park to the east.

The existing campus has 20 buildings (generally constructed between the 1950s and 1990s) located on 18 parcels that have historically housed general office, R&D, warehouse, and manufacturing uses that total approximately 1,000,000 square feet of gross floor area (GFA.) Facebook currently occupies 8 buildings at the project site for offices, R&D, dining facilities and a health center. A location map is included as Attachment B.

As part of the ConnectMenlo general plan and zoning ordinance update, the existing project site was rezoned in December 2016 from M-2 (general industrial) to O-B (office, bonus) and R-MU-B (residential mixed use, bonus.) In July 2017 the City received an application to commence the formal review process for the redevelopment of the project site. That previous proposal was reviewed by the Planning Commission and City Council as a study session item in February and March 2018, respectively. Following the study sessions, the applicant team further evaluated the proposed project and modified the site layout (including land uses, circulation network and open space), the proposed square footages by land use, and the project phasing. The City Council reviewed the updated proposed project as a study session item at its meeting May 7, and provided feedback and direction to staff and the applicant team. Select plan sheets are included in Attachment C for reference and a link to the study session staff report is included in Attachment D.

Project overview

The proposed project would comprehensively redevelop the project site with a mixed-use master plan and generally includes the following development components.

Table 1: Project overview

Project component	Proposed project**	Zoning ordinance maximum development potential*
land use		
Dwelling units	1,500 units	1,713 units
	(225 BMR units)***	(257 BMR units)
Residential GFA	1,462,713 s.f.	1,679,097 s.f.
Commercial retail GFA	200,000 s.f.	398,425 s.f.
(non-office square footage)		
Community center	10,000 s.f.	Included in non-office GFA

* The Zoning Ordinance maximum development potential is based on preliminary site area information and the updated right-of-way (ROW) dedication square footage provided by the applicant and may be updated through staff's verification of the required amount of ROW dedication.
**The proposed land uses may change based on the updated maximum development potential calculations.
*** The calculation of the number of BMRs is based on the City's 15 percent inclusionary requirement.

The proposed site plan would include approximately 26.7 acres of landscaping and open space, of which approximately 10 acres would be publicly accessible, and new bicycle, pedestrian and vehicle infrastructure. In addition to the open space distributed throughout the project site, the proposal would include a 4-acre publicly accessible park at the southwestern corner of the project site, along with a town square plaza, and dog park. The proposed site circulation includes a proposed access point from O'Brien Drive, along with additional site access from Willow Road.

Analysis

The proposed project is considered a project under the California Environmental Quality Act (CEQA) and requires an environmental impact report (EIR.) Where appropriate, the project level EIR will tier from the ConnectMenlo program level EIR, incorporating relevant mitigation measures previously identified through

ConnectMenlo. To enable the environmental analysis to move forward efficiently and allow for ICF's participation in working sessions with the City, in January 2018 the city manager previously authorized ICF to prepare the first phase of the environmental review for $49,965, which was within the city manager's authorization limit for individual purchase orders. Limited work on the environmental analysis has been undertaken since the City Council study session in March 2018, as the applicant team was making refinements to the proposed project. An amendment of $17,600 to the Phase 1 scope of work has been recently submitted by ICF and its sub-consultant to conduct additional data gathering for the transportation analysis that need to be completed prior to the Memorial Day holiday weekend. That amendment is being processed by the City currently, and the total amount for phase 1 (with amendment 1) would be $67,565, which is within the total maximum amount of the city manager's signing authority. Therefore, the attached proposed amendment to the scope and budget for the project level EIR is for Phase 2 (amendment 2) of the environmental review for the proposed project. The total budget for ICF, including Phases 1 and 2, would be $1,035,087, per the proposed scope and budget in Attachment A.

The proposed scope and budget for the project level EIR have been structured so the project level EIR would comply with the current CEQA Guidelines and the terms of the settlement agreement between the City of Menlo Park and the City of East Palo Alto regarding the program level EIR for ConnectMenlo. Due to the scale of the proposed project, the project level EIR would study a number of additional CEQA topic areas beyond the minimum topics required through the settlement agreement with East Palo Alto. It is anticipated that the project level EIR would study all CEQA topic areas except agricultural and forestry resources, mineral resources and wildfire.

<u>Housing analysis</u>

As part of the project level analysis, the City will prepare a project specific housing needs assessment (HNA) for the project that would be used to inform the population and housing analysis in the project level EIR. The attached scope includes a placeholder for the scope and budget for the HNA, as City staff is still evaluating potential consultants for the HNA. Once a consultant is selected by the City, ICF will adjust its scope and budget accordingly and submit a scope and budget amendment to the City. Staff is requesting the City Council authorize the City Manager to review and authorize a future budget amendment for the HNA and associated housing related analyses required by the settlement agreement.

<u>Transportation impact analysis</u>

The project level transportation impact analysis (TIA) will use level of service (LOS) as the threshold of significance for potential transportation impacts resulting from the project. LOS is still the threshold of significance for potential impacts under CEQA (until July 1, 2020) as identified in the City's general plan circulation element and TIA guidelines. As such, the analysis will use the appropriate impact threshold based on the current CEQA Guidelines in effect at the time of the analysis. However, the TIA will also report the vehicle miles traveled (VMT) associated with the project. While not required to be analyzed as an impact until July 1, 2020 under requirements of Senate Bill 743, the project analysis will disclose VMT for informational purposes. The transportation analysis will use the data in the City's circulation system assessment (CSA) and the City's travel demand model developed in 2016 for the project. The City's transportation division will be updating its TIA guidelines to include VMT and updates to the CSA to be compliant with CEQA by July 1, 2020.

<u>Project variants</u>

Staff has worked with ICF and the project sponsor to outline a number of project variants that should be studied in the project level EIR to ensure the EIR maintains flexibility for modifications to be made to the project during the environmental analysis and entitlement review phases of the proposed project. Project variants are different from project alternatives and the project level EIR would continue to analyze project alternatives, consistent with the CEQA guidelines. The following list identifies the proposed variants to be studied in the project level EIR.

Increased housing
A maximum of approximately 1,713 dwelling units could be constructed at the project site. The EIR will analyze the development of up to 1,500 housing units, but to provide development flexibility, a variant will be analyzed to include the construction and operation of approximately 1,713 units.

Hamilton realignment
Hamilton Avenue could be realigned at the intersection with Willow Road. ICF would consider the environmental impacts associated with the construction of the realignment. In addition, as a result of the realignment, an existing gas station would need to be relocated to the north of the realigned street. ICF would analyze the environmental impacts associated with demolition and construction of a gas station.

Willow Road/Dumbarton rail corridor crossing
A grade-separate crossing is proposed for bicycles, pedestrians and Facebook trams. It is currently unknown whether this proposed crossing would be above or below grade. The EIR will analyze one of the options as part of the Project, while the other option will be analyzed in the Variants chapter.

Recycled water
The potential on-site system will be analyzed as part of the Project, while the system as a public utility would be analyzed in the Variants chapter.

Others
Other potential variants could include different programming for the proposed park and community amenities, as determined through the community engagement process.

<u>Next steps</u>

Following authorization of the contract for ICF to conduct the environmental review, ICF will prepare a notice of preparation (NOP) for the EIR, which will identify the topic areas to be studied in the project level EIR. The release of the NOP is tentatively scheduled for late May or early June with a 30-day comment period on the scope of the EIR with an EIR scoping session tentatively planned for the June 24 Planning Commission meeting. Comments on the scope may be provided anytime during the 30-day comment period to City staff or provided verbally at the EIR scoping session. City staff is evaluating additional outreach options for the NOP and EIR scoping period to allow for increased public participation in the EIR scoping process, which could include an expanded mailed noticing radius, city website and project page posting, the City Council's weekly digest, and informational item to the City Council on the schedule of the NOP and EIR scoping session. As part of the initial stages of the environmental and entitlement analysis, City staff will determine what, if any, additional technical analyses could be required for the proposed project and set up contracts with qualified consultants or augment the contract with ICF accordingly. Staff is recommending that the City Council provide the City Manager the authority to approve future contract augmentations, if needed. Budget amendments would only be approved if authorized by the Project Sponsor and the City.

Impact on City Resources

The applicant is required to pay all planning, building and public works permit fees, based on the City's master fee schedule, to fully cover the cost of staff time spent on the review of the project. The applicant is also required to bear the cost of the associated environmental review and any additional analysis. For the environmental review and fiscal analysis, the applicant deposits money with the City and the City pays the consultants.

Environmental Review

An EIR will be prepared for the proposed project. The EIR will, to the extent applicable, utilize the program level EIR prepared for the ConnectMenlo general plan and zoning ordinance update.

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. EIR Scope and budget proposal from ICF
B. Location map
C. Project plans (select sheets)
D. Hyperlink – City Council May 7 study session staff report: menlopark.org/DocumentCenter/View/21443/SS1-20190507-Willow-Village-CC

Report prepared by:
Kyle Perata, Principal Planner

Report reviewed by:
Mark Muenzer, Community Development Director

Deanna Chow, Assistant Community Development Director

May 8, 2019

Kyle Perata, Acting Principal Planner
City of Menlo Park Community Development Department
701 Laurel Street
Menlo Park, CA 94025

SUBJECT: Proposal to Prepare an Environmental Impact Report for the Willow Village Master Plan Project – Phase II/Budget Amendment 2

Dear Mr. Perata:

ICF Jones & Stokes, Inc. ("ICF") is pleased to present this scope and budget to prepare Phase II of an Environmental Impact Report (EIR) for the proposed Willow Village Master Plan Project (hereafter referred to as the Project). ICF submitted a Scope of Work (scope) for Phase I of the Project EIR on December 20, 2017. The current approved budget for the EIR is $49,965. In addition, Budget Amendment 1 was submitted on May 3, 2019 for $17,600. Approval for Budget Amendment 1 is still pending.

This scope and budget ($967,522) focuses on Phase II of the EIR, which includes the completion of the Notice of Preparation, Draft EIR, and Final EIR. In addition, this Phase II scope and budget includes tasks for the transportation subconsultants Hexagon (Attachment A) and the Fiscal Impact Analysis subconsultant BAE (Attachment B). With approval of Budget Amendment 1 and 2, the total budget for the EIR would be $1,035,087. ICF proposes to invoice costs monthly, on a time and materials basis.

This proposal is valid for a period of 90 days, at which time ICF reserves the right to revise the contents or extend the validity date, if needed. ICF shall provide services under the terms and conditions of its existing agreement with the City dated January 26, 2018. Please feel free to contact Kirsten Chapman at 415.537.1702 or kirsten.chapman@icf.com. We look forward to working with you on this project.

Sincerely,

Jodi Young

Jodi Young
Contracts Manager

Attachments

A. Hexagon Scope of Work
B. BAE Urban Scope of Work
C. Budget – Phase II

A. Project Understanding and General Approach

ICF has reviewed the information provided by the City and Peninsula Innovation Partners, LLC and Signature Development Group, on behalf of Facebook, Inc. (Project Sponsor). Based on our review of project materials and experience with similar projects, we understand that an EIR is needed.

Project Understanding

The Project involves the redevelopment of the existing Menlo Park Science and Technology Park. The Project would demolish existing onsite buildings and landscaping and construct new buildings within a Town Square District, a Residential/Shopping District, and a Campus District. The Project would result in a net increase of approximately 1 million square feet (sf) of nonresidential uses (office space and non-office commercial/retail), for a total of approximately 2 million sf of nonresidential uses at the Project site. In addition, the Project would include housing units, a limited-service hotel, a community center, and open space. (The square footage of the hotel, community center, and park buildings are in addition to the increase of 1 million square feet of nonresidential square footage.) The Project site would be bisected by the north-south Main Street, which would provide access to all three districts. The Project site would also include a circulation network for vehicles, bicycles, and pedestrians with approximately 4.6 acres of public rights-of-way and 1.4 acres of private streets, generally aligned in an east-to-west and a north-to-south grid.

The Residential/Shopping District would be located in the southwestern portion of the Project Site, while the Town Square District would be located in the northwestern portion of the Project Site. Together, these two districts would include: approximately 1,500 residential units with approximately 225 affordable/below market-rate units; a maximum of 200,000 sf of nonresidential/retail uses (including a grocery store, pharmacy, and restaurant); a hotel with 200-250 rooms and food services; and an approximately 10,000 sf indoor community center adjacent to a 4-acre public park. In addition, a 0.5-acre Town Square and 0.3-acre dog park would be accessible to the public.

The 37-acre Campus District, located in the eastern portion of the Project site, would include approximately 1.75 million sf of office uses and employee-serving amenity space, along with two above-ground parking structures with approximately 3,000 parking spaces. Both parking structures would include a ground-level Transit Center for commuter shuttles and campus trams. Open spaces would include a chain of publicly-accessible urban spaces and gardens along Main Street, a landscaped area off of O’Brien Street, and various secure, interior open spaces for the Campus District users.

The Willow Village Master Plan was designed to implement the guiding principles and policies adopted as part of ConnectMenlo such as including new affordable and market-rate housing units for local workers, opportunities for future transit connections, and construction of a grocery store. The Project is meant to align with ConnectMenlo’s development and zoning standards and is consistent with ConnectMenlo’s density and height limits for bonus development. The Project would develop an area that is transit-ready, with new infrastructure, housing, sustainability features, circulation, open spaces, office and mixed-uses, and pedestrian boulevards. New housing and community-serving retail would include a collection of varied-scale public spaces, restaurants, and public gathering spaces. The Project would seek to develop using the bonus level allowance of the Zoning Ordinance and as such, would incorporate community amenities selected from the adopted Community Amenities List, consistent with the Zoning Ordinance requirements. As appropriate, this analysis would assess the possible environmental effects of the physical community amenities, provided as part of the Project.

General Approach

ConnectMenlo, which updated the City's General Plan Land Use and Circulation Elements and the Zoning in the M-2 (Bayfront) Area, was approved on November 29, 2016. This serves as the City's comprehensive and long-range guide to land use and infrastructure development. Because of the long-term planning horizon of ConnectMenlo, the ConnectMenlo EIR was prepared as a program EIR, pursuant to Section 15168 of the CEQA Guidelines. Once a program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review needs to be prepared. However, if the program EIR addresses the program's effects as specifically and comprehensively as possible, subsequent activities could be found to be within the program EIR scope, and additional environmental review would not be required (CEQA Guidelines Section 15168[c]). When a program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have potentially significant environmental effects that are not within the scope of a program EIR, the lead agency must prepare an Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR. The ConnectMenlo Program EIR will serve as the first-tier environmental analysis for the CEQA evaluation of the Project.

ConnectMenlo analyzed an increase in net new development in the Bayfront Area of up to 2.3 million square feet of non-residential uses, up to 4,500 residential units, and up to 400 hotel rooms, and up to 5,500 new employees. As mentioned above, the Project includes a net of approximately 750,000 sf of office uses, 200,000 sf of retail, a 10,000 sf indoor community center, approximately 1,500 residential units (with a maximum possible density of approximately 1,700-units), and up to 250 hotel rooms, and approximately 9,500 employees. In total, the Project would include a net increase of approximately 1.04 million sf of non-residential uses (not including the hotel gross square footage), which is within the buildout projections of ConnectMenlo and within the parameters of what was analyzed in the ConnectMenlo EIR. However, it is anticipated that the Project would result in more employees than what was analyzed in the ConnectMenlo EIR. In addition, the Project will be implemented through a Master Plan, the specifics of which were unknown during the preparation of ConnectMenlo.

Due to the General Plan Amendments required to implement the Project, the Settlement Agreement with East Palo Alto (discussed further below), the Master Plan across zoning districts, and the potential increase in on-site employees over what was assumed in the ConnectMenlo EIR, a full EIR is proposed to analyze the Project. The EIR will tier from and utilize the ConnectMenlo program EIR where appropriate.

On December 5, 2017, the City Council approved the proposed Settlement Agreement between the City of Menlo Park and the City of East Palo Alto to fully and finally resolve the litigation initiated by East Palo Alto regarding the environmental review for ConnectMenlo. The Settlement Agreement will serve to inform the scope of the analysis for several topics in the EIR and provide guidance on the requirements for the Project's Housing Needs Assessment (HNA), which will be included as part of the EIR scope at a later date.

B. Scope of Work – Phase II

The Phase I scope of work was approved in January 2018 and included the following tasks: Project Initiation (Task 1), EIR Project Description (Task 2), EIR Scope Definition (Task 3), and Project Management and Meetings (Task 4). The following tasks were conducted by ICF from January to April 2018, prior to the Project going on hold: attendance at team kick-off meeting; review of all project materials; preparation of several iterations of the data needs lists; preparation of the first draft of the Project Description; review of City/applicant comments on the Project Description and preliminary edits; preparation of the first draft of the Notice of Preparation; ongoing conversations about the transportation scope; and scoping, contracting, and coordination with the transportation subconsultants. Some of the work that was generated during this time period can be applied; however, due to the change in site plans and the year-long hold on the Project, many of the tasks need to be revisited and revised.

Therefore, below scope of work for the EIR includes Tasks 1 through 4 (as amendments to the tasks in the Phase I scope of work), and additional tasks through the certification of the EIR.

Task 1. Project Initiation

Project Initiation will continue by discussing key issues, reviewing completed environmental documents, reviewing revised Project materials, attending a site visit, and continuing to refine the schedule for completion of individual tasks. In addition, ICF will work with the City and Project Sponsor on the data needs list by obtaining the necessary information to conduct the EIR analysis. This task assumes that an in-person "re-kick-off meeting" will occur with City of Menlo Park staff, the Project Sponsor team, and the traffic subconsultant. All other Project Initiation tasks were covered and/or will be covered by the existing Phase I scope of work and budget.

Task 2. EIR Project Description

ICF prepared a draft Project Description and submitted it to the City in February 2018. Comments were received in April 2018. This was included in the Phase I scope of work. However, substantial revisions need to be applied to the Project Description due to the changes in the site plan, pending data needs responses, and changes in existing conditions. Based on discussions with City staff and on the Project Sponsor's application and plans, ICF will update the Project Description. This task assumes that one additional draft of the Project Description will be submitted to the City. Revisions to the Project Description based on City/Project Sponsor comments, and additional data needs responses from the Project Sponsor, will be included in the submittal of the Administrative Draft EIR (Task 5).

Task 3. EIR Scope Definition

ICF prepared the first draft of the Notice of Preparation (NOP) in April 2018 under the Phase I scope and budget. However, this draft was not submitted to the City before the Project went on hold. ICF will prepare the revised NOP for City staff review and revise per City/Project Sponsor edits. Our budget assumes that ICF will distribute to the State Clearinghouse and that the City will oversee mailing to other interested parties and public agencies. ICF will attend and be present at one scoping meeting (held as part of a regular Planning Commission meeting) and record comments received during the meeting. The principle objective of this scoping meeting will be to confirm or revise the list of environmental issues and the range of alternatives to be examined in the EIR. At the close of the comment period, ICF will review all comments and consider and address them while preparing the EIR. The hours for the scoping meeting are included in Task 5 of our budget.

Deliverables

- Electronic copies of draft and revised NOP in MS Word and Adobe PDF format
- Electronic copies of the final NOP in MS Word and Adobe PDF format
- Fifteen hard copies of the final NOP to the State Clearinghouse
- One PowerPoint presentation for scoping meeting.

Task 4. Project Management and Meetings

The purpose of this task is to continue to effectively manage the below tasks and maintain communication with City staff. ICF project management will be responsible for coordination activities, will maintain QA/QC requirements for document preparation, and will monitor schedule and performance for all EIR work tasks. Project management subtasks also include maintaining internal communications among ICF staff and subconsultants and with City staff and other team members through emails and frequent phone contact, as well as the preparation of all correspondence. The Project Manager will coordinate internal staff, project guidance, and analysis criteria.

The purpose of this task is to attend meetings to accomplish the below tasks. Team members will attend and participate in meetings on an as-needed basis. For purposes of the cost estimates, ICF has assumed ten City staff and/or Project Sponsor face-to-face meetings and 30 phone conference calls. Additional meetings may be appropriate during the course of this effort and will be invoiced on a time-and-materials basis. The estimated cost for additional meetings is included in the discussion of the project budget, below.

Task 5. Administrative Draft EIR

The purpose of this task is to prepare the Administrative Draft EIR. This task will synthesize background information for use in the existing setting, evaluate changes to those baseline conditions resulting from implementation of the Project, identify significant impacts, and identify mitigation measures to reduce potentially significant impacts to a less-than-significant level.

For this task, there will be four principal activities:

- Determine, by individual resource topic, the significance criteria to be used in the analysis.
- Present the analysis at full buildout of the Project.
- Compare the Project against analysis and conclusions in the ConnectMenlo EIR.
- Perform the analysis and make determinations of impact significance.
- Recommend mitigation measures to reduce impacts, if needed.

The ICF team will collect the information necessary to define baseline conditions in the Project area. Based on our understanding of the Project and discussions with City staff, baseline conditions will reflect the conditions at the time of the NOP release, unless as the analysis progresses an adjusted baseline is determined to be appropriate. ICF will also refer to the ConnectMenlo EIR (2016) and the Facebook Expansion Project EIR (2016)/EIR Addendum (2017) for applicable background data and impact areas. In particular, ICF will use the mitigation measures from the ConnectMenlo EIR, as applicable.

For each environmental topic, significance thresholds or criteria will be defined in consultation with the City so that it is clear how the EIR classifies an impact. These criteria will be based on CEQA Guidelines, Appendix G, standards used by the City, and our experience in developing performance standards and planning guidelines to minimize impacts.

The analysis will be based on standard methodologies and techniques and will focus on the net changes anticipated at the Project site. The text will clearly link measures to impacts and indicate their effectiveness (i.e., ability to reduce an impact to a less-than-significant level), identify the responsible agency or party, and distinguish whether measures are proposed as part of the Project, are already being implemented (such as existing regulations), or are to be considered. This approach facilitates preparation of the Mitigation Monitoring and Reporting Program (MMRP) that follows certification of an EIR.

The Administrative Draft EIR will also incorporate the alternatives and other CEQA considerations described in Task 7 (below). It is envisioned that the City's initial review of the document will consider content, accuracy, validity of assumptions, classification of impacts, feasibility of mitigation measures, and alternatives analyses. Because the impacts and mitigations are subject to revision based on staff review of the Administrative Draft EIR, the Executive Summary will be prepared only for the Screencheck Draft. The following task descriptions summarize the data to be collected, impact assessment methodologies to be used, and types of mitigation measures to be considered, by environmental issue.

Project Description

The revised draft of the Project Description was submitted to the City and Project Sponsor as part of Task 2, above. The second draft of the Project Description will be included in the Administrative Draft EIR. This will include revisions to the Project Description based on comments from the City and Project Sponsor on the first draft. ICF will also incorporate the data needs responses from the City and Project Sponsor into this draft of the Project Description.

Issues Anticipated to be Less Than Significant

To streamline the EIR process, ICF will "scope out" some environmental topics that do not require detailed discussion in the EIR. These topics will not be evaluated at the level of detail specified for the issues below, but at a level adequate to fully assess the potential effects. This discussion will be presented in the Impacts Found to be Less Than Significant chapter of the EIR.

Based on our preliminary review, the following environmental topics may be scoped out from detailed analysis in the EIR.

- **Agricultural and Forestry Resources.** ICF will describe existing conditions at the Project site, identify General Plan designation and zoning districts, and indicate lack of agricultural and forestry uses at the Project site.
- **Mineral Resources.** ICF will describe existing conditions at the Project site and identify the mineral resources zone classification for soils at the site. It is anticipated that the site does not contain significant mineral resources.
- **Wildfire.** The Project site is not located in or near state responsibility areas, or in an area classified as very high fire hazard severity zones.

Aesthetics

The ConnectMenlo EIR considers views to the Santa Cruz Mountain Range, views to the Bay, and views of the foothills as scenic vistas. The ConnectMenlo EIR determined that no publically accessible views of scenic resources would be blocked by the increasing height limits. The ConnectMenlo EIR determined that buildout in the area would not impact scenic vistas/resources, would not degrade the existing visual character of the area, and would not introduce a significant source of light and glare. The ConnectMenlo EIR conclusions relate to a wide geographic area; the conclusions in the EIR for the Project are anticipated to be consistent with the ConnectMenlo EIR.

The analysis will consider Project site-specific impacts and impacts as viewed from Willow Road, Bayfront Expressway, and the Bay Trail. Data needs to complete the section include massing studies/visual simulations, landscape plans, lighting plans, and building architectural styles. It is assumed that this information will be provided by the Project Sponsor. ICF will prepare the Aesthetics section of the EIR based on the information provided and wil0l conduct the following tasks:

- Visit the Project site and surroundings to identify and photo-document existing visual character and quality conditions, views to and from the Project site, and other urban design features.

- Peer review the massing studies/visual simulations, landscape plans, lighting plans, and shadow diagrams provided by the Project Sponsor.
- Based on scenic resources and scenic vistas identified in ConnectMenlo and the Project Sponsor's massing studies, analyze potential adverse aesthetic effects resulting from the Project:
  - The surrounding scenic vista locations that could be affected by the proposed development include the Bay Trail, and the BCDC Public Shoreline Trail.
  - Scenic vistas in the immediate vicinity that could be affected include the tidal mudflats and marshes of the San Francisco Bay and the Santa Cruz Mountain Range.
  - Analyze potential adverse effects on scenic vistas from adjacent uses and other sensitive viewer locations.
- Review existing and proposed General Plan goals, policies, and programs related to visual quality to determine conflicts with any relevant plans and policies.
- Using the visual simulations and field observations, analyze whether the Project would conflict with applicable zoning and other regulations governing scenic quality due to grading, height, bulk, massing, architectural style, building materials, and other site alterations.
- Analyze lighting and glare impacts created by the proposed buildings, focusing on motorists on Bayfront Expressway and residents of the Belle Haven neighborhood.

Air Quality

ICF will compose the Air Quality section of the EIR using the quantitative and qualitative analyses to be provided by Ramboll (the Project Sponsor's consultant). ICF assumes that the CEQA Technical Analysis Documentation (Task A.14 [Tech Report] in Ramboll's scope of work) will contain sufficient information to complete the EIR section. ICF will conduct a peer review of the Technical Report to ensure that the data, analyses, and conclusions are valid.

In the setting section of the EIR, ICF will summarize meteorological and climatological data for the Project study area, as well as ambient air quality near the Project. Existing state and federal regulations, as well as the locations of sensitive receptors, will also be described. For the discussion of impacts, the analysis will be comprised of the following components:

- Consistency with the BAAQMD's 2017 Clean Air Plan
- Construction emissions inventory of criteria air pollutants
- Operational emissions inventory of criteria air pollutants
- Discussion of the health outcomes associated with the project's construction and operational criteria pollutant emissions.
- Construction health risk assessment based on the project's toxic air contaminants
- Operational health risk assessment based on the project's toxic air contaminants
- Localized carbon monoxide impact analysis
- Odor impact analysis
- Cumulative analysis of toxic air contaminants, carbon monoxide, and odor

As described in Ramboll's scope of work, ICF is assuming that each of the components above will be fully analyzed quantitatively or qualitatively, as applicable, with the results presented in the Tech Report. We are also assuming that the results in the Tech Report will include an analysis of the existing uses at the Project site and that the net effect of the Project will be clearly discernable (i.e., Project emissions – existing site emissions = net emissions). Based on the analysis results of the Tech Report, ICF will use the Bay Area Air Quality Management District's (BAAQMD) most recent CEQA Air Quality Guidelines to evaluate project impacts. The ultimate determination of impact significance will be evaluated with respect to the BAAQMD CEQA Guidelines or other relevant agency guidance. In the EIR, we will describe the air quality thresholds used to identify significant impacts based on the BAAQMD's CEQA Guidelines and guidance provided by BAAQMD staff. The methodology write-up used to analyze Project impacts will be a high-level overview in the EIR section, and readers of the EIR will be referred to the detailed discussion of methods in the Tech Report, which will be included as an Appendix to the EIR.

In the event that the impact results of any of the components listed above would lead to significant impacts, ICF will review the mitigation recommended by Ramboll in the Tech Report. As discussed in the Ramboll scope of work, ICF will participate in discussions with Ramboll, the City, and the Project Sponsor as needed to determine appropriate, feasible mitigation. ICF also assumes that any revised analyses and/or results that would be needed for a mitigated analysis will be provided by Ramboll. If Project impacts cannot be mitigated by the recommended mitigation measures, ICF would report this conclusion in the EIR.

In addition to the tasks described above, ICF will also review the work products described in Ramboll's scope of work. We are assuming that Ramboll will submit relevant modeling files to ICF for Quality Assurance (QA) purposes, and that the relevant files will be suitable for an air quality expert to determine the overall modeling procedures. ICF will review the Methodology Documentation and Tech Report prepared by Ramboll and will provide input on these documents as applicable.

Biological Resources

The ConnectMenlo EIR determined that development could have an impact on special status species, sensitive habitats, migratory wildlife, and wetlands. ConnectMenlo Mitigation Measure BIO-1 requires that prior to individual project approval, project applicants shall prepare and submit project-specific baseline biological resources assessments on sites with features such as mature trees or unused structures that could support special-status species. The existing site is developed with buildings and surface parking lots. As such, natural biological resources are likely to be minimal. Nonetheless, the Project site is in close proximity to the Bay and the Don Edwards San Francisco Bay National Wildlife Refuge and could have an indirect impact on special-status species inhabiting these areas. In addition, buildings and trees currently exist on the campus, which could provide habitat for nesting birds and/or roosting bats. Consistent with the requirements in Mitigation Measure BIO-1, ICF's qualified biologists will conduct the following tasks:

- The Project Sponsor has conducted a baseline Biological Assessment. ICF will peer review the Biological Assessment and provide one round of comments in a memorandum. In addition to technical accuracy, ICF will verify whether the Biological Assessment is adequate for CEQA purposes. If necessary, an ICF biologist will visit the site to verify existing conditions. Once final, ICF will incorporate the Biological Assessment in the Setting section of the Biological Resources EIR chapter. It is assumed that the assessment will determine if any sensitive biological resources are present on the Project site and will include review of Menlo Park's heritage tree ordinance, the California Department of Fish and Wildlife's Natural Diversity Database (CNDDB), the U.S. Fish and Wildlife Service's Special-Status Species Online Database, and the California Native Plant Society's online inventory. ICF will also conduct a site visit to aid in the peer review.
- Based on the Biological Assessment and site visit, ICF will evaluate the Project's effects on the identified biological resources, and recommend mitigation as warranted. Based on prior experience in the region, and the urban nature of the site, ICF anticipates that the prominent issues for the Project will be limited to nesting migratory birds, roosting bats, and protected trees, per the City of Menlo Park heritage tree ordinance. However, with the proximity of Ravenswood Slough, the Don Edwards San Francisco Bay National Wildlife Refuge, and the associated salt marsh habitat, ICF also will address the possibility that special-status species associated with this habitat could be affected by the Project.
- Per Mitigation Measure BIO-1, if sensitive biological resources are determined to be present, appropriate measures should be included in the Biological Assessment, such as preconstruction surveys, establishing no-disturbance zones during construction, and applying bird-safe building design practices and materials. ICF will incorporate the mitigation measures, as applicable.

Greenhouse Gas Emissions

As discussed above for Air Quality, ICF will compose the Greenhouse Gas Emissions section of the EIR using the quantitative and qualitative analyses to be provided by Ramboll. ICF assumes that the CEQA Technical Analysis Documentation (Task A.14 [Tech Report] of Ramboll's scope of work) will contain sufficient information to complete the EIR section.

In the setting section of the EIR, ICF will summarize the GHGs of greatest concern, including carbon dioxide (CO_2), methane (CH_4) and nitrous oxide (N_2O) that directly and indirectly result from the proposed project. The project setting will describe these pollutants and their relationship to global climate change. ICF will include information on applicable federal, state, and local goals, policies, and regulations adopted to reduce GHG emissions. ICF will use the BAAQMD's most recent CEQA Air Quality Guidelines to evaluate Project impacts. For the discussion of impacts, the analysis will be comprised of the following components:

- Construction emissions inventory
- Operational emissions inventory
- Greenhouse gas consistency analysis with applicable plans and regulations

As described in Ramboll's scope of work, ICF is assuming that each of the components above will be fully analyzed quantitatively or qualitatively, as applicable, with the results presented in the Tech Report. We are also assuming that the results in the Tech Report will include an analysis of the existing uses at the Project site and that the net effect of the Project will be clearly discernable (i.e. project emissions – existing site emissions = net emissions). As discussed in Ramboll's scope of work, Ramboll will prepare a memorandum that summarizes the available BAAQMD thresholds and presents alternative GHG thresholds that respond to recent court cases and are based on local conditions. ICF will review the memorandum prepared by Ramboll and will evaluate the findings of their memo.

ICF notes that the BAAQMD's current CEQA Guidelines that include operational GHG thresholds for land use development and stationary source projects are tailored to the state's 2020 GHG reduction goal, and therefore may not be appropriate to evaluate project-level emissions generated after 2020. BAAQMD is currently working on an update to their CEQA Guidelines, which is expected to include GHG thresholds to project-level GHG emissions relative to the state's post-2020 GHG reduction targets. Because the regulatory environment for GHG emissions is evolving, the significant threshold(s) for evaluating the operational GHG impacts for the Project will be finalized at the time of analysis preparation. The ultimate threshold(s) will be selected in coordination with BAAQMD, the City, and Ramboll, and consider all applicable case law and air district and expert agency guidance. ICF will use the GHG threshold(s) to evaluate the Project's significance based on the considerations above, which may or may not be consistent with the findings of Ramboll's memorandum.

ICF expects that because the decision on the appropriate GHG threshold to be used will be developed in concert with the Project Sponsor, City, and Ramboll, all parties will ultimately be in agreement on the appropriate approach. ICF will also review the consistency table to be provided by Ramboll that outlines the Project's consistency with applicable regulations, plans, policies, etc. ICF will provide feedback on this consistency on this analysis as applicable.

The methodology write-up used to analyze Project impacts will be a high-level overview in the EIR section, and readers of the EIR will be referred to the detailed discussion of methods in the Tech Report, which will be included as an Appendix to the EIR.

In the event that the impact results of any of the components listed above would lead to significant impacts, ICF will review the mitigation recommended by Ramboll in the Tech Report. As discussed in the Ramboll scope of work, ICF will participate in discussions with Ramboll, the City, and the Project Sponsor as needed to determine appropriate mitigation. ICF also assumes that any revised analyses and/or results that would be needed for a mitigated analysis will be provided by Ramboll. If Project impacts cannot be mitigated by the recommended mitigation measures, ICF would report this conclusion in the EIR.

In addition to the tasks described above, ICF will also review the work products described in Ramboll's scope of work. We are assuming that Ramboll will submit relevant modeling files to ICF for Quality

Assurance (QA) purposes, and that the relevant files will be suitable for an air quality expert to determine the overall modeling procedures. ICF will review the Methodology Documentation and Tech Report prepared by Ramboll and will provide input on these documents as applicable.

Cultural and Tribal Resources

ICF will prepare the Cultural Resources section of the EIR and will conduct the following tasks:

- Where applicable, ICF will use information presented in the ConnectMenlo EIR in the Cultural Resources analysis.
- It is ICF's understanding that an Archeology Report is being prepared by the Project Sponsor. Therefore, ICF's senior archaeologist will peer review the archaeological technical report prepared for the Project to assess whether there are any substantive data gaps or items that require additional clarification as well as assess the report for CEQA adequacy. ICF will provide comments in the form of a memorandum, and participate in up to two one-hour teleconference calls to discuss the technical report with the client and/or their archaeological consultant. ICF will also conduct a site visit to aid in the peer review. Once the Archeology Report is considered final, ICF will incorporate it into the EIR and include mitigation measures, as applicable.
- This scope of work assumes that the Archeology Report conducted by the Project Sponsor will include an updated records search at the Northwest Information Center (NWIC). As needed, ICF can conduct records searches and archival research, if not included in the Archeology Report, to identify any previously documented cultural resources and cultural resources studies that have previously occurred within the vicinity of the Project site. ICF will review historic maps, ethnographic literature, and any related documents on-file with the City.
- The Project would demolish all 21 buildings at the Project site, which includes a mix of office, research and development (R&D), and warehousing uses. Of these, five buildings are 45 years or older. Per ConnectMenlo Mitigation Measure CULT-1 and best practices for built environment resource evaluation, ICF will prepare State of California, Department of Parks and Recreation (DPR) 523 Form A and B forms for the five properties that are 45 years or older. The DPR forms will document the eligibility of the properties under California Register of Historical Resources (CRHR) and the National Register of Historic Places (NRHP) criteria. Each DPR form set will include a detailed description of the respective property, construction history, sketch map, historic context, and an evaluation of the property for listing under CRHR/NRHP criteria. Archival research and pedestrian survey will inform the documentation of current conditions of the properties and the significance evaluations in the DPR forms. This scope assumes that the buildings will be found to not be historic resources. If it is determined that these buildings are historic resources, then a revised scope of work and budget amendment will be needed to complete the work.
- ICF will contact the California Native American Heritage Commission and interested Native American Representatives to help identify any locations of concern to the local Native American community. The results of this review will be integrated into the EIR. If requested by the City, ICF

will assist with the City's outreach to Native Americans in accordance with the project's AB-52 and SB-18 obligations. Assistance will include writing correspondence on behalf of the city, tracking and compiling correspondence, and identifying critical path items that arise as a result of the correspondence, including consultation. The results of this correspondence will be integrated into the project's EIR and ICF will analyze whether the Project would cause a substantial adverse change in the significance of a tribal resource

- Pursuant to ConnectMenlo Mitigation Measure CULT-1, the Cultural Resources section of the EIR will summarize the historic context of the Project site, methods employed in the documentation and evaluation of built environment resources, and CRHR evaluations documented in the DPR form sets. If it is determined that any building within the Project site is a historical resource, ICF will prepare a scope amendment to incorporate appropriate mitigation measures in the EIR.

Energy Resources

ICF will use the quantitative energy values for building energy (electricity and natural gas) and transportation fuel (construction and operational equipment/vehicles) provided by Ramboll, as part of their air quality and greenhouse gas analyses. ICF will make a determination as to whether the Project would result in the inefficient, wasteful, or unnecessary consumption of energy pursuant to Appendix G of the CEQA Guidelines. ICF will also evaluate whether the Project would conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The review of Ramboll's energy resources calculations is included in the Air Quality and Greenhouse Gas scopes, above.

Geology/Soils

The ConnectMenlo EIR found impacts related to geology and soils to be less than significant. ICF will use the discussion and findings in the ConnectMenlo EIR, but supplement the analysis with site-specific information. Based on the ConnectMenlo EIR technical information received for the Project site, ICF will prepare the Geology/Soils section of the EIR and will conduct the following tasks:

- Obtain the Geotechnical Report from the Project Sponsor and review.
- Evaluate the geohazard risks from development at the Project site, using the Geotechnical Report, available geologic and/or soils maps, published literature, and other information, reports, and/or plans. The main issue that will be analyzed is the seismic and geotechnical safety of the proposed buildings.
- Assess potential geohazard impacts of the Project in light of existing regulations and policies that would serve to minimize potential impacts. Pertinent regulatory requirements, as outlined in ConnectMenlo, will be identified so that the nexus between regulations and minimized impacts is apparent. In general, construction of development similar to the Project has little or no effect on the geology of an area, but is still subject to seismic ground shaking and local soil conditions, including ground oscillation and long-term and differential settlement.

- ICF will also consider impacts on paleontological resources and human remains. Standard mitigation measures, as outlined in the ConnectMenlo EIR, will be identified.

Hazards and Hazardous Materials

This scope assumes that a Phase I Environmental Site Assessment (ESA) will be provided to ICF. Based on the information in the Phase I ESA, ICF will conduct the following tasks:

- Describe applicable federal, state, and local regulations and how these regulations apply to the Project and reduce the potential for impact. Information in the ConnectMenlo EIR will be used, as appropriate.
- Identify potential exposure to hazardous materials or waste during construction activities and during long-term operation at the Project site. Demolition of the existing structures could potentially result in the release of hazardous materials (asbestos or lead-based paint). ICF will consider this in the analysis.
- Evaluate potential public health risks at the site from groundwater and soil contamination from prior land uses. In addition, the analysis will focus on any potentially poor hazardous materials "housekeeping" practices at the site or from nearby uses. This information will be augmented by the Phase I ESA. The Project site is not listed as a hazardous materials site. However, according to the ConnectMenlo EIR, an open hazardous materials site listed on EnviroStor is located at 990 O'Brien Drive, to the south of the Project site. In addition, in 2017, a site at 1010 O'Brien Drive, also to the south of the Project site, was listed as an open cleanup program site on GeoTracker. ICF will consider this in the analysis.
- Include a discussion of the potential hazardous materials that could be used during the operation of the Project and any potential releases of these materials.
- Include a discussion of the potential public health risk from exposure to hazardous building components in the structures to be demolished at the Project site (e.g., asbestos, PCBs, etc.). Our scope does not assume the preparation of a quantitative health risk from hazards and hazardous materials.
- As needed, the Project will be required to comply with ConnectMenlo Mitigation Measure HAZ-4a and HAZ-4b which require a project-specific Environmental Site Management Plan and a vapor intrusion assessment, respectively. As necessary, compliance with these mitigation measures will be described in the EIR.
- Consider how the Project could interfere with an adopted emergency response plan and/or the airport land use plan for the Palo Alto Airport.

Hydrology/Water Quality

Based on technical information received from the Project Sponsor (such as a hydrology/drainage report), ICF will prepare the Hydrology/Water Quality section of the EIR and will conduct the following tasks:

- Describe the existing regulatory environment at the local, state, and federal levels, including, but not limited to, the Construction General Permit, Municipal Regional Permit for stormwater discharges (including how the project relates to C.3 requirements), the City of Menlo Park Municipal Code, and the California Building Code. ICF will incorporate information from ConnectMenlo, as applicable. These regulations require specific measures for reducing potential impacts on hydrology and water quality as well as from flooding.

- Assess potential Project hydrology and water quality impacts in light of existing regulations and policies that would serve to minimize potential impacts. Pertinent regulatory requirements will be explicitly identified so that the nexus between regulations and minimized impacts is apparent.
- Per ConnectMenlo EIR, each new development project is required, as part of the CEQA process, to demonstrate that stormwater runoff from the site would not result in an increase from pre-development flows. ICF will discuss compliance with these requirements.
- Discuss sea level rise and evaluate future flooding scenarios.

Land Use

Land use and planning analysis generally considers division of an established community and consistency of a proposed project with relevant local land use policies that have been adopted with the intent to mitigate or avoid an environmental effect. With respect to land use conflicts, the magnitude of these impacts depends on how a proposed project affects the existing development pattern, development intensity, traffic circulation, noise, and visual setting in the immediately surrounding area, which are generally discussed in the respective sections. However, per the Connnect Menlo EIR (Mitigation Measure LU-2), all proposed development is required to demonstrate consistency with the applicable goals, policies, and programs in the General Plan and supporting zoning standards. Therefore, ICF will conduct the following tasks:

- The ConnectMenlo EIR considered the compatibility of the proposed land uses and zoning with current onsite and offsite development. The EIR will reiterate the findings of the ConnectMenlo EIR; it is not anticipated that further land use compatibility discussion will be needed.
- Tiering from the discussion in the Impact LU-1 in the ConnectMenlo EIR, describe the Project's potential to divide an established community highlighting any site-specific features that were not already considered in the ConnectMenlo analysis.
- For applicable plans other than the General Plan and zoning standards, a policy consistency analysis (only for policy conflicts that could result in environmental impacts) will be conducted and will focus only on those Project features that differ from what was considered in the ConnectMenlo EIR since that analysis did a comprehensive policy consistency analysis. The EIR will, however, evaluate the Project against relevant General Plan (including ConnectMenlo) policies and supporting zoning standards, in accordance with Mitigation Measure LU-2.

Noise

ICF will prepare a noise and vibration impact analysis that employs standard noise and vibration modeling techniques consistent with the requirements of the City of Menlo Park General Plan Noise Element and noise section of the City's municipal code. As appropriate, data and analyses from the General Plan Update effort as well as the ConnectMenlo EIR can be used to complete this chapter of the EIR.

Primary noise sources in the Project vicinity include local and regional roadway traffic on nearby roads, including Bayfront Expressway and Willow Road. Noise-sensitive receptors in the Project vicinity include residential uses located directly across Willow Road to the west of the Project site. Other sensitive receptors could be identified during the screening process. Due to the development intensity at the Project site, the Project would be expected to result in greater noise levels compared to existing conditions.

The discussion of construction noise and vibration impacts will rely on the analysis in the ConnectMenlo EIR, and will include applicable mitigation measures from that EIR that would be required for the Project. Therefore, construction noise (ConnectMenlo Mitigation Measure NOISE-1c), construction vibration (ConnectMenlo Mitigation Measure NOISE-2a), and potential noise impacts to future on-site land uses (ConnectMenlo Mitigation Measures NOISE-1a and NOISE-1b) will be mitigated through the application of relevant mitigation measures. If desired by the City, ICF can prepare the specific vibration analysis required by Mitigation Measures NOISE-2a and NOISE-2b and/or the acoustical study for future on-site uses required by Mitigation Measure NOISE-1a during the CEQA process for integration into the EIR. If desired, our scope and budget will be modified accordingly.

ICF will address the following key noise issues:

- Exposure of existing noise sensitive land uses to Project-related changes in traffic noise. Although the Project was considered in the ConnectMenlo EIR, the access points for vehicles have changed. In addition, the Project was not analyzed in the ConnectMenlo EIR at the Project level (only cumulative traffic noise impacts of all expected future projects were discussed). As a result, traffic noise for roadway segments in the Project vicinity will need to be analyzed based on new Project-specific traffic numbers.
- Exposure of existing noise sensitive land uses to operational noise from the Project site (mechanical equipment, parking lots, loading docks, etc.).

Although one noise measurement for the ConnectMenlo EIR is located adjacent to the Project site, additional noise measurements would help to characterize the existing noise environment in the Project area for a proposed development of this size. Existing noise levels in the Project area will be characterized based on noise monitoring to be conducted at selected locations and traffic noise modeling, as follows:

- It is anticipated that short-term (15 minutes or less) noise monitoring will be conducted at up to two locations in the Project area. Continuous long-term monitoring (24 hours or more) will be conducted at up to two locations in the Project area.
- Existing traffic noise conditions in the Project area will be modeled using the FHWA Traffic Noise Model (TNM) version 2.5 and traffic data to be provided by the Project traffic engineer.

Traffic noise will be evaluated under the conditions analyzed in the Transportation section, which should include: Existing, Near Term Conditions, Near Term + Project Conditions, and Cumulative with and without the Project. Traffic noise along as many as 10 roadway segments will be modeled. The significance of traffic noise impacts will be evaluated using significance thresholds established based on applicable City noise standards. Where significant impacts are identified, mitigation measures to reduce impacts will be identified.

Impacts on adjacent uses from noise generated by facility operation including a possible on-site co-generation plant, loading docks, parking lots, and mechanical equipment will be evaluated using standard acoustical modeling methods and operational data provided by the Project Sponsor. The significance of noise impacts will be evaluated using the significance thresholds. Where significant impacts are identified, mitigation measures to reduce impacts, as feasible, will be identified.

Population/Housing

Although this analysis could potentially tier from the ConnectMenlo EIR, due to the Settlement Agreement with East Palo Alto and the public interest in this topic, ICF proposes to do a full analysis of potential impacts to population and housing. The Project would include office, retail, and hotel uses, which would generate new employees at the Project site. In addition, the Project would include approximately 1,500 housing units, directly increasing the population in the City consistent with growth planned in Connect Menlo. ICF will analyze the impact of the increase in employees and residents. The Population and Housing chapter of the EIR will examine the Project's effect on population and housing in the City, and to a lesser extent, the region. This analysis will focus on the increase in population and the secondary effects associated with housing needed to accommodate the increased employment that would result from the Project. ICF, with assistance from an HNA subconsultant, will undertake the following tasks:

- ICF will obtain additional information from the Project Sponsor, including the number of existing employees at the Project site and the assumptions for how many employees could also live at the proposed housing, if available.
- A Housing Needs Assessment (HNA) will be prepared by a subconsultant, which will be selected at a later date. Once the subconsultant is selected, a budget amendment will be required to include this task as part of the EIR. ICF will work closely with the subconsultant throughout the process and will peer review the HNA and incorporate the findings into the analysis.
- Discuss the housing effect resulting from the Project in the context with the Association of Bay Area Governments (ABAG) regional household forecasts and fair share housing allocations.
- ICF will evaluate the direct population impacts from the proposed housing at the Project site.
- Similar to other job intensive projects, the EIR will examine the secondary housing demands based on future residential patterns for Project employees.
- One of the key terms of the Settlement Agreement between the City of Menlo Park and the City of East Palo Alto is that an HNA will be prepared when the preparation of an EIR is required. As

required by the Settlement Agreement, the HNA prepared for the Project will include an analysis of the multiplier effect for indirect and induced employment to the extent possible.

Public Services and Recreation

It is ICF's understanding that the population increases associated with the Project site as assumed in the ConnectMenlo EIR may be less than what is now anticipated. Thus, ICF proposes to not tier from the ConnectMenlo EIR and conduct a full analysis for the impacts to public services and utilities since the magnitude of impacts could be greater than what was previously disclosed. Based on information received from various service providers, ICF will prepare the Public Services section of the EIR. BAE will conduct an FIA (Attachment B) and ICF will coordinate the FIA findings with the Public Services section to ensure that we are efficient in our requests for information from the public service providers. As appropriate, ICF will utilize existing data gathered as part of the ConnectMenlo EIR. ICF will conduct the following tasks:

- As necessary, send public service questionnaires to the City's police department, community services department, library, fire district, and the school district to determine current service levels and capacity to serve increased demand. For efficiency, ICF will coordinate these questionnaires with BAE.
- Estimate Project-generated demand for public services based on existing operational standards obtained from the service providers. Other measures of demand will also be considered, such as the projected increase in the calls for service and the projected demand of recreational facilities and library services. ICF will consider the direct impacts from the residents living at the Project site and the secondary effects of adding to the residential population due to employment growth.
- In accordance with CEQA, evaluate the extent to which Project demands would trigger the need for new public facilities whose construction might result in physical environmental effects.

Transportation

The scope of work for the Transportation analysis is included as Attachment A (Hexagon).

Utilities/Service Systems

As appropriate, the ConnectMenlo EIR will be summarized. However, the EIR will evaluate the site-specific nature of certain utilities such as storm drain and wastewater infrastructure. The Utilities/Services Systems section of the EIR will examine the Project's effect on water supply, wastewater treatment, storm drainage, solid waste disposal, telecommunications facilities, and energy generation and transmission. Information for these analyses is expected to come from the Project Sponsor and the City. Per discussions with the Project Sponsor, ICF will assume a Code-compliant project for a conservative analysis. Based on technical information for the Project site, and information received from the utility providers, ICF will prepare the Utilities/Service Systems section of the EIR and will conduct the following tasks:

- Discuss applicable regulations at the local, state, and federal level, using the ConnectMenlo EIR where applicable.
- Peer review utilities data prepared by the Project Sponsor for adequacy and use in the EIR.
- ICF assumes the City will require a Water Supply Assessment for the Project. ICF will peer review the WSA which will be provided by the City and incorporate the WSA into the analysis.
- Describe existing utility providers, system capacity, and improvement plans, using the ConnectMenlo EIR where applicable.
- Evaluate the net change in the demand for water, wastewater, storm drainage, solid waste, telecommunications, and energy, relative to existing and planned capacity for the utilities and using the ConnectMenlo EIR where applicable.
- Discuss whether Project impacts would require the expansion or construction of new infrastructure or facilities.
- Include a discussion of fuel and energy consumption pursuant to Appendix F of the CEQA Guidelines.

Deliverables

- Five hard copies of Administrative Draft EIR
- One electronic copy of Administrative Draft EIR in MS Word
- One electronic copy of Administrative Draft EIR in Adobe PDF format

Task 6. Project Variants

The Project could include additional and/or alternative access to/from the Project site, along with other onsite features than currently proposed. All potential variants to the Project will be analyzed as a separate chapter in the EIR, as follows:

- **Increased Housing.** A maximum of approximately 1,700 dwelling units could be constructed at the Project Site. The EIR will analyze the development of up to 1,500 housing units, but to provide development flexibility, a variant will be analyzed to include the construction and operation of approximately 1,700 units.
- **Hamilton Realignment.** Hamilton Avenue could be realigned at the intersection with Willow Road. ICF would consider the environmental impacts associated with the construction of the realignment. In addition, as a result of the realignment, an existing gas station would need to be relocated across the street. ICF would analyze the environmental impacts associated with demolition and construction of a gas station. For purposes of this analysis, it is assumed that the replacement gas station would be the same size as existing; therefore, operational impacts would not be considered since there would be no change compared to existing conditions.
- **Willow Road/Dumbarton Rail Corridor Crossing.** A grade-separate crossing is proposed for bicycles, pedestrians, and campus trams. It is currently unknown whether this proposed crossing

would be above or below grade. The EIR will analyze one of the options as part of the Project, while the other option will be analyzed in the Variants chapter.

- **Recycled Water.** It is currently unknown whether the recycled water system would be used at the Project site only, or if it should be a public utility. The onsite system will be analyzed as part of the Project, while the system as a public utility would be analyzed in the Variants chapter.
- **Others.** Other potential variants could include different programming for the proposed park and community amenities.

Task 7. Project Alternatives and Other CEQA Considerations

The purpose of this task is to complete drafts of the remaining sections (Alternatives and Other CEQA Considerations) of the EIR for City staff review. This task involves preparation of other required sections examining particular aspects of the Project's effects and the identification and comparison of Project alternatives.

Other CEQA Considerations

This task involves documenting unavoidable adverse impacts, growth-inducing effects, and cumulative effects of the Project:

- The unavoidable effects will be summarized from analyses performed in Task 6.
- Growth-inducing effects will be based on economic multipliers for the proposed uses, as well as comparisons with ABAG projections for the City. Growth inducement will be discussed in the context of population increases, utility and public services demands, infrastructure, and land use. Effects associated with increased housing demand in the City and region will be discussed.
- Cumulative effects where relevant will be addressed in Task 6 and summarized as part of this section of the EIR. The future projects in the vicinity of the Project site will be considered as they relate to potential cumulative impacts. This scope assumes the City will help develop the approach for analyzing cumulative effects, typically a combination of using the General Plan and a list of reasonably foreseeable planned projects.

Alternatives

The alternatives to the Project must serve to substantially reduce impacts identified for the Project while feasibly attaining most of the Project objectives. ICF assumes that one Reduced Project Alternative will be quantitatively analyzed and will be based on a sensitivity analysis to reduce identified impacts, unless the Project Sponsor has a preferred alternative. The No Project Alternative will also be analyzed. Up to two additional alternatives could be developed by ICF, the City, and/or the Project Sponsor and evaluated qualitatively. This scope assumes that the City/Project Sponsor will provide justification for dismissing offsite alternatives and other alternatives considered but rejected.

Deliverables

- Other CEQA Considerations chapter to be submitted with Administrative Draft EIR

- Alternatives chapter to be submitted with Administrative Draft EIR

Task 8. Screencheck Draft

The purpose of this task is to prepare the Screencheck Draft EIR for City staff review. ICF will prepare a Screencheck Draft EIR to respond to the City's and Project Sponsor's comments on the Administrative Draft EIR. This scope assumes that comments from multiple reviewers will be consolidated with any conflicting comments resolved, and that comments do not result in substantial revisions or additional analyses. The Screencheck Draft EIR will include an Executive Summary section, which will summarize the Project Description, impacts and mitigations, and alternatives. Impacts and mitigations will be presented in a table that identifies each impact, its significance, and proposed mitigation as well as the level of significance following adoption for the mitigation measures.

Deliverables

- Five hard copies of Screencheck Draft EIR
- Electronic copies of Screencheck Draft EIR in MS Word and Adobe PDF format

Task 9. Public Draft EIR

The purpose of this task is to prepare and submit the Draft EIR to the City for distribution to the public. ICF will revise the Screencheck Draft to incorporate modifications identified by the City. The revised document will be a Draft EIR, fully in compliance with State CEQA Guidelines and City guidelines, and will be circulated among the public agencies and the general public as well as specific individuals, organizations, and agencies expressing an interest in receiving the document. During this task, ICF will also compile the appendices that will be distributed with the Draft EIR and produce a version of the full document that can be uploaded onto the City's website. ICF will also prepare a Notice of Completion (NOC) to accompany the copies that must be sent to the State Clearinghouse. This scope of work and budget assumes that ICF will send the required documents to the State Clearinghouse and that the City will distribute the Draft EIRs to all other recipients.

Once the City has been notified of the intent to pursue AB 900 certification, ICF will concurrently prepare the Administrative Record. In addition, ICF will show compliance with AB 900 requirements regarding the posting on the City's website.

Deliverables

- Thirty-five hard copies of the Draft EIR with appendices in CDs
- Electronic copies of the Draft EIR in MS Word and in Adobe PDF format
- Notice of Completion
- Fifteen hard copies of the Executive Summary, along with 15 electronic copies of the entire Draft EIR on CD, for the State Clearinghouse
- One electronic copy of the Draft EIR Administrative Record, pursuant to AB 900.

City Involvement

Review the Notice of Completion. Prepare and file the Notice of Availability with the County Clerk. Distribute the NOA and Draft EIRs (other than to the State Clearinghouse), and handle any additional noticing (e.g., newspaper, posting at site).

Task 10. Public Review and Hearing

The City will provide a 45-day review period during which the public will have an opportunity to review and comment on the Draft EIR. During the 45-day review period, the City will hold a public hearing to receive comments on the Draft EIR. ICF key team members will attend and participate as requested. This scope of work assumes the preparation of meeting materials (e.g., PowerPoint presentations and handouts) but does not assume the labor needed to provide meeting transcript/minutes.

Task 11. Draft Responses to Comments and Administrative Final EIR

The purpose of this task is to prepare responses to the comments received on the Draft EIR and incorporate these responses into an Administrative Final EIR for City review. The Administrative Final EIR will include:

- Comments received on the Draft EIR, including a list of all commenters and the full comment letters and public meeting transcripts with individual comments marked and numbered;
- Responses to all comments; and
- Revisions to the Draft EIR in errata format as necessary in response to comments.

All substantive comments for each written and oral comment will be reviewed, bracketed, and coded for a response. Prior to preparing responses, ICF will meet with staff to review the comments and suggest strategies for preparing responses. This step is desirable to ensure that all substantive comments are being addressed and that the appropriate level of response will be prepared. This scope of work and budget assumes ICF will prepare responses for up to 100 substantive discrete, non-repeating comments and will coordinate integrating the responses prepared by other consultants. However, the number and content of public comments is unknown at this time. Therefore, following the close of the Draft EIR public review period and receipt of all public comments, ICF will meet with the City to revisit the budget associated with this effort to determine if additional hours are needed. Very roughly, each additional substantive discrete comment may cost an additional $350.

Frequently raised comments of a substantive nature may be responded to in a Master Response, which allows for a comprehensive response to be presented upfront for all interested commenters. ICF will identify and recommend possible Master Reponses for City consideration during the initial meeting to discuss strategies for preparing responses.

Following the strategy session, ICF will prepare Master Responses (as appropriate) and individual responses to the bracketed and coded comments. Individual responses to each comment letter will be placed immediately after the comment letter. As necessary, responses may indicate text revisions, in addition to clarifications and explanations. All text changes stemming from the responses to the comments, as well as those suggested by City staff, will be compiled into an errata included as part of the Final EIR.

Following City's review of the Administrative Final EIR, ICF will address all comments received and prepare a Screencheck Final EIR for City review to ensure that all comments on the Draft were adequately addressed.

Deliverables

- Five hard copies of the Administrative Final EIR
- Electronic copies Administrative Final EIR in MS Word and in Adobe PDF format
- Five hard copies of the Screencheck Final EIR
- Electronic copies of the Screencheck Final EIR in MS Word and in Adobe PDF format

Task 12. Screencheck and Final EIR

Based on comments received from City staff, the Screencheck Responses to Comments will be revised and appropriate revisions to the Draft EIR will be noted. This scope assumes that comments from multiple reviewers will be consolidated with any conflicting comments resolved, and that comments do not result in substantial revisions or additional analyses. The Final EIR will then consist of the Draft EIR and the Responses to Comments document. Revisions to the Draft EIR will be presented as a separate chapter in the Final EIR. The revised Responses to Comments document will be submitted to the City for discussion by the Planning Commission and subsequent certification by the City Council.

Deliverables

- Twenty hard copies of the Final EIR with appendices in CDs
- Electronic copies of the Final EIR in MS Word and Adobe PDF format

Task 13. Certification Hearings, MMRP, Statement of Overriding Considerations, and Final Administrative Record

The purpose of this task is to attend meetings to certify the EIR. Team members will attend and participate in up to two meetings to certify the EIR. If requested by City staff, ICF will present the conclusions of the EIR and a summary of the comments and responses.

As part of this task, ICF will also prepare a draft and final MMRP for the Project, as required by Section 15097 of the State CEQA Guidelines. The MMRP will be in a tabular format and include:

- The mitigation measures to be implemented
- The entity responsible for implementing a particular measure
- The entity responsible for verifying that a particular measure has been completed
- A monitoring milestone(s) or action(s) to mark implementation/completion of the mitigation measure

ICF will prepare the Statement of Overriding Considerations pursuant to Section 15093 of the CEQA Guidelines, if required based on the impacts of the Project. CEQA requires the decision-making agency to balance the economic, legal, social, and technological benefits of a proposed project against its unavoidable environmental impacts. The Statement of Overriding Considerations includes the specific reasons to support its action based on the Final EIR and other information in the record.

ICF will also compile the Administrative Record, assembling background documents as well as correspondence or telephone notes that are cited as sources in the EIR.

Deliverables

- Electronic copies of the Draft MMRP in MS Word and Adobe PDF format
- Five hard copies of the Final MMRP
- Electronic copies of the Final MMRP in MS Word and Adobe PDF format
- Electronic copies of the Draft Statement of Overriding Considerations in MS Word and Adobe PDF format
- Electronic copies of the Final Statement of Overriding Considerations
- One electronic copy (on CD or DVD) of the final Administrative Record

C. Cost

The cost estimate to implement Phase II of the EIR is $967,522, as detailed in Attachment C.

HEXAGON TRANSPORTATION CONSULTANTS, INC.

May 9, 2019

Ms. Kirsten Chapman
ICF
201 Mission Street, Suite 1500
San Francisco, CA 94105

Re: Proposal to Prepare a Transportation Impact Analysis for the Proposed Willow Village Project in Menlo Park, CA.

Dear Ms. Chapman:

Hexagon Transportation Consultants, Inc. is pleased to submit this proposal to prepare a Transportation Impact Analysis (TIA) for the proposed Willow Village project in Menlo Park, CA. The approximately 59-acre project site is bounded to the north by the Dumbarton rail corridor, to the south by the Hetch Hetchy right-of-way and Mid-Peninsula High School, Willow Road to the west and existing life science complex to the east. The project proposes to demolish the existing approximately one million s.f. of industrial/office/warehouse buildings on site and build a mixed-use development including approximately 1,500 residential units, 125,000 to 200,000 s.f. of retail (non-office commercial) uses, a 200- to 250-room hotel and a 1.75 million s.f. office campus. A variant project description increasing the residential component to approximately 1,700 units is being considered.

Site access to the project site would be provided by three intersections on Willow Road (at Hamilton Avenue, and two new driveways south of Hamilton Avenue), a new intersection on O'Brien Drive at the southeast corner of the project site, and Adams Court. A variant to re-align the Hamilton Avenue intersection is also being considered.

Scope of Services

The purpose of the traffic study is to satisfy the requirements of the City of Menlo Park and the City/County Associations of Governments (C/CAG) Congestion Management Program (CMP). The traffic analysis will include an analysis of weekday AM and PM peak-hour traffic conditions and will determine the traffic impacts of the proposed project on 49 key intersections, 20 freeway segments and 8 freeway ramps in the vicinity of the site. The study will also analyze 10 roadways segments for Average Annual Daily Traffic (AADT) analysis. All internal intersections and driveways proposed on the project site (approximately 20 intersections/driveways based on the February 8, 2019 site plan) will also be evaluated. The external intersections, freeway segments and freeway ramps that we propose to study are identified below.

Study Intersections

1. Marsh Road & Bayfront Expressway [CMP]
2. Marsh Road & US 101 Northbound Off-Ramp
3. Marsh Road & US 101 Southbound Off-Ramp
4. Marsh Road & Scott Drive
5. Marsh Road & Bohannon Drive/Florence Street
6. Marsh Road & Bay Road
7. Marsh Road & Middlefield Road [Atherton]

8. Chrysler Drive & Bayfront Expressway
9. Chilco Street & Bayfront Expressway
10. MPK 21 Driveway (west) & Bayfront Expressway
11. MPK 20 Driveway (east) & Bayfront Expressway
12. Chrysler Drive & Constitution Drive
13. Chilco Street & Constitution Drive/MPK 22 Driveway (unsignalized)
14. Chilco Street & Hamilton Avenue (unsignalized)
15. Ravenswood Avenue & Middlefield Road
16. Ringwood Avenue & Middlefield Road
17. Willow Road & Bayfront Expressway [CMP]
18. Willow Road & Hamilton Avenue
19. Willow Road & North Street (future intersection)
20. Willow Road & Park Street (future intersection)
21. Willow Road & Ivy Drive
22. Willow Road & O'Brien Drive
23. Willow Road & Newbridge Street [East Palo Alto]
24. Willow Road & US 101 Northbound Ramps [East Palo Alto]
25. Willow Road & US 101 Southbound Ramps
26. Willow Road & Bay Road
27. Willow Road & Hospital Plaza/Durham Street
28. Willow Road & Coleman Avenue
29. Willow Road & Gilbert Avenue
30. Willow Road & Middlefield Road
31. O'Brien Drive/Loop Road & Main Street/O'Brien Drive (future intersection)
32. O'Brien Drive & Kavanaugh Drive (unsignalized)
33. Adams Drive & Adams Court (unsignalized)
34. Adams Drive & O'Brien Drive (unsignalized)
35. University Avenue & Bayfront Expressway [CMP]
36. University Avenue & Purdue Avenue (unsignalized)
37. University Avenue & Adams Drive (unsignalized) [East Palo Alto]
38. University Avenue & O'Brien Drive [East Palo Alto]
39. University Avenue & Kavanaugh Drive/Notre Dame Avenue [East Palo Alto]
40. University Avenue & Bay Road [East Palo Alto]
41. University Avenue & Runnymede Street [East Palo Alto]
42. University Avenue & Bell Street [East Palo Alto]
43. University Avenue & Donohoe Street [East Palo Alto]
44. US 101 Northbound Off-Ramp & Donohoe Street [East Palo Alto]
45. Cooley Avenue & Donohoe Street [East Palo Alto]
46. University Avenue & US 101 Southbound Ramps [East Palo Alto]
47. University Avenue & Woodland Avenue [East Palo Alto]
48. University Avenue & Middlefield Road [Palo Alto]
49. Lytton Avenue & Middlefield Road [Palo Alto]

Note: This proposal includes budget to study a few additional intersections if necessary.

CMP Roadway Segments

San Mateo County:

- SR 84 – 4 CMP segments between Alameda de las Pulgas and Alameda County Line
- US 101 – 2 CMP segments between SR 92 and Santa Clara County Line
- SR 109 – 1 CMP segment between Kavanaugh Drive and SR 84
- SR 114 – 1 CMP segment between US 101 and SR 84

Santa Clara County:

- US 101 – 8 CMP segments between Embarcadero Road and SR 85

Alameda County

- SR 84 – 4 CMP segments between San Mateo County Line and I-880

Freeway Ramps

- US 101/Marsh Road Interchange – 2 ramps
- US 101/Willow Road Interchange – 4 ramps
- US 101/University Avenue Interchange – 2 ramps

Roadway Segments for AADT Analysis

Minor Arterials

1. Willow Road, north of Durham Street [Avenue – Mixed Use]
2. Willow Road, north of Blackburn Avenue [Avenue – Mixed Use]
3. Middlefield Road, west of Willow Road [Avenue – Mixed Use]
4. Middlefield Road, east of Willow Road [Avenue – Mixed Use]

Collectors

5. Marsh Road, north of Bohannon Drive [Mixed Use Collector]
6. Hamilton Avenue, east of Madera Avenue [Neighborhood Collector]
7. O’Brien Drive, east of Willow Road [Mixed Use Collector]
8. O’Brien Drive, west of University Avenue [Mixed Use Collector]
9. Adams Drive, west of University Avenue [Mixed use Collector]
10. Bay Road, west of Willow Road [Neighborhood Collector]

It should be noted that Hexagon has prepared an interim proposal for this project to collect travel time data on Willow Road and conduct field observations for approximately 30 to 35 intersections. The interim proposal has a budget of $16,000. These tasks will not be repeated in the scope below and will not be reflected in this proposal’s budget or schedule breakdowns.

The tasks to be included in this proposal are:

1. ***Site Reconnaissance***. The physical characteristics of the site and the surrounding roadway network will be reviewed to identify existing roadway cross-sections, intersection lane configurations, traffic control devices, and surrounding land uses.

2. ***Observation of Existing Traffic Conditions in the Study Area.*** Existing traffic conditions will be observed in the field in order to identify any operational deficiencies and to confirm the accuracy of calculated levels of service. This task includes conducting field observations for the remaining approximately 20 study intersections not covered by the interim proposal.

3. ***Data Collection***. It is assumed that intersection counts at all study intersections and AADT counts at all 10 study roadway segments will be provided by City staff. This task does not include conducting additional counts. Freeway segment traffic counts will be obtained from the latest Congestion Management Program (CMP) monitoring report.

4. ***Evaluation of Existing Conditions***. Existing traffic conditions will be evaluated based on existing traffic volumes at the study intersections. Study intersections within each jurisdiction will be evaluated using the jurisdiction's approved software and analysis methodologies. Due to the close proximity of the intersections at University Avenue and Donohoe Street, at US 101 Northbound Off-Ramp and Donohoe Street and at University Avenue and US 101 Southbound Ramps, these three intersections will be analyzed using the Synchro/SimTraffic software using the latest micro-simulation model built for the University Avenue corridor.

5. ***Willow Road Simulation.*** Hexagon proposes to develop a micro-simulation model of all study intersections along Willow Road north of Durham Street using the City-preferred simulation software (SimTraffic 10). The micro-simulation model will simulate travel of individual vehicles and pedestrians along the corridor and will allow us to generate a visual animation of the existing traffic operations. Separate simulation models will be developed for the AM and PM peak hours. In order to closely simulate existing conditions, it is assumed that City staff and Caltrans staff will provide detailed signal timing plans as inputs into the simulation model. Hexagon will utilize the collected travel time data (outlined in the interim proposal) and field observations to calibrate the model to closely represent existing traffic operations. The progression analysis will be run for existing conditions as well as for each fully studied scenario.

   Hexagon will report LOS results from Vistro for intersections along Willow Road that are being analyzed using simulation models. To ensure consistency, Vistro parameters at each intersection under each scenario will be adjusted so the Vistro results and the simulation results are consistent. Hexagon will prepare an initial technical memorandum summarizing our simulation calibration methodology and results for existing conditions. Upon receiving City approval on the existing simulation model, Hexagon will provide subsequent memorandums documenting all parameter adjustments made to the Vistro file. Separate memorandums will be provided for existing and existing project conditions, background and background project conditions, cumulative and cumulative plus project conditions, and cumulative with Dumbarton conditions (if needed). Impact discussions for each project scenario will begin only after receiving City approval on the respective technical memorandum documenting the Vistro parameter adjustments.

6. ***Model Validation***. Hexagon will start with the ConnectMenlo model to be provided by the City. It is assumed that the land use data for existing conditions is relatively up to date and would not require modifications. It is assumed that the model is set up to run daily, AM and PM 4-hour trip assignments, and that it includes most of the study intersections. The

model network will be updated to ensure any study intersections not included in the model are also coded. We will check the model validation for the study area, and we will make adjustments to model parameters to get a good match with traffic counts. Because the model will be running 4-hour trip assignments but traffic counts are only 2-hour counts, additional 24-hour roadway traffic counts within or near Menlo Park will be needed to validate the model and derive conversion factors for the intersection counts. Hexagon will provide a list of up to 25 street segments where daily roadway traffic counts are needed. It is assumed that City will provide Hexagon with the counts. We will expect the City to critically evaluate the land use data in the ConnectMenlo model and advise Hexagon about any necessary changes to reflect current existing conditions. Hexagon will input the land use data into the model files. Hexagon will prepare a memorandum documenting our assumptions, inputs and adjustments to the model as well as the validation results.

7. ***Future Land Use Data.*** Hexagon will rely on the City to provide land use data for the future scenarios, which include Background and Cumulative (2040). The Background scenario will include projects that have been approved and may be under construction but not yet occupied. For zones outside of Menlo Park, Hexagon will use the existing model data for year 2025 for Background conditions. The 2040 scenario will use the current model's 2040 land use data set, except as modified by the City in Menlo Park. This task budget includes some time for Hexagon to assist City staff with allocating development into the model's zones and land use categories.

8. ***Trip Generation***. Hexagon will prepare trip generation estimates for the project using various sources. For the Office District, Hexagon will rely on data to be supplied by the project applicant based on driveway counts and in-house mode-split data. For other uses in the project (residential and retail), Hexagon will use ITE trip generation rates. Hexagon will rely on input from the City/project applicant regarding the different land use categories (for the non-residential and office components) and the amount of development in each land use category for trip generation purposes. For internal and any transit-oriented reductions, Hexagon will run the MXD model and derive appropriate trip reductions. Trips generated by existing uses on site will be credited using ITE trip generation rates.

   Hexagon will run the travel demand forecasting model to determine the trip distribution pattern for the project. It is assumed that a detailed site plan including parking management plan will be provided by the applicant. This information is needed for trip assignment assumptions. Hexagon will prepare a memo with the trip generation estimates and trip assignment pattern for review and approval by City staff prior to completing the following tasks.

9. ***Background Scenarios.*** Hexagon will run the travel forecasting model to produce link-level and intersection turning movement forecasts for the study intersections and freeway segments. The model will be used to produce 4-hour forecasts. Hexagon will convert the 4-hour link forecasts into forecasts of peak-hour intersection turning movements. Hexagon will produce model forecasts both with and without the project. Hexagon will also produce forecasts of vehicle miles traveled (VMT).

10. ***Cumulative (2040) Scenarios***. In the same fashion as Task 9, Hexagon will produce year 2040 forecasts with and without the project. Hexagon will work with City staff to identify the transportation network to be used in the Cumulative scenario, and potentially include a

scenario that includes rail service in the Dumbarton corridor. Hexagon will work with the City to determine how to analyze a Dumbarton scenario.

11. ***Intersection Analysis.*** For all background, cumulative and Dumbarton scenarios with and without the project, Hexagon will evaluate intersection levels of service using adjusted model forecast volumes. Intersection impacts will be identified by comparing the project scenarios to the without-project scenarios in accordance with the appropriate jurisdiction's adopted significant impact criteria. For intersections analyzed using the micro-simulation models, this task assumes adjustments to signal timing and corridor coordination under the without-project scenarios. The adjustments will be made based on several key measures of effectiveness (i.e. travel time, stops, queues, etc.) to be determined in coordination with City staff. The with-project scenarios will use the same models as the without-project models.

12. ***Intersection Variant Analysis.*** It is our understanding that the project applicant is considering a variant scheme at the Willow Road and Hamilton Avenue intersection. This variant scheme would realign Hamilton Avenue south of the current Chevron gas station. As a result, the current signalized intersection at Willow Road and Hamilton Avenue would be moved south by about 200 feet. Under this scheme, the original Hamilton Avenue site access point will become a right-in-right-out only access point. Hexagon will conduct intersection level of service analysis under all project scenarios at these two intersections using the simulation model. The evaluation will include reassigning traffic volumes at these two intersections as necessary. Queuing as well as pedestrian, bicycle and transit facilities will also be evaluated at these two intersections for the intersection variant scheme.

13. ***Freeway Analysis.*** For all background and cumulative scenarios with and without the project, freeway levels of service will be evaluated using adjusted model forecast volumes. Freeway impacts will be identified by comparing the project scenarios to the without-project scenarios in accordance with the appropriate jurisdiction's adopted significant impact criteria.

14. ***Freeway Ramp Analysis***. The freeway ramp analysis will consist of a volume-to-capacity analysis of the study freeway ramps under all study scenarios. Hexagon will conduct field observations at existing on-ramps with ramp meters to determine the existing ramp meter rates and queuing. Queuing at the study on-ramps will be analyzed under background and background plus project scenarios assuming the same ramp meter rates. Freeway ramp analysis will be presented only for information.

15. ***Roadway AADT Analysis.*** For all background and cumulative scenarios with and without the project, Hexagon will evaluate the project impacts on roadway AADT using adjusted model forecast volumes. Impacts will be identified by comparing the project scenarios to the without-project scenarios in accordance with the appropriate jurisdiction's adopted significant impact criteria.

16. ***Signal Warrant Analysis.*** The need for future signalization of the unsignalized study intersections will be evaluated on the basis of the Peak Hour Warrant (Warrant 3 – Part B) in the *California Manual on Uniform Traffic Control Devices*. The warrant will be evaluated using peak-hour volumes for all study scenarios.

17. ***Alternative Metrics***. This task provides a budget allowance for Hexagon to calculate other potential transportation metrics. These could include travel time and speed, mode split, transit ridership, or others. This task could also be used to test different mitigation strategies such as congestion pricing, trip caps, parking charges, or others.

18. ***Project Alternatives.*** Hexagon will estimate the trip generation of project alternatives for reporting in the EIR. Estimates will be done using ITE trip rates and the MXD model. This task does not include running the travel forecasting model for the project alternatives. Hexagon will qualitatively discuss whether the potential project impacts would differ as a result of the different land use alternatives. This task assumes analyzing up to three project alternatives, one of which could be the variant under consideration to increase the residential component to approximately 1,700 units.

19. ***Sensitivity Analysis.*** Hexagon will conduct a qualitative sensitivity analysis to determine the extent to which the project would need to be modified to eliminate all significant intersection and freeway impacts.

20. ***Phasing Analysis.*** It is our understanding that the project is anticipated to be completed in three phases. Hexagon will conduct a trip generation analysis to estimate the project trips after completion of each phase. Hexagon will provide a qualitative discussion of the intersection and freeway impacts expected during the two interim phases.

21. ***Internal Intersection Analysis.*** Hexagon will conduct an operations analysis of the proposed internal roadway network. This analysis will include intersection levels of service analysis using the Vistro software. Intersection controls will be assumed as proposed. For proposed unsignalized intersections, a signal warrant analysis will be conducted in accordance with Task 16. A queueing analysis will also be conducted to determine the need, and if so length of turn pockets, as well as to identify any potential spillback issues.

    For the variant scheme, it is expected that traffic operations at the four internal intersection on West Street and on Main Street at Hamilton Avenue and at North Street will be affected. The intersection levels of service analysis, queuing analysis and potential signal warrant analysis will be evaluated just for these four intersections under the variant scheme.

22. ***Site Plan Review.*** A review of the project site plan will be performed to determine the overall adequacy of the site access and on-site circulation in accordance with generally accepted traffic engineering standards and to identify and access or circulation issues that should be improved.

    Hexagon will also review any proposed bus/shuttle routes on site for site access and site circulation. Proposed bus/shuttle stops will be reviewed to determine potential circulation issues.

23. ***Parking and Peer Review of Shared Parking Analysis.*** Parking will be evaluated relative to the City of Menlo Park parking requirements. It is our understanding that a shared parking analysis will be prepared by the project applicant. This task includes two rounds of peer review of the shared parking analysis (one round of review for the draft and one round of review for the final report).

24. ***Evaluation of Vehicle Queuing.*** For selected locations where the project would add a significant number of left-turning vehicles, the adequacy of existing/planned storage at turn pockets will be assessed by means of comparison with expected maximum vehicle queues. Vehicle queues will be estimated using a Poisson probability distribution.

25. ***Bicycle, Pedestrian, and Transit Facilities***. A qualitative analysis of the project's effect on transit service in the area and on bicycle and pedestrian circulation in the study area will be included in the traffic report. This includes sidewalks, bicycle lanes, and amenities to promote the safe use of alternate modes of transportation, and connections to the existing bicycle and pedestrian network. The analysis will consider the project's proposed elements with respect to the City's currently adopted Bicycle Plan and Sidewalk Master Plan as well as the Transportation Master Plan currently in development.

26. ***Peer Review of TDM Plan.*** Hexagon will conduct a comprehensive peer review of the applicant-provided Transportation Demand Management (TDM) Plan. Hexagon will summarize our comments in a draft memorandum and will respond to one round of comments from City of Menlo Park and ICF and prepare a final memorandum. This task also includes a peer review of the Final TDM Plan.

27. ***Description of Impacts and Recommendations***. Based on the results of the level of service calculations, impacts of the site-generated traffic will be identified and described. Recommendations will be formulated that identify the locations and types of improvements or modifications necessary to mitigate significant near-term or long-range project impacts. Potential secondary impacts associated with any proposed improvements will be discussed as well. Hexagon will also determine whether the requirement of specific TDM measures could mitigate project impacts.

28. ***C/CAG Checklist.*** For developments generating over 100 net peak hour trips, the San Mateo County CMP require the completion of a C/CAG checklist. Hexagon will prepare the required C/CAG checklist based on the final TDM Plan provided by the project applicant.

29. ***Meetings***. The fee estimate includes Hexagon staff attendance at ten meeting in connection with the project. It also includes Hexagon staff attendance at four public hearings in connection with the project.

30. ***Reports***. Hexagon will prepare the Transportation chapter of the EIR as well as a stand-alone TIA report. The TIA report will include all analysis included in the Transportation chapter of the EIR and will include other non-CEQA related analysis. The TIA report will serve as the technical appendix to the Transportation chapter of the EIR This task includes preparation of two rounds of the Administrative Draft and one round of the Draft Transportation Chapter and TIA. Hexagon will respond to editorial comments on each round of the reports from both City staff and ICF. It is assumed that ICF will provide the outline of the format to be used for the EIR Transportation Chapter.

31. ***Final EIR.*** Hexagon will respond in writing to comments received on the Draft EIR Transportation Chapter. As it is unknown at this time the level of effort required in responding to these comments, this task assumes up to 80 hours of Hexagon staff time.

Additional Services

Any work not specified in the above Scope of Work Tasks 1-31 – for example analyzing a different project description, reviewing a different site plan, analyzing additional intersections, or conducting progression analysis for other corridors – shall be considered additional services. Additional services will require additional budget and additional time and will be conducted upon receipt of authorization to proceed.

Time of Performance

Barring any unforeseen delays, an administrative Transportation Chapter and the technical appendix will be submitted approximately 28 weeks after: (1) authorization to proceed, and (2) receipt of all required data (such as new count data, model's land use input assumptions, and project related information). This schedule assumes an authorization to proceed no later than mid-April to ensure counts and field observations can be conducted before end of May. The revised reports will be submitted approximately one to two weeks after receipt of all comments.

Assuming budget authorization no later than **May 15th**, below is a list of major critical items that must be received by the identified date to maintain the 28-week schedule for the submission of the administrative Transportation Chapter and the TIA:

From City:

- May 15th: ConnectMenlo model, all traffic counts, Vistro model
- June 24th: Future land use inputs
- July 8th: Comments on model validation memorandum (draft will be provided no later than June 17th)
- July 15th: Authorization on trip generation, distribution and assignment assumptions (memorandum will be provided no later than July 1st)
- September 16th: Alternative evaluation metrics

From ICF:

- October 14th: Information regarding project alternatives for EIR evaluation
- October 21st: Transportation Chapter report template

From Applicant:

- May 27th: Finalized project site plan and project information
- May 27th: Draft Shared Parking Analysis
- June 28th: Final Shared Parking Analysis (peer review comments will be provided no later than June 3rd)
- August 23rd: Draft TDM Plan
- September 27th: Final TDM Plan (peer review comments will be provided no later than September 9th)

Upon project initiation, Hexagon will provide a more detailed schedule outline with a list of milestones.

Cost of Services

The fee for the scope of services will be based on time and expenses up to a maximum budget of $356,000.

We appreciate your consideration of Hexagon Transportation Consultants for this assignment. If you have any questions, please do not hesitate to call.

Sincerely,
HEXAGON TRANSPORTATION CONSULTANTS, INC.

Gary K. Black
President

Ollie Zhou, T.E.
Senior Associate

Table 1
Budget Breakdown

Project:	Willow Village EIR						Multiplier:	1.00
COST ESTIMATE								
		Labor Hours						
Number	Item	Black	Van Den Hout	Zhou	Engineer	Admin/Graphics	Expenses	Labor Costs
	Rate	$ 280	$ 240	$ 210	$ 125	$ 105		
1	Site Reconnaissance			4				$ 840
2	Field Observations				40		$ 100	$ 5,000
3	Data Collection				8			$ 1,000
4	Evaluation of Existing Conditions			20	40			$ 9,200
5	Willow Road Simulation	8		100	100			$ 35,740
6	Model Validation		40	100				$ 30,600
7	Future Land Use Data			40				$ 8,400
8	Trip Generation	8	8	32				$ 10,880
9	Background (2025)		16	40				$ 12,240
10	Cumulative (2040)	8	32	80				$ 26,720
11	Intersection Analysis			60	60			$ 20,100
12	Intersection Variant Analysis			10	20			$ 4,600
13	Freeway Analysis				40			$ 5,000
14	Freeway Ramp Analysis				40		$ 200	$ 5,000
15	Roadway AADT Analysis				20			$ 2,500
16	Signal Warrant Analysis				20			$ 2,500
17	Alternative Metrics	16	24	60				$ 22,840
18	Project Alternatives	12		30				$ 9,660
19	Sensitivity Analysis			20	20			$ 6,700
20	Phasing Analysis			10	20			$ 4,600
21	Internal Intersection Analysis			20	40			$ 9,200
22	Site Plan Review			10	20		$ 100	$ 4,600
23	Parking and Shared Parking Peer Review	2		10	40			$ 7,660
24	Queuing				20		$ 200	$ 2,500
25	Bicycle, Pedestrian and Transit			20	20			$ 6,700
26	Peer Review of TDM Plan			20	40			$ 9,200
27	Impact and Recommendations	8		20	20			$ 8,940
28	C/CAG Checklist				10			$ 1,250
29	Meetings	84					$ 450	$ 23,520
30	Reports	16	16	80	80	20		$ 37,220
31	Final EIR	40		40				$ 19,600
Totals		**202**	**136**	**826**	**718**	**20**	**$ 1,050**	**$ 354,510**
Total Contract Cost:			$ 356,000.00					

bae urban economics

April 24, 2019

Kirsten Chapman
Project Manager
ICF
201 Mission Street, Suite 1500
San Francisco, CA 94105

Dear Ms. Chapman:

We appreciate the opportunity to submit this proposal to prepare a Fiscal Impact Analysis for the Willow Village Master Plan in the Bayfront Area of Menlo Park ("Project"). Our understanding is that the Project would consist of a 59-acre mixed-use neighborhood with up to 1,500 housing units, 125,000 to 200,000 square feet of retail that would include a grocery store and pharmacy (and possibly entertainment uses), a 200- to 250-room hotel and ancillary uses, a 1.75 million square foot office campus with ancillary uses, and public parks and open space. A 10,000 square foot community center is planned adjacent to the public park. The City of Menlo Park ("client") requires a Fiscal Impact Analysis study that will address impacts to the City's General Fund, as well as Special Districts, including the Menlo Park Fire Protection District. In addition to an analysis of the fiscal impacts of the Project described above, the City of Menlo Park is requesting an analysis of potential "Variants" of the Project, including a Variant that would include up to approximately 1,700 housing units on the Project site.

BAE is an award-winning real estate economics and development advisory firm with a distinguished record of achievement over its 30+-year history. Headquartered in Berkeley, CA, BAE also has branch offices in Los Angeles, Sacramento, New York City, and Washington DC, enabling our 18 staff to contribute to and learn from best practices in urban sustainable development around the U.S. Our practice spans national and state policy studies to local strategic plans and public-private development projects. BAE has extensive experience assessing the fiscal impacts and economic impacts of proposed new development, including our previous work for the City of Menlo Park, as well as assisting local governments to negotiate for community benefits from proposed new development.

The following pages detail our proposed work program, schedule, and budget. This proposal remains effective for 90 days from the date of submittal of this letter. Please feel free to contact me at stephaniehagar@bae1.com or 510.547.9380 if you have any questions or would like to further discuss this proposal.

Sincerely,

Stephanie Hagar
Vice President

SCOPE OF SERVICES

This section outlines BAE's proposed work program, including deliverables.

Task 1: Meet with City Staff and Review Background Materials

Task 1A: Meet with City Staff and Tour Project Site. BAE will meet with City staff to review the scope of services, proposed schedule, and deliverables. BAE will also tour the site and area.

Task 1B: Review Key Financial, Planning, and Environmental Documents. This task will include a review of relevant documents and plans pertaining to the proposed project including the Willow Village Project Description and Plans, the City's General Plan and Zoning Ordinance, the project Environmental Impact Report (if applicable), and City staff reports. BAE will also review the City budget, the Comprehensive Annual Financial Report, City fee ordinances, and other financial documents from the City and affected special districts including fire and school districts.

Task 2: Analyze Fiscal Impacts

This analysis will consider revenue and cost implications of the Project, up to three Project Alternatives, and one Project Variant for the City, Menlo Park Fire Protection District, and affected special districts and school districts. BAE proposes that the Project Variant analyzed under this task will be the Variant that includes up to 1,754 dwelling units on the Project site. BAE has reviewed the list of the other Variants and at this time we do not believe that the other Variants would have additional or different fiscal impacts that would require consideration in the fiscal impact analysis. However, BAE has included a contingency budget in this proposal, which would enable additional analysis of the fiscal impacts of Project Variants if determined necessary as additional information about the Variants becomes available. BAE will utilize and update prior FIA models prepared for the City of Menlo Park to conduct this analysis.

BAE will estimate annual General Fund revenue sources, including sales tax, property tax, transient occupancy tax, business license revenue, franchise fees, and any other applicable taxes. BAE will also estimate one-time revenue sources including impact fees and property transfer tax. For key revenues, (e.g., transient occupancy taxes) BAE will estimate revenues within an expected low to high range as appropriate.

BAE will estimate annual General Fund expense items, including police, public works, recreation and library services, and general government services, as well as services provided by special districts. The cost analysis will, whenever feasible, study the marginal cost of providing additional service. As part of this process, BAE will contact local public service providers including the police department and Fire Protection District to assess existing service capacity and the potential impact of the proposed project. For police, BAE will work with the local department to examine the current beat structure and discuss how this may need to be altered to serve the new development. Any new patrol officers and/or equipment would also be analyzed on a marginal basis. For fire, BAE will study existing capacity at the station that would serve the proposed project and assess any additional labor or equipment costs that the station would incur. Cost impacts for other city departments and school districts will also be analyzed.

Fiscal impacts will be presented in current dollars on a net annual and cumulative basis over a 20-year period presented in constant 2019 dollars. To determine an appropriate absorption rate for the various proposed land uses, BAE will review the project applicant's anticipated absorption schedule.

During the preparation of the FIA, all communication with the project sponsor will be with or through City staff.

Task 3: Prepare Fiscal and Economic Impact Report

Task 3A: Prepare Administrative Draft Fiscal and Economic Impact Analysis Report. BAE will prepare and submit an Administrative Draft Fiscal Impact Analysis report to City staff. The report will include a concise and highly-accessible executive summary, including a summary of the methodology and key findings from Tasks 1 and 2.

Task 3B: Prepare Public Review and Final Draft Report. Staff will provide written a single set of consolidated comments to BAE regarding the Administrative Draft. At the discretion of City Staff, BAE will also review any comments from the Project Applicant. BAE will address all comments with City staff and make modifications as needed. BAE will then submit a draft Public Review Draft for staff to review. Staff will note any minor corrections and BAE will submit a Public Review Draft.

Task 3C: Prepare Presentation, Attend Two Meetings. This task includes preparation of a PowerPoint presentation for use by staff, BAE, and posting to the City's website. BAE will discuss comments with City staff and make changes as necessary. BAE will then submit a Final report. BAE will attend up to two meetings to present its findings, anticipated to be one Planning Commission meeting and one City Council meeting.

Task 4: Project Coordination

BAE will coordinate this assignment and participate in team conference calls with ICF, as necessary.

DATA NEEDS

In order to complete this analysis BAE will require access to various City and special district staff to conduct brief interviews and confirm methodologies and assumptions. In particular, BAE would intend to speak with most department/district heads, or their designees, as well as the City finance director. BAE would work with the finance department to obtain electronic copies of relevant budget files if any of the files needed for this analysis are not publicly available on the City's website.

BAE will acquire market, demographic, and other data from data vendors and publicly-accessible data sources. A budget for all data that BAE will purchase to undertake the above scope of work is included below.

From the project sponsor, BAE will request market studies and marketing plans, including pricing assumptions. If the project sponsor provides these studies and plans, BAE will use this information to supplement data from data vendors and publicly-accessible data sources to inform assumptions related to assessed property values as well as other revenue and cost assumptions, as appropriate. If the project sponsor does not provide market studies or marketing plans, BAE will rely on more general information provided by data vendors and publicly-available sources.

BUDGET AND FEES

BAE will complete the work described above for a fixed-fee budget of $34,050, or $39,050 including the proposed contingency budget, as shown in the budget provided below. BAE believes that it is prudent to include a contingency budget for this project given that there is little information currently available related to the Project Variants, and that it may be determined that analysis of the fiscal impacts of additional Project Variants is necessary as these Variants are defined over time. In no event shall BAE perform work under the contingency budget without prior written approval from City staff.

The budget shown below will include all consultant costs, including personnel, overhead, and miscellaneous reimbursable expenses. Miscellaneous expenses such as data purchase and travel are passed through to the client with no markup. This budget includes two public meetings as part of Task 3. Please note that attendance at additional public meetings/hearings is calculated at the rate of $1,500 for preparation, travel and up to three hours of meeting time, with hourly rates for all meeting time over three hours, as well as additional meetings beyond those set forth in the scope. In no event shall the total project cost exceed the fixed-fee budget, unless the client requests work beyond the agreed-upon scope.

	Principal Shiver	Vice President Hagar	Associate	Budget
	Hours by Staff			
Hourly Rate	*$300*	*$210*	*$140*	
Task 1: Start-up Meeting & Review of Background Materials	4	8	6	$3,720
Task 2: Conduct Fiscal Impact Analysis	6	28	58	$15,800
Task 3: Prepare Draft & Final FIA Reports (incl. 2 mtgs)	6	30	25	$11,600
Task 4: Project Coordination	1	3	0	$930
Subtotal Labor	17	69	89	**$32,050**
Expenses (a)				$2,000
Total (Labor + Expenses) before contingency				**$34,050**
Contingency (b)				$5,000
Total with Contingency				**$39,050**
Optional Task: BAE Attendance at Additional Public Meetings/Hearings - Each				**$1,500**

Costs for any additional work authorized by the client will be billed on an hourly time-and-materials basis, in accordance with BAE's standard hourly billing rates:

Principal	$300/hour
Senior Advisor	$300/hour
Director	$235/hour
Vice President	$210/hour
Senior Associate	$185/hour
Associate	$140/hour
Sr. Analyst	$110/hour
Analyst	$95/hour

These rates are subject to revision on or after January 1, 2020.

PROJECT SCHEDULE

Assuming that BAE receives all requested data within the first two weeks following project start up, BAE will complete the Administrative Draft within eight weeks following project start up. BAE will prepare a Public Review Draft within two weeks of receiving a single set of combined written comments on the Administrative Draft. BAE will prepare a Final report within two weeks of receiving a single set of combined written comments on the Public Review Draft.

Attachment C

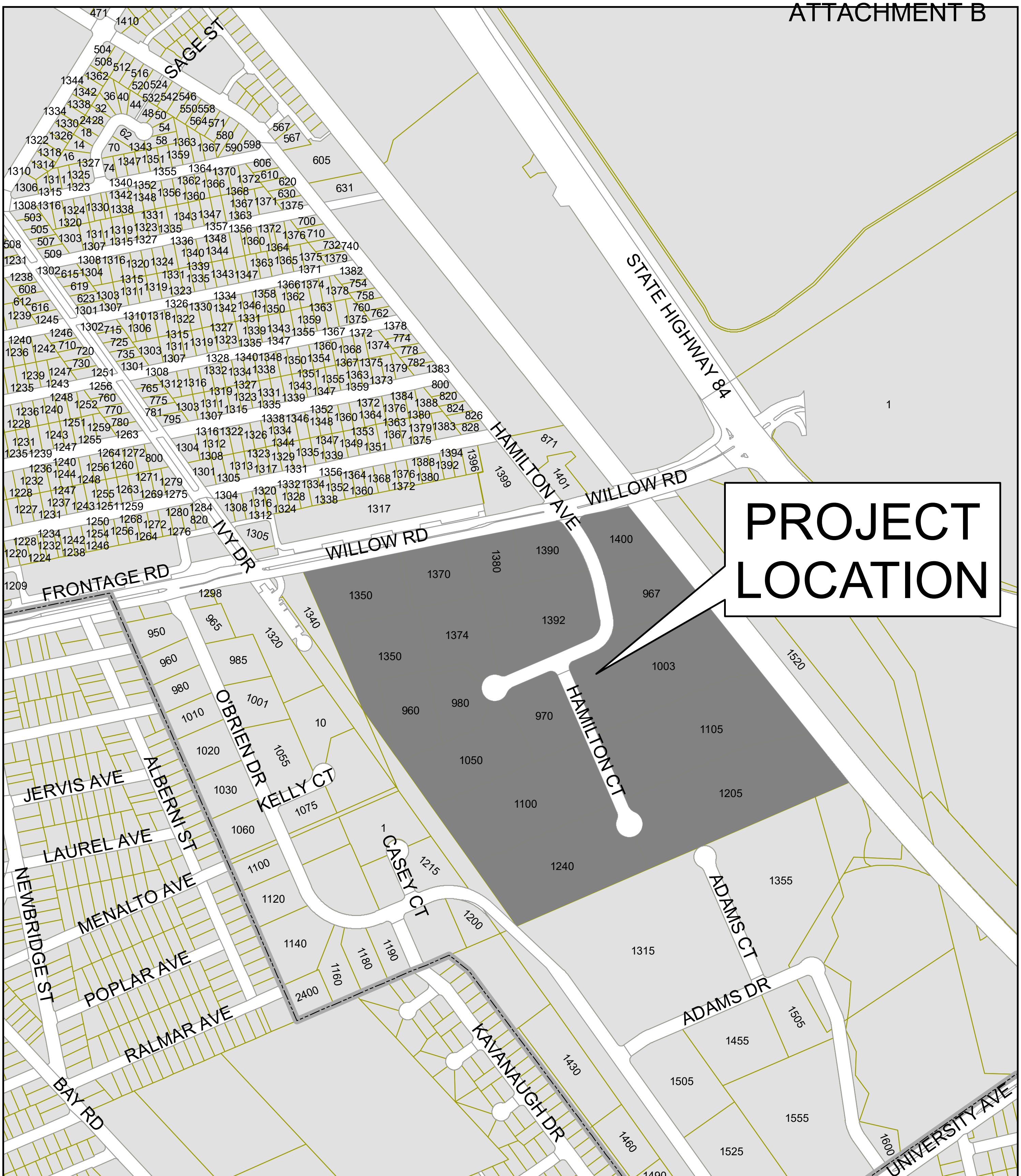
	Project Total
Budget	$967,522

Jump to:				1	Project Initiation	2	EIR Project Description	3	EIR Scope Definition	4	Project Management and Meetings	5	Administrative Draft EIR	6	Project Variants	7	Project Alternatives and Other CEQA	8	Screencheck Draft EIR	9	Public Draft EIR
Labor																					
Project Role	**Last Name**	**First Name**	**Rate**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**
Senior Advisor	Walter	Richard		2	$585.16	0	$0.00	0	$0.00	6	$1,781.81	8	$2,340.64	0	$0.00	0	$0.00	2	$602.71	0	$0.00
Project Director	Efner	Erin		8	$2,120.48	4	$1,060.24	10	$2,650.60	75	$20,173.72	70	$18,554.20	8	$2,184.09	8	$2,184.09	24	$6,552.28	10	$2,730.12
Project Manager	Chapman	Kirsten		16	$2,649.60	16	$2,649.60	24	$3,974.40	120	$20,170.08	160	$26,496.00	16	$2,729.09	16	$2,729.09	60	$10,234.08	24	$4,093.63
Deputy Project Manager	Mena	Leo		16	$2,084.32	24	$3,126.48	12	$1,563.24	140	$18,511.37	154	$20,061.58	24	$3,220.27	32	$4,293.70	80	$10,734.25	40	$5,367.12
Analyst	Andersen	Jennifer		0	$0.00	0	$0.00	0	$0.00	0	$0.00	100	$13,933.00	8	$1,148.08	4	$574.04	20	$2,870.20	4	$574.04
Analyst	Winslow	Anne		0	$0.00	0	$0.00	0	$0.00	0	$0.00	24	$3,720.96	4	$638.76	4	$638.76	4	$638.76	2	$319.38
Analyst	Vurlumis	Caroline		0	$0.00	0	$0.00	0	$0.00	0	$0.00	84	$9,228.24	12	$1,357.87	12	$1,357.87	40	$4,526.23	6	$678.93
Hydro	Sukola	Katrina		0	$0.00	0	$0.00	0	$0.00	0	$0.00	45	$4,845.60	2	$221.82	4	$443.64	6	$665.46	2	$221.82
Geo/Haz	Roberts	Diana		0	$0.00	0	$0.00	0	$0.00	0	$0.00	100	$13,360.00	4	$550.43	6	$825.65	10	$1,376.08	4	$550.43
AQ/GHG	Hartley	William		0	$0.00	0	$0.00	0	$0.00	0	$0.00	80	$10,515.20	2	$270.77	4	$541.53	2	$270.77	1	$135.38
AQ/GHG/ Energy	Yoon	Laura		0	$0.00	0	$0.00	0	$0.00	0	$0.00	28	$5,184.20	4	$762.82	4	$762.82	2	$381.41	1	$190.70
AQ/GHG/ Energy	Matsui	Cory		0	$0.00	0	$0.00	0	$0.00	0	$0.00	234	$28,192.32	8	$992.76	8	$992.76	4	$496.38	10	$1,240.94
Historic	Boyce	Gretchen		0	$0.00	0	$0.00	0	$0.00	0	$0.00	16	$3,452.48	1	$222.25	2	$444.51	1	$222.25	0	$0.00
Archeo	Elder	James		0	$0.00	0	$0.00	0	$0.00	0	$0.00	50	$8,381.00	2	$345.30	2	$345.30	6	$1,035.89	2	$345.30
Historic	Rusch	Jonathon		0	$0.00	0	$0.00	0	$0.00	0	$0.00	140	$17,889.20	1	$131.61	2	$263.23	4	$526.45	1	$131.61
Noise	Foley	Elizabeth		0	$0.00	0	$0.00	0	$0.00	0	$0.00	110	$13,249.50	10	$1,240.64	8	$992.51	30	$3,721.91	4	$496.25
Noise	Buehler	David		0	$0.00	0	$0.00	0	$0.00	0	$0.00	8	$2,177.28	2	$560.65	1	$280.32	1	$280.32	0	$0.00
Bio	Ricketts	Matthew		0	$0.00	0	$0.00	0	$0.00	0	$0.00	80	$12,093.60	2	$311.41	2	$311.41	6	$934.23	2	$311.41
Graphics	Messick	Timothy		0	$0.00	8	$1,226.48	1	$153.31	0	$0.00	16	$2,452.96	2	$315.82	1	$157.91	2	$315.82	0	$0.00
Editor	Mathias	John		0	$0.00	8	$938.24	1	$117.28	0	$0.00	72	$8,444.16	12	$1,449.58	8	$966.39	24	$2,899.16	20	$2,415.97
Total - Labor				**42**	**$7,439.56**	**60**	**$9,001.04**	**48**	**$8,458.83**	**341**	**$60,636.98**	**1,579**	**$224,572.12**	**124**	**$18,654.02**	**128**	**$19,105.52**	**328**	**$49,284.66**	**133**	**$19,803.06**
Other Direct Costs (ODCs)																					
Category			**Rate**		**Dollars**		**Dollars**		**Dollars**		**Dollars**		**Dollars**		**Dollars**		**Dollars**		**Dollars**		**Dollars**
Subtotal - ODCs					$1,200.00		$0.00		$0.00		$1,000.00		$500.00		$0.00		$0.00		$500.00		$2,000.00
G & A		Markup	10.00%		$120.00		$0.00		$0.00		$100.00		$50.00		$0.00		$0.00		$50.00		$200.00
Total - ODCs					**$1,320.00**		**$0.00**		**$0.00**		**$1,100.00**		**$550.00**		**$0.00**		**$0.00**		**$550.00**		**$2,200.00**
Subcontractors																					
Firm		**Name**	**Rate**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**
Hexagon		,		0	$0.00	0	$0.00	0	$0.00	0	$0.00	0	$356,000.00	0	$0.00	0	$0.00	0	$0.00	0	$0.00
BAE		,		0	$0.00	0	$0.00	0	$0.00	0	$0.00	0	$39,050.00	0	$0.00	0	$0.00	0	$0.00	0	$0.00
				0	**$0.00**	**0**	**$0.00**	**0**	**$0.00**	**0**	**$0.00**	**0**	**$395,050.00**	**0**	**$0.00**	**0**	**$0.00**	**0**	**$0.00**	**0**	**$0.00**
	Subcontractors - Markup		**10.00%**		**$0.00**		**$0.00**		**$0.00**		**$0.00**		**$39,505.00**		**$0.00**		**$0.00**		**$0.00**		**$0.00**
Total Proposed Price				**42**	**$8,759.56**	**60**	**$9,001.04**	**48**	**$8,458.83**	**341**	**$61,736.98**	**1,579**	**$659,677.12**	**124**	**$18,654.02**	**128**	**$19,105.52**	**328**	**$49,834.66**	**133**	**$22,003.06**

Budget	Project Total
Budget	$967,522

Jump to:				10	Public Review and Hearing	11	Draft Responses to Comments and Admin Final	12	Screencheck and Final EIR	13	Certification, MMRP, SOC, Admin Record	TOTAL	
Labor													
Project Role	**Last Name**	**First Name**	**Rate**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**
Senior Advisor	Walter	Richard		0	$0.00	4	$1,205.43	0	$0.00	0	$0.00	22	$6,515.76
Project Director	Efner	Erin		8	$2,184.09	32	$8,736.38	16	$4,368.19	16	$4,368.19	289	$77,866.68
Project Manager	Chapman	Kirsten		16	$2,729.09	60	$10,234.08	28	$4,775.90	32	$5,458.18	588	$98,922.82
Deputy Project Manager	Mena	Leo		12	$1,610.14	100	$13,417.81	44	$5,903.84	54	$7,245.62	732	$97,139.73
Analyst	Andersen	Jennifer		0	$0.00	24	$3,444.24	10	$1,435.10	0	$0.00	170	$23,978.69
Analyst	Winslow	Anne		0	$0.00	6	$958.15	2	$319.38	0	$0.00	46	$7,234.17
Analyst	Vurlumis	Caroline		0	$0.00	24	$2,715.74	6	$678.93	0	$0.00	184	$20,543.82
Hydro	Sukola	Katrina		0	$0.00	8	$887.28	2	$221.82	0	$0.00	69	$7,507.45
Geo/Haz	Roberts	Diana		0	$0.00	8	$1,100.86	2	$275.22	0	$0.00	134	$18,038.67
AQ/GHG	Hartley	William		0	$0.00	4	$541.53	2	$270.77	0	$0.00	95	$12,545.95
AQ/GHG/ Energy	Yoon	Laura		0	$0.00	8	$1,525.64	1	$190.70	0	$0.00	48	$8,998.29
AQ/GHG/ Energy	Matsui	Cory		0	$0.00	40	$4,963.78	8	$992.76	0	$0.00	312	$37,871.68
Historic	Boyce	Gretchen		0	$0.00	1	$222.25	0	$0.00	0	$0.00	21	$4,563.75
Archeo	Elder	James		0	$0.00	8	$1,381.19	2	$345.30	0	$0.00	72	$12,179.27
Historic	Rusch	Jonathon		0	$0.00	2	$263.23	0	$0.00	0	$0.00	150	$19,205.33
Noise	Foley	Elizabeth		0	$0.00	16	$1,985.02	4	$496.25	0	$0.00	182	$22,182.07
Noise	Buehler	David		0	$0.00	4	$1,121.30	0	$0.00	0	$0.00	16	$4,419.88
Bio	Ricketts	Matthew		0	$0.00	8	$1,245.64	2	$311.41	0	$0.00	102	$15,519.11
Graphics	Messick	Timothy		0	$0.00	8	$1,263.27	0	$0.00	0	$0.00	38	$5,885.57
Editor	Mathias	John		0	$0.00	40	$4,831.94	16	$1,932.77	4	$483.19	205	$24,478.68
Total - Labor				**36**	**$6,523.32**	**405**	**$62,044.75**	**145**	**$22,518.34**	**106**	**$17,555.18**	**3,475**	**$525,597.37**
Other Direct Costs (ODCs)													
Category			**Rate**		**Dollars**		**Dollars**		**Dollars**		**Dollars**		**Dollars**
Subtotal - ODCs					$0.00		$500.00		$1,000.00		$0.00		$6,700.00
G & A		Markup	10.00%		$0.00		$50.00		$100.00		$0.00		$670.00
Total - ODCs					**$0.00**		**$550.00**		**$1,100.00**		**$0.00**		**$7,370.00**
Subcontractors													
Firm		**Name**	**Rate**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**	**Hours**	**Dollars**
Hexagon		,		0	$0.00	0	$0.00	0	$0.00	0	$0.00	0	$356,000.00
BAE		,		0	$0.00	0	$0.00	0	$0.00	0	$0.00	0	$39,050.00
				0	**$0.00**	**0**	**$0.00**	**0**	**$0.00**	**0**	**$0.00**	**0**	**$395,050.00**
		Subcontractors - Markup	**10.00%**		**$0.00**		**$0.00**		**$0.00**		**$0.00**		**$39,505.00**
Total Proposed Price				**36**	**$6,523.32**	**405**	**$62,594.75**	**145**	**$23,618.34**	**106**	**$17,555.18**	**3,475**	**$967,522.37**

ATTACHMENT B



CITY OF MENLO PARK

LOCATION MAP

FACEBOOK WILLOW VILLAGE PROJECT

DRAWN: KTP CHECKED: KTP DATE: 2/21/18 SCALE: 1" = 300' SHEET: 1

N

LEGEND	
1	Town Square
2	Grocery Store on Ground Level
3	Pharmacy on Ground Level
4	Public Park
5	Dog Park
6	Grade Separated Willow Road Crossing
7	Campus Visitor Parking Garage
8	Hotel
9	Mixed-Use Block
10	Residential Block
11	Office Campus
12	Parking Garage with Transit Center on Ground Level
13	Community Center on Ground Level

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 5
Conceptual Master Plan
April 25, 2019

Parcel Area Summary

R - MU	746,265 sf*
O	1,593,701 sf**
Public R.O.W.	245,572 sf
Total	2,585,539 sf (59.4 Acre)

* Includes 1,300 sf of private R.O.W.
** Includes 87,752 sf of private R.O.W.

Note: Proposed land use is conceptual and may be subject to change, but will remain compliant to Menlo Park zoning requirements.

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 7
Conceptual Land Use Plan

April 25, 2019

LEGEND

1	Town Square
2	Grocery Store on Ground Level
3	Pharmacy on Ground Level
4	Hotel
5	Roof Deck
6	Hotel Roof Pool Deck
7	Retail Kiosk
8	Public Parking
9	Off-Street Bike and Pedestrian Path

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 9
Conceptual Town Square
April 25, 2019

LEGEND

1	Public Parking
2	Open Field
3	Playground
4	Public Restroom
5	Picnic Area
6	Community Center on Ground Level
7	Residential Block
8	Mixed-Use Block

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 10
Conceptual Public Park
April 25, 2019

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 11
Conceptual Neighborhood Plaza

April 25, 2019

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 17

Conceptual Publicly Accessible Open Space

April 25, 2019

LEGEND

- Open Space (Publicly Accessible)
- Open Space (No Public Access)

Parcel Area Summary

R - MU	746,265 sf*
O	1,593,701 sf**
Public R.O.W.	245,572 sf
Total	2,585,539 sf (59.4 Acre)

* Includes 1,300 sf of private R.O.W.
** Includes 87,752 sf of private R.O.W.

Open Space Requirement

Land Use	Open Space	Publicly Accessible
R - MU	186,566 sf (25%)	46,642 sf (25%)
O	478,110 sf (30%)	239,055 sf (50%)
Total	664,677 sf	285,697 sf

Proposed Open Space***

Land Use	Open Space	Publicly Accessible
R - MU	360,774 sf	174,395 sf
O	801,093 sf	255,964 sf
Total	1,161,867 sf	430,359 sf

*** Complies with open space requirements.

Note: Proposed open spaces are conceptual and may be subject to change, but will remain compliant to Menlo Park zoning requirements.

Excerpt from the Menlo Park Municipal Code:
The purpose of a master planned project is to provide flexibility for creative design, more orderly development, and optimal use of open space, while maintaining and achieving the general plan vision for the Bayfront Area. Master planned projects for sites with the same zoning designation (O, LS, or R-MU) in close proximity or for contiguous sites that have a mix of zoning designations (O or R-MU) that exceed fifteen (15) acres in size and that are held in common ownership (or held by wholly owned affiliated entities) and are proposed for development as a single project or single phased development project are permitted as a conditional use; provided, that sites with mixed zoning are required to obtain a conditional development permit and enter into a development agreement. For master planned projects meeting these criteria, residential density, FAR and open space requirements and residential density, FAR, and ***open space requirements at the bonus level, if applicable, may be calculated in the aggregate across the site provided the overall development proposed does not exceed what would be permitted if the site were developed in accordance with the zoning designation applicable to each portion of the site and the proposed project complies with all other design standards identified for the applicable zoning districts.***

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 18
Conceptual Open Space Plan
April 25, 2019

Bldg#	Footprint (sf)	Total
MU1	116,700	Mixed-Use 454,990 sf
MU2	106,500	
MU3	44,730	
MU4	44,730	
MU5	56,220	
MU6	32,080	
MU7	34,030	
MU8	20,000	
O1	42,840	Office 685,360 sf
O2	47,870	
O3	52,320	
O4	54,810	
O5	67,970	
O6	44,320	
O7	59,800	
O8	46,670	
O9	29,390	
NG	93,460	
SG	69,900	
VG	31,690	
H1	43,140	
TS1	700	
TS2	300	

Note: Proposed building coverage is conceptual and may be subject to change, but will remain compliant to Menlo Park zoning requirements.

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 19
Conceptual Building Coverage Plan

April 25, 2019

Zone	Bldg#	Permitted Ht. (ft)		Proposed Ht. (ft)	
		Max.	Avg.	Max.	Avg.
R-MU	MU1	70*	52.5*	62	56
	MU2			80	71
	MU3			79	67
	MU4			79	67
	MU5			79	65
	MU6			57	43
	MU7			68	58
	MU8			72	72
O	O1	110*	67.5*, except hotels	80	72
	O2			80	72
	O3			80	73
	O4			80	75
	O5			80	64
	O6			80	77
	O7			80	67
	O8			80	74
	O9			55	44
	NG			65	66
	SG			75	75
	VG			51	48
	H1			83	52
	TS1			21	21
	TS2			21	21

* Properties within the flood zone or subject to flooding and sea level rise area allowed a 10 ft increase in height and maximum height.

Note: Proposed building heights are conceptual and may be subject to change, but will remain compliant to Menlo Park zoning requirements.

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 20
Conceptual Building Height Plan

April 25, 2019

Parcel Area Summary

R - MU	746,265 sf*
O	1,593,701 sf**
Public R.O.W.	245,572 sf
Total	2,585,539 sf (59.4 Acre)

* Includes 1,300 sf of private R.O.W.
** Includes 87,752 sf of private R.O.W.

Office

O (FAR 100%)	1,593,701 sf
R - MU (FAR 25%)	186,566 sf
Total Permitted	1,780,268 sf***
Proposed	1,750,000 sf

*** Includes the "non-residential" GFA permitted under the R-MU zoning which allows for office uses.

Retail

Permitted **O** (FAR 25%)	398,425 sf
Proposed	175,000 sf

Residential

Permitted **R - MU** (FAR 225%)	1,679,097 sf
Proposed	1,462,713 sf

Hotel

Permitted **O** (FAR 175%)	369,552 sf
Proposed	140,000 sf****

**** Includes an estimate of 140,000 sf hotel (200 keys @700gsf each).

Note: Proposed FAR is conceptual and may be subject to change, but will remain compliant to Menlo Park zoning requirements.

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 21
Conceptual Floor Area Ratio (FAR) Plan

April 25, 2019

	Office (sf)	Retail (sf)	Hotel (sf)	Residential Units
Phase 1	587,000	3,000		673
Phase 2	650,700	35,000		565
Phase 3	512,300	137,000	140,000	262
Total	1,750,000	175,000	140,000	1,500

Peninsula Innovation Partners

WILLOW VILLAGE

Menlo Park, CA

Exhibit 29

Conceptual Occupancy and Phasing

April 25, 2019

STAFF REPORT

City Council
Meeting Date: **5/21/2019**
Staff Report Number: **19-086-CC**

Regular Business: **Complete Streets Commission update and approval of the Complete Streets Commission's work plan and the Middle Avenue and Olive Street bike improvements project on a page**

Recommendation

Staff recommends that the City Council approve the:

- Complete Streets Commission 2019-2020 work plan (Attachment A)
- Middle Avenue and Olive Street bicycle improvement project on a page (Attachment B)

Policy Issues

The approval of the Complete Streets Commission work plan is consistent with City Council Policy CC-19-0004, Commissions/Committees policies and procedures and roles and responsibilities.

The approval of the Middle Avenue and Olive Street bicycle improvement project on a page (PoP) is consistent with the direction provided by the City Council at the goal setting meeting February 2.

Background

Complete Streets Commission work plan

On February 28, 2017, the City Council adopted Resolution No. 6377 to merge the former Transportation Commission and Bicycle Commission to form the Complete Streets Commission, as a pilot program. Additionally, the City Council elected to defer the development of a new Commission mission statement and work plan until after a full evaluation of the program.

On December 12, 2018, the Complete Streets Commission evaluated and recommended to the City Council to continue the Complete Streets Commission permanently as a 9-member body.

On January 9, the Complete Streets Commission initiated a brief discussion on the Commission's mission statement and goals and priorities.

On March 5, the City Council adopted Resolution No. 6477 to continue the Complete Streets Commission permanently as a 9-member body, with a request to return to the City Council in the future to further discuss the size of the Commission. Additionally, the City Council approved the Complete Streets Commissions' roles and responsibilities as follows:

- Coordination of multi-modal (motor vehicle, bicycle, transit and pedestrian) transportation facilities
- Advising City Council on ways to encourage vehicle, multi-modal, pedestrian and bicycle safety and accessibility for the City supporting the goals of the general plan
- Coordination on providing a citywide safe routes to school plan

- Coordination with regional transportation systems
- Establishing parking restrictions and requirements according to Municipal Code sections 11.24.026 through 11.24.02

On March 13, the Complete Streets Commission held an extensive discussion on the Commission's mission statement and goals and priorities. Additionally, the Commission also identified and discussed near-term actionable tasks for each of the goals and priorities. Lastly, the Commission asked staff to refine the verbiage based on Commission feedback, for a final Commission recommendation at a future meeting.

After working with City staff, April 10, the Complete Streets Commission recommended to the City Council to approve the Commission's 2019 – 2020 work plan, including a mission statement and goals and priorities.

<u>Middle Avenue and Olive Street bicycle improvement PoP</u>

In anticipation for the completion of the Middle Avenue pedestrian and bicycle rail crossing and Middle Plaza at 500 El Camino Real, on November 14, 2018, the Complete Streets Commission's Active Transportation Network Subcommittee proposed a series of bicycle improvements on Middle Avenue from El Camino Real to University Drive for better local connections.

The Middle Avenue pedestrian and bicycle rail crossing project is an infrastructure project that will provide a grade separated pedestrian and bicycle facility to cross the Caltrain tracks and create a new connection for existing pedestrian and bicycle facilities on both sides of the track. The Middle Plaza project is a private development that includes sites from 200 to 500 El Camino Real and will construct approximately 215 housing units, 144,000 square feet (s.f.) of nonmedical office space, and 10,000 s.f. of ground-floor retail/restaurant space.

On December 4, 2018, the Complete Streets Commission Chair shared the Middle Avenue bicycle improvements with the City Council during the Commission's quarterly report to the City Council. The City Council supported the recommendations for improving safety on Middle Avenue and asked that the other side of Nealon Park be taken into consideration (Attachment C.)

On February 2, the City Council held a special annual goal setting meeting and referred to the Complete Streets Commission to develop a PoP for the Middle Avenue and Olive Street bicycle improvements. The PoP outlines a project's scope of work, tentative timeline and next steps.

On March 13, the Complete Streets Commission reviewed a draft Middle Avenue and Olive Street bicycle improvement PoP and provided comments through City staff.

After working with City staff, April 10, the Complete Streets Commission recommended to the City Council to approve the Middle Avenue and Olive Street Bicycle improvement PoP.

Analysis

At the request of the City Council and after working with the Complete Streets Commission, staff is recommending that the City Council approve the:

- Complete Streets Commission 2019-2020 work plan (Attachment A)
- Middle Avenue and Olive Street bicycle improvement PoP (Attachment B)

Through the work plan, the Commission will advise the City Council on realizing the City's adopted goals and priorities as it related to transportation by providing feedback on major land use developments, citywide programs and public infrastructure projects.

The Middle Avenue and Olive Street Bicycle improvement PoP outlines the proposed scope of work for bicycle and pedestrian improvements on Middle Avenue and Olive Street, the potential timeline, and the required City resources to complete the proposed scope.

Impact on City Resources

Resources expended for the completion of these items are considered part of the City baseline operations to staff the Complete Streets Commission.

Additional staff and financial resources will need to be allocated by the City Council for the initiation evaluation, design, and implementation of the Middle Avenue and Olive Street bicycle improvement PoP scope of work.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378. Any projects identified through the Commission’s pursuit of these goals and priorities, including the Middle Avenue and Olive Street bicycle improvement PoP, would be subject to environmental review under CEQA in the future.

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. Complete Streets Commission 2019-2020 work plan
B. Middle Avenue and Olive Street Bicycle improvement PoP
C. Hyperlink – December 4, 2018 City Council meeting minutes: menlopark.org/AgendaCenter/ViewFile/Minutes/_12042018-3191

Report prepared by:
Kevin Chen, Associate Transportation Engineer

Report reviewed by:
Nikki Nagaya, Assistant Public Works Director

MEMORANDUM

Date: **5/21/2019**
To: **City Council**
From: **Complete Streets Commission**
Re: **Complete Streets Commission 2019-2020 Work Plan**

Mission Statement:
"The Complete Streets Commission shall advise the City Council on realizing the City's adopted goals for Complete Streets, Vision Zero, clear air and carbon reduction, and provide input on major land use and development projects as it relates to transportation."

Goals/Priorities (and near-term actionable tasks):

1. Continue to advocate for and advise the Council on the planning and installation of the Middle Avenue crossing, and safe cycling/pedestrian infrastructure connecting the Burgess complex to the Middle corridor to Olive, and north on Olive to Hillview School.
   - Submit to City Council a project on a page (PoP) outlining the Middle Avenue scope and next steps.
   - Recommend a preferred design alternative for the Middle Avenue crossing to the City Council.
   - Recommend preferred design alternative on Middle Ave from San Mateo Drive to Olive Street in spring 2019 in anticipation of the tentative 2020 repaving of the same street segment
2. Continue to support the implementation of the Safe Routes to School strategy and advocate for community engagement, program continuity and engineering implementation.
   - Provide guidance to the city's temporary Safe Routes to School Coordinator and advocate to the Council to institutionalize the role.
3. Support City Council's role as a stakeholder with regard to regional multi-modal projects and to increase sustainable transportation for Menlo Park.
   - Advise City Council on the continuing development of the Dumbarton Corridor projects and Caltrain modernization through its Business Plan development and construction of the Peninsula Corridor electrification project.
4. Support City Council in developing a network of active transportation routes, and prioritize segments for future development.
   - Advise City Council on the development of the Transportation Master Plan (TMP), including:
     - Work with staff and consultants to frame the planning in a way that will foster robust and productive community input – e.g. grouping individual projects in terms of bike routes and/or multimodal corridors.
     - Support council/community outreach efforts around effective, safe, and

  - sustainable multimodal transportation.
  - Review design standards in TMP and provide input.
5. Support City Council in developing policy to encourage alternative transportation modes that encourage zero emission.
   - Advise City Council in developing alternative transportation mode sharing programs.
6. Support City Council and provide community education in developing plans to improve access to downtown through improved parking management and increased use of equitable and sustainable transportation.
   - Advise City Council in developing and implementing near-term downtown parking strategies.

ATTACHMENT B

MIDDLE AVENUE AND OLIVE STREET BICYCLE IMPROVEMENTS

Public Works Department
701 Laurel St., Menlo Park, CA 94025
Nikki Nagaya, Assistant Public Works Director - Transportation
nhnagaya@menlopark.org
tel 650-330-6770

CITY OF MENLO PARK

Project Summary

Middle Ave is an important part of the transportation network as it fronts Safeway Plaza, Nealon and Lyle Parks, two senior centers, a preschool and other community amenities. Bicyclists use Middle Ave as a route to Hillview School and to the bicycle bridge at the south end of San Mateo Dr. The Stanford project at 500 El Camino Real, recent capital investments in both Nealon and Lyle Parks and the eventual construction of the Caltrain undercrossing will make Middle Ave even more critical to a well-functioning transportation system for the city. The Complete Streets Commission has developed a proposal (see attached concepts) which includes:

- Improved access to Safeway Plaza for cyclists and pedestrians
- Improved bicycle/pedestrian crossings to Nealon Park at Blake and Roble entrances
- Improved bicycle/pedestrian crossing to Lyle Park at Arbor Rd
- Improved bicycle/pedestrian crossing to the San Mateo bicycle bridge at San Mateo Dr
- Continuous standard, buffered or protected bike lanes along the entire length of Middle Ave, with at least one side of street parking to be removed
- Continuous bike lanes along Olive St to Santa Cruz Ave and Hillview Middle School, with potential parking restriction or removal
- Parking safety improvements along Nealon Park frontage
- Improved El Camino Real crossing to Middle Plaza at 500 ECR
- Sidewalk improvements along south side of Middle Ave

Key Project Activities and Timeline

1. Complete Streets Commission to evaluate and recommend preferred design alternative on Middle Ave from San Mateo Dr to Olive St in anticipation of the tentative 2020 repaving of the same street segment (spring 2019)
2. Complete Streets Commission to support improvements related to the completion and occupancy of 500 ECR and ongoing study of the Middle Avenue Caltrain crossing (ongoing)
3. City Council to identify resources for evaluation, design, and implementation of remaining project elements (pending City Council direction)

Related Existing Policies, Programs, Future Projects

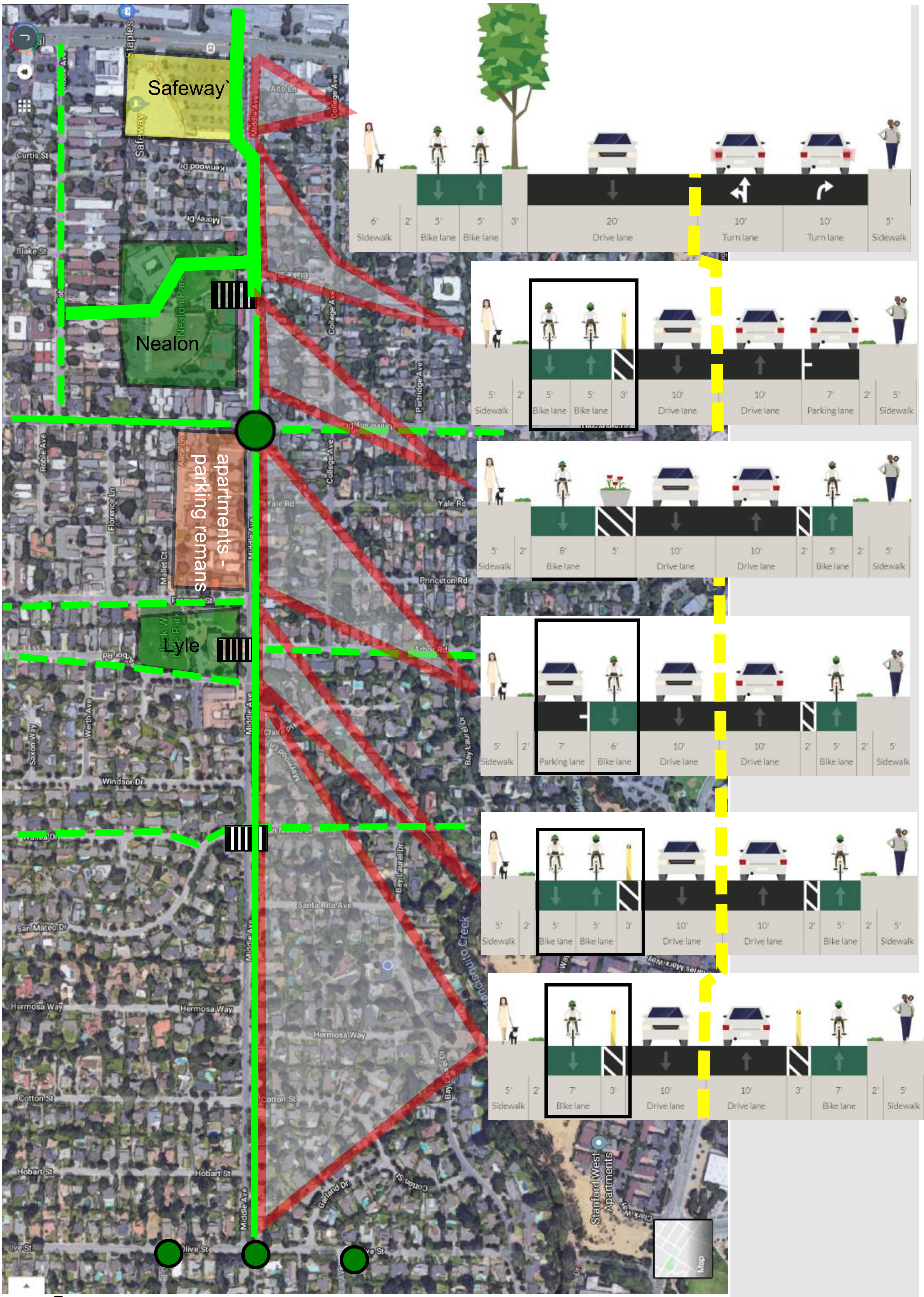
Connect Menlo General Plan, Transportation Master Plan, Safe Routes to School Program, El Camino Real/Downtown Specific Plan, Middle Plaza redevelopment, Middle Avenue Pedestrian and Bicycle Rail Crossing

Project Summary

City Council to prioritize and allocate resources for the initiation of this project. It would require a traffic study due to proposed turn restrictions and parking removal. Interdepartmental and community engagement throughout the development of this project is vital to the meaningful and successful completion of this project. An initial assessment of the project has identified the following key people:

Project Team	Internal Stakeholders	Community Engagement
Transportation staff, TBD Engineering staff, TBD Consultant, TBD	Nikki Nagaya, Assistant PW Director Justin Murphy, PW Director Chris Lamm, Assistant PW Director Derek Schweigart, Community Services Director Fire District	City Council Complete Streets Commission Community (residents and businesses) Public and Private Schools Chamber of Commerce Safe Routes to School Program

Middle Ave proposal



traffic circle   raised crosswalk

two-way protected class 4

one way buffered bike lane class 2

Proposal: Connect three parks and major retail/commercial/residential areas via Class 1 and Class 4 bike routes rather than Class 2 or Class 3

STAFF REPORT

City Council
Meeting Date: **5/21/2019**
Staff Report Number: **19-109-CC**

Regular Business: **Adopt Resolution No. 6504 approving the removal of on-street parking on Santa Cruz Avenue between Olive Street and Avy/Orange Avenue and identify a preferred conceptual design to accommodate the installation of bike lanes and sidewalks**

Recommendation

Staff recommends that City Council adopt Resolution No. 6504 (Attachment A) to approve removal of on-street parking on Santa Cruz Avenue between Olive Street and Avy Avenue/Orange Avenue and identify alternative 1B (40-foot roadway width moving northern curb) as the preferred conceptual design to accommodate the installation of bike lanes and sidewalks.

Policy Issues

The Santa Cruz Avenue Resurfacing project (project) is included in the City's capital improvement program (CIP.) The project is also consistent with policies stated in the 2016 general plan circulation element and the El Camino Real and Downtown specific plan. 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

On January 24, 2017, City Council adopted Resolution No. 6366 authorizing the City to file an application to secure One Bay Area Grant (OBAG) program funds for the Santa Cruz and Middle Avenues resurfacing project. The OBAG program is a 5-year, $800 million regional transportation funding program administered by the Metropolitan Transportation Commission (MTC.) This program supports local street and road maintenance, streetscape enhancements, bicycle and pedestrian improvements, transportation planning and safe routes to school projects. Its focus is funding projects that improve access to and within priority development areas (PDAs), which are targeted growth areas within existing communities, typically with frequent transit service, near established job centers, shopping districts and other services. Within the City of Menlo Park, the City Council designated the El Camino Real/Downtown specific plan area as a PDA in 2013.

Santa Cruz and Middle Avenues were chosen due to their proximity and role in providing access to the City's PDA, the need for repaving, and their role in providing access to local schools, including students at Hillview Middle School and Oak Knoll Elementary School. In 2017, the MTC adopted Resolution No. 4202 that defines the regional funding commitment for this project and outlines availability of these funds in fiscal year 2019-20.

On February 12, staff provided an informational report to City Council outlining the approach planned for the project.

Analysis

The scope of the project area includes Santa Cruz Avenue between Olive Street and Avy Avenue/Orange Avenue, as shown on the map provided in (Attachment B) and described in more detail below.

<u>Santa Cruz Avenue (Olive Street to Avy Avenue/Orange Avenue)</u>
The section on Santa Cruz Avenue is directly adjacent to the area of work for the Santa Cruz Avenue sidewalks project, between University Drive and Olive Street, completed by the City in the summer of 2017. This project, will repave the street, replace asphalt curbs and gutters with concrete, install sidewalks on both sides of the street, and modify existing striping to incorporate painted buffers with existing bicycle lanes where feasible. This approach is generally consistent with the prior 2017 Santa Cruz Avenue sidewalks project; however, there are several distinct factors and new constraints due to the narrower roadway width between Olive Street and Avy Avenue/Orange Avenue that necessitate clarifying the general approach to this project, as described in the table below. This table is the same as that included in the approach summarized in the February 12 informational update to City Council, except an update to the tree preservation section.

Table 1: Project approach

Project element	2017 Santa Cruz sidewalk project (University Dr to Olive St)	Proposed Santa Cruz resurfacing project (Olive St. to Avy/Orange Ave.)
Sidewalk installation	Both sides. Preferred 6-feet wide, but allowable reductions to 5-feet for tree preservation and installation of buffered bicycle lanes if needed. Minimum 4-feet wide.	Both sides. Narrower roadway width limits sidewalk width between to four to 5-feet for tree preservation and installation of buffered bicycle lanes.
On-street parking	Removed all on-street parking to accommodate sidewalk installation and preserve trees and landscaping.	Propose removal of all on-street parking to accommodate sidewalk installation, bicycle lanes, and preserve trees and landscaping. Minimal on-street parking currently exists: • Some parking occurs on the south side of the street in wide bicycle lanes near Elder Avenue, Hidden Oaks Drive, and Lemon Street even though adequate widths for parking and bicycle lanes are not provided. • On the north side of the street, roadway widths do not accommodate parking today, although parking restrictions are not present.

Table 1: Project approach (con't)

Project element	2017 Santa Cruz sidewalk project (University Dr to Olive St)	Proposed Santa Cruz resurfacing project (Olive St. to Avy/Orange Ave.)
Vehicle travel lanes	Preserved one lane each direction (11-foot wide) plus center turn lane (10-foot wide.)	Preserve one lane each direction plus turn pockets at intersections. Narrower roadway width cannot accommodate center turn lane. Lane widths are expected to vary between 10-11-foot, similar to existing conditions in this section.
Bicycle lanes	Preserved Class II (painted) bicycle lanes and added painted buffer and green treatments at intersections.	Preserve Class II (painted) bicycle lanes. Add green treatments at intersections. Add painted buffers where feasible, in order to preserve minimum sidewalk widths and heritage trees.
Tree preservation	Preserved all heritage trees. No non-heritage trees existed in this area.	All heritage trees are expected to be preserved; however, existing trees along 1095 Lemon Street frontage preclude standard sidewalk installation; an asphalt pathway meandering through the trees is proposed instead, which would preserve the trees.
Privately installed landscaping/ monuments in City right-of-way	Preserved significant landscaping (e.g., hedges) and monuments. Minor landscaping and ground cover removed.	Preserve significant landscaping (e.g., hedges) and monuments as feasible to install minimum sidewalk widths and buffered bicycle lanes.
Utility coordination	Coordinated with Cal Water to replace water main and services. Coordinated with West Bay Sanitary District to provide residents opportunity to replace their deteriorated sanitary sewer lateral in advance of street work. Explored undergrounding power lines with PG&E; did not align with project schedule.	Coordinate with Cal Water to replace water main and services, if warranted. Coordinate with West Bay Sanitary District to provide residents opportunity to replace deteriorated sanitary sewer laterals in advance of street work.

The City retained consulting firms Wilsey-Ham and Alta Planning + Design to assist with analysis of the corridor to define potential alternatives and to prepare conceptual designs. Staff requested that Wilsey-Ham conduct a brief analysis of the possible impacts and improvements for consideration to install new curb and gutter on both sides of the street to accommodate either a 40-foot roadway or a 42-foot roadway and include possible impacts and key challenges. A 42-foot roadway would impact utility poles, require tree removals, impact residents' driveways and relocate bus stops, and for these reasons is not considered feasible according to the project approach summarized in Table 1. Thus, two alternative designs for a 40-foot roadway were evaluated and the impacts are summarized below in Table 2. Approximately 17 parking spaces that exist on the south side (across from Hillview Middle School) would be removed with either alternative.

Project element	Alternative 1A 40-ft width, moving southern curb	Alternative 1B 40-ft width, moving northern curb
Relocate PG&E and other communication/utility poles	10 PG&E (not feasible to be completed in timeframe of project) 1 communication	1 anchoring
Remove heritage trees	5	None
Regrade driveways	None	6

Table 2: Project alternatives and impacts

Due to the more severe impacts of alternative 1A, anticipated additional expense and delays associated with relocating utility poles, staff is recommending alternative 1B, the installation of a 40-foot curb-to-curb roadway by retaining the southern curb line and adjusting the northern curb line. Also, some portions of the northern side of the street have existing sidewalk and curb and gutter. These sidewalks would be retained where possible. Alta Planning + Design has prepared diagrams illustrating proposed cross sections (Attachment C) and conceptual striping plan (Attachment D) for the recommended alternative. With either alternative, there may be impacts to landscaping along property frontages for sidewalk installation. These impacts will be addressed on a case-by-case basis prior to the final design being prepared. As mentioned above, no tree or large hedges would be impacted with the recommended alternative 1B.

On March 18, staff sent out a letter to residents along Santa Cruz Avenue between Olive Street and Avy Avenue/Orange Avenue to inform them of the project to resurface the street, install sidewalks and install bike lanes with buffers where available. Staff stated that they would send a follow-up notice with conceptual plans once they become available and to contact staff if they had any questions. Staff received three calls/emails regarding the project. One was from a resident that lives on Santa Cruz Avenue that requested we keep parking in front of his residence, two that supported the project and requested we extend it to Alameda de las Pulgas and one resident that does not live on Santa Cruz Avenue that would like to retain parking. Staff also targeted outreach to inform Menlo Park City School District officials regarding the project, and received a letter in support of the project April 10.

On April 10, staff brought the project before the Complete Streets Commission for their recommendation to City Council. The Commission unanimously passed a motion to recommend the following, with updates from staff following each request from the Commission:

- Removal of on-street parking on Santa Cruz Avenue between Olive Street and Avy Avenue – Orange Avenue, to install Alternative 1B bike lanes
- Explore additional traffic calming measures for the N. Lemon Avenue crosswalk
  - A rectangular rapid flashing beacon (RRFB) is scheduled to be installed summer 2020
- Encourage the County to extend the proposed improvements to Cloud Avenue
  - Staff has reached out to the county through the Santa Cruz Avenue/Alameda de las Pulgas corridor Study Task Force to send them the resident’s and the Commission’s request
- Explore conditions to lower speed limits to 25 miles per hour
  - Staff will be conducting a citywide speed study by fall 2019

Staff is seeking direction from the City Council on the following items:

- Approve the removal of on-street parking on Santa Cruz Avenue between Olive Street and Avy/Orange Avenue

- Identify alternative 1B (40-foot roadway width moving northern curb), as the preferred conceptual design alternative

Table 3 summarizes the proposed project schedule and anticipated next steps.

Table 3: Project schedule	
Task	**Schedule**
City Council approval of preferred alternative and removal of on-street parking on Santa Cruz Avenue	May-19
Install no parking signs	Summer 2019
Complete conceptual designs and cost estimates	Jul-19
Complete final engineering design to secure grant funds for installation	Fall 2019
Advertise project, award construction contract	Apr-20
Completion of resurfacing and permanent striping	Sep-20

Impact on City Resources

Funds to complete the design phase of the project were included in the CIP during fiscal year 2017-18. Funds to complete construction of this project are programmed for fiscal year 2019-20, which includes funds from the construction street impact fee and the OBAG program.

Environmental Review

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

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Staff also sent out a postcard to the residents that front the street as well as residents within 500 feet of the project, notifying them of the project and the May 21 City Council meeting.

Attachments

A. Resolution No. 6504
B. Map of project area
C. Cross-section illustration alternative 1 (40 feet)
D. Striping plan alternative 1 (40 feet)

Report prepared by:
Richard F Angulo, Assistant Engineer

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

RESOLUTION NO. 6504

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AUTHORIZING THE REMOVAL OF PARKING ALONG SANTA CRUZ AVENUE FROM OLIVE STREET TO AVY/ORANGE AVENUE

WHEREAS, on January 24, 2019, City Council adopted resolution No. 6366 to file an application to secure an One Bay Area Grant (OBAG) to program funds to resurface Santa Cruz Avenue between Olive Street and Avy/Orange Avenue; and,

WHEREAS, resurfacing Santa Cruz Avenue provides the opportunity to install sidewalks and enhance the existing bicycle lanes; and,

WHEREAS, removal of parking allows for buffered bicycle lanes to be installed on the majority of the corridor, connecting downtown Menlo Park, several schools, parks, and churches to Avy/Orange Avenue; and,

WHEREAS, on April 10, 2019, the Complete Streets Commission voted unanimously to support staff's recommendation to approve the removal of parking; and,

NOW, THEREFORE, BE IT RESOLVED, that the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore do hereby authorize the removal of parking on Santa Cruz Avenue between Olive Street and Avy/Orange Avenue:

I, Judi A. Herren, 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 of said City Council on the twenty-first day of May, 2019, by the following votes:

AYES:

NOES:

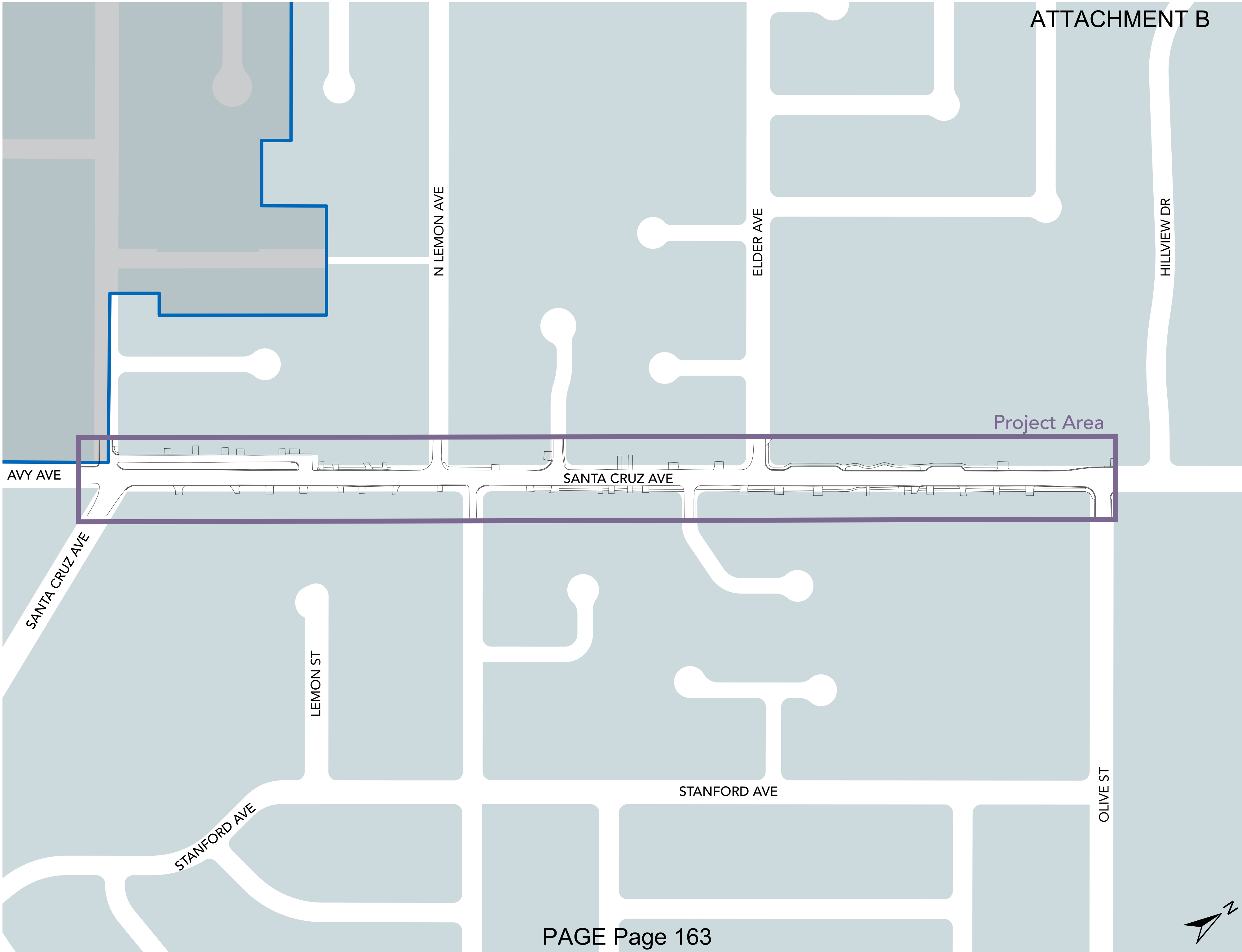
ABSENT:

ABSTAIN:

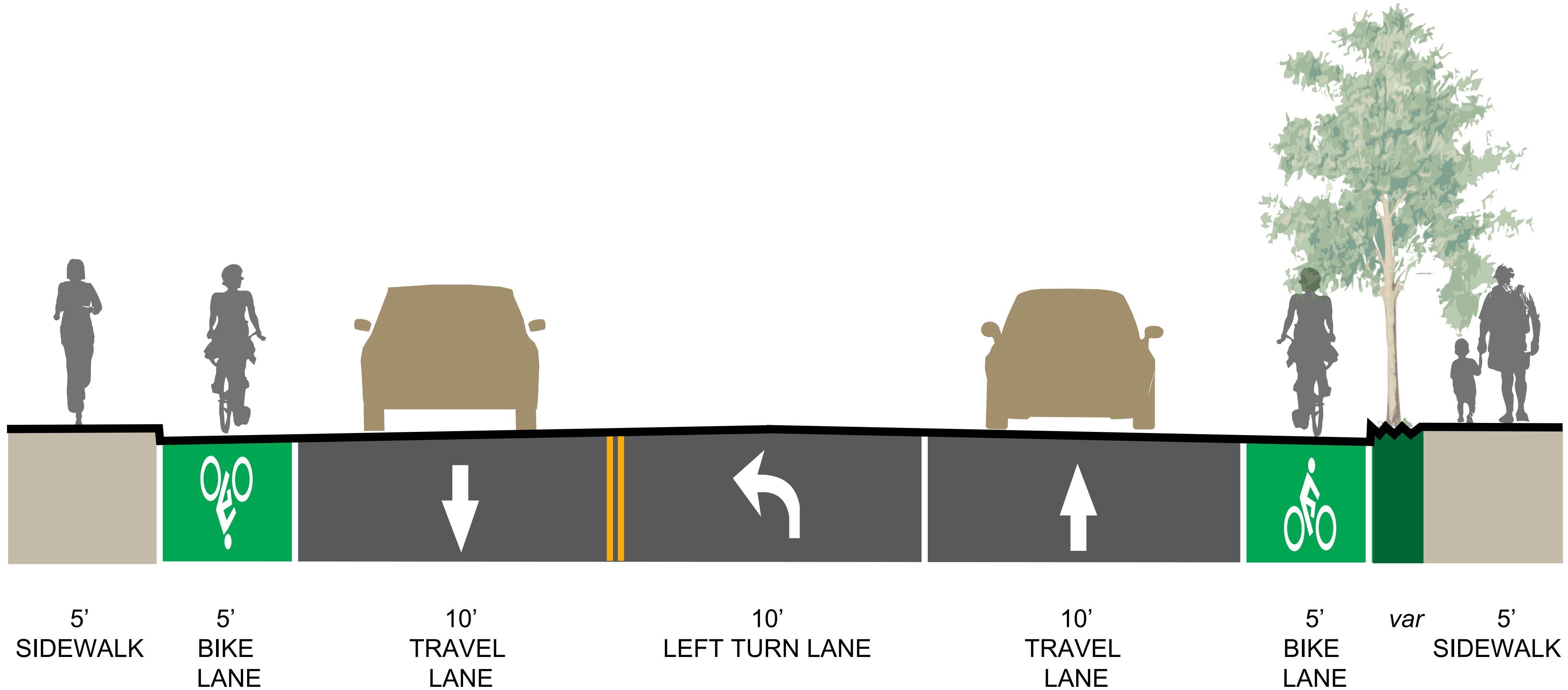
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-first day of May, 2019.

____

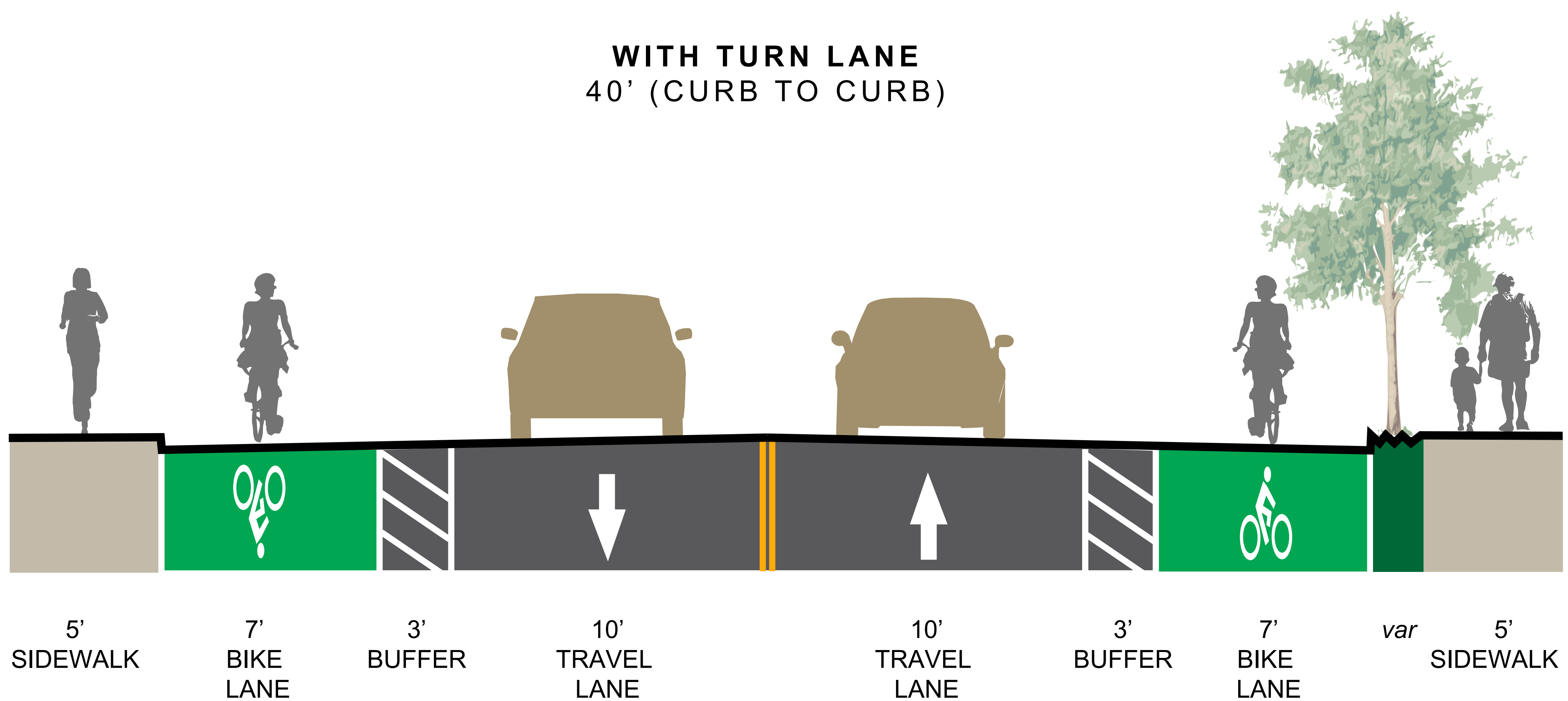
Judi A. Herren, City Clerk


Project Area
AVY AVE
SANTA CRUZ AVE
N LEMON AVE
ELDER AVE
HILLVIEW DR
SANTA CRUZ AVE
LEMON ST
STANFORD AVE
STANFORD AVE
OLIVE ST
N

SANTA CRUZ AVE
40’ CROSS SECTIONS | 1”=5’



WITH TURN LANE
40’ (CURB TO CURB)



NO TURN LANE
40’ (CURB TO CURB)

SANTA CRUZ AVE: CONCEPT DESIGN

MENLO PARK, CA

SHEET 1 OF 2

SCALE: 1" = 20'
0 10 20 40

MAY 2019

alta
PLANNING + DESIGN

SANTA CRUZ AVE: CONCEPT DESIGN

MENLO PARK, CA

SHEET 2 OF 2

SCALE: 1" = 20'
0 10 20 40

MAY 2019

alta
PLANNING + DESIGN

CITY OF MENLO PARK

STAFF REPORT

City Council
Meeting Date: **5/21/2019**
Staff Report Number: **19-098-CC**

Regular Business: **Adopt pilot program to implement the Institute for Local Government's public engagement framework**

Recommendation

Staff recommends that the City Council adopt a pilot program to implement the Institute for Local Government (ILG) public engagement framework (Attachment A.)

Policy Issues

Through the annual budget process, the City Council adopts a spending plan to provide the desired service level to the community. This request redirects an authorized full-time equivalent (FTE) position, currently budgeted but vacant, from managing the library system improvement project to implementing a comprehensive public engagement process. There is no increase in FTEs as a result of this proposal.

Background

In 2008, the City Council created a community engagement manager position to implement a City Council priority to improve public engagement in the city's regulatory decisions. In early 2009, the community engagement manager prepared a comprehensive community engagement guidebook (Attachment C) to assist staff in their work on a variety of projects. Shortly following the issuance of the guidebook, the "Great Recession" required the elimination of the community engagement manager position with the incumbent taking the role of community services director. Except for an update to the guidebook in 2011, Menlo Park has not devoted the resources necessary to ensure that the city's engagement efforts are consistent across departments, relevant to current community needs, and responsive to changes in best practices.

Analysis

In the past several years, the city has engaged the public on a multitude of projects, studies and private development applications. In those efforts, city staff has employed a variety of public engagement tools from official public hearing notices to the retention of consultants to conduct engagement processes. While no public engagement method can be successful in addressing everyone's concerns to their satisfaction, members of the current City Council and members of the community have expressed concerns about some of the city's existing public engagement efforts. Additionally, the absence of a citywide public engagement framework has resulted in differences and variability between the public engagements processes carried out by individual city departments. For these reasons, staff researched and identified a proven public engagement framework that is flexible to accommodate variances between individual departments' needs but that could also potentially be scaled up and applied to all of the city's public engagement efforts in a consistent manner across all departments.

The ILG has developed a public engagement framework called TIERS (think, initiate, engage, review, shift) to promote "…good government at the local level with practical, impartial and easy-to-use resources…" To assist in the deployment of the TIERS public engagement framework, the ILG provides a two-day training called a "learning lab." A team of staff members attended the ILG's most recent learning lab held in Danville at the beginning of April. The team's charge was to assess the value of the ILG's public engagement framework and identify how to utilize the TIERS public engagement framework in Menlo Park.

In the ILG TIERS pubic engagement framework learning lab, the trainers emphasized that transparency requires clarity in terms and clarity in purpose. In their article titled "What is Public Engagement? and Why Should I do it" (Attachment B), the ILG points out that there is a need to draw distinctions among the various ways individuals and groups can become involved in local government processes and decision making. Given the various ways to become involved, according to the ILG, "understanding these differences will help local officials 'fit' the best approach (or approaches) to the issue, policy or controversy at hand." Attachment B provides further explanation of the different types of public engagement: civic engagement, public information/outreach, public participation/deliberation, public consultation and sustained public problem-solving. Additionally, Attachment B explores "why engage the public?":

- Better identification of the public's values, ideas and recommendations
- More informed residents about issues and about local agencies
- Improved local agency decision – making and actions, with better impacts and outcomes
- More community buy-in and support, with less contentiousness
- More civil discussions and decision making
- Faster project implementation with less need to revisit again
- More trust – in each other and in local government
- Higher rates of community participation and leadership development

While the training started with a discussion of terms and purpose, the primary focus of the ILG's TIERS public engagement framework learning lab was on the question of how to promote transparency through clarity of process. To assist in clarity of process, the ILG developed the TIERS public engagement framework (Attachment A) which provides a comprehensive roadmap and a series of thought starters and templates to build a responsive public engagement plan. Staff participating in the training reached a consensus that the TIERS public engagement framework is a useful tool that is substantially similar to the 2011 community engagement handbook. The benefit of adopting the TIERS public engagement framework, however, is the support offered by the ILG in maintaining the framework to incorporate best practices, training provided by the ILG to implement TIERS, and the general usability of the framework and templates.

Staff recommends City Council approval of a pilot project to boost the City's current public engagement efforts. The pilot project makes use of existing resources in the budget. No new FTE personnel are necessary; however, staff seeks City Council approval to repurpose the position approved to manage the library system improvements project as outlined below. Similar to public engagement processes, the pilot project will undergo regular reality checks to ensure it is on track to deliver the outcome described below.

1. Scope – The pilot program launches the TIERS public engagement framework immediately, as resources allow, for the new projects. Initially, staff recommends applying the TIERS framework on three projects: the branch library feasibility study, the local minimum wage ordinance, and an update to the Commission/Committees Handbook. The staff members managing the identified projects participated in the ILG learning lab and are comfortable working through the framework. The TIERS framework should also be applied to larger projects if there is a desire to engage the community in matters of importance. The City does not presently have a staff member capable of dedicating their time to this initiative.
2. Staffing – To implement the scope outlined above, the recommendation is to repurpose an existing and vacant authorized FTE position that was approved by the City Council to manage the library system improvement project. With the transition in the City Council and the City Council's annual goal setting

process in early 2019, the position was held vacant. The City Council has adopted its 2019-20 priorities, and work plan and the city has since hired a library services director with subject matter expertise in library construction. The 1.0 FTE authorized to manage the library system improvement project is no longer necessary.

If the City Council desires to move forward with an organization wide public engagement initiative, the initiative is best served by a dedicated resource as that which existed before the elimination of the community engagement manager position during the Great Recession. The vacant 1.0 FTE intended to manage the library system improvement project can be repurposed and is fully budgeted requiring no change in the City's authorized FTEs. The dedicated staff member will be expected to:

A. Identify and establish a comprehensive centralized database of potential stakeholders. The TIERS framework provides a template termed the "community landscape" to assist in this effort.
B. Build relationships with stakeholders. The staff member will help stakeholders navigate the City's processes, develop connectivity tools that keep the stakeholders informed on topics of interest, and be available to attend stakeholder meetings upon request.
C. Participate in the selection of modern technological transparency tools. The staff member will participate in the budgeting and financial transparency initiative if approved by the City Council as part of the 2019-20 budget. The staff member will also take the lead on redesigning the City's website to emphasize easy to use for the community.
D. Assist departments in the development of public engagement plans for projects using the TIERS framework.
E. Oversee consistent application of adopted public engagement plans and serve as a resource to the user department to ensure continuous improvement.
F. Coordinate media and outreach efforts. The staff person will coordinate all public noticing, webpages, and other media used as part of the engagement effort to ensure consistency across the city organization. The staff person will centralize scheduling of public meetings to avoid conflicts and to minimize meeting fatigue.
G. Facilitate engagement activities. The staff person will be expected to facilitate engagement activities to ensure consistency across engagement efforts as well as ensure that the participants understand the purpose of the activity, prepare a record of the feedback received during the activity, and conclude meetings to ensure that the outreach is productive and meaningful.
H. Conduct "reality checks" at appropriate junctures. The TIERS framework encourages taking time to debrief regularly to verify that the public engagement plan is on target and adjust as necessary. The City Council or City Manager approved public engagement plan, while clear at approval, may require adjustments midstream to incorporate critical information received during the process.

3. City Council – As part of this pilot project, the City Council may be asked to approve public engagement plans for particularly complex or controversial matters. The value of City Council review and approval of the engagement plans is to ensure transparency in process at the onset and minimize, to the greatest extent possible, downstream frustration for all parties involved. The public engagement plan will identify the various decisions anticipated and the type of public engagement that is appropriate within known constraints such as time or staff capacity. The public engagement plan will also clearly outline the role of all stakeholders in the decision-making process to clarify expectations for all participants: community members, organized stakeholder groups, staff, City Council advisory bodies, City Council subcommittees and the City Council.
4. Technology – The pilot program will be most successful with continued investment in technology. As part of the 2019-20 city manager's proposed budget, staff recommends approval of a plan to replace the city's budget and finance software over the next three years. The budget proposal is responsive to recommendations from the Finance and Audit Committee and is essential to improving public access to information that will better facilitate more meaningful public engagement. As the pilot program matures,

technology investment above the 2019-20 budget request may be required.

The public engagement pilot program outlined in this memo identifies the minimal resources necessary to explore significant improvements in the city's public engagement. A dedicated staff person and use of the ILG TIERS public engagement framework provide the most expeditious path toward institutional change that is responsive to requests for greater transparency in processes as expressed by members of the community, staff and City Council.

Impact on City Resources

The pilot program has sufficient resources in the current and proposed budget.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

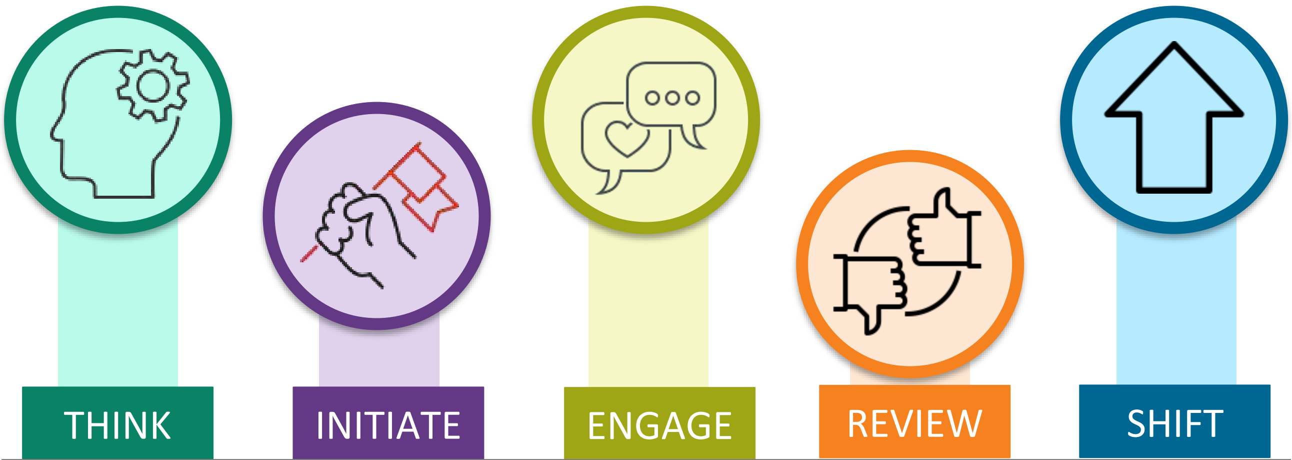
Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. ILG article: "Shaping the future together: TIERS Framework for Practical Public Engagement at the Local Level"
B. ILG article: "What is public engagement? and Why Should I do it?"
C. Menlo Park community engagement model guidebook and tool kit

Report prepared by:
Nick Pegueros, Assistant City Manager
Sean Reinhart, Library Services Director

Shaping the Future Together:
TIERS℠ Framework for Practical Public Engagement at the Local Level



The Institute for Local Government (ILG) has developed a framework to support and assist any local government with planning and executing public engagement efforts. The Framework consists of five pillars for successful community engagement: Think, Initiate, Engage, Review and Shift.

Why TIERS? The TIERS Public Engagement Framework has been developed in direct response to what we have heard from local elected officials and staff across California. In 2015, ILG conducted a statewide survey and found that 69 percent of respondents said they do not have the sufficient staff, knowledge and financial resources for public engagement. These findings mirrored the results of a 2013 ILG & Public Agenda survey which found that 69 percent of respondents thought a lack of resources and staff could stand in the way of a deliberative [public engagement] approach.

Further, there is a lack of standard best practices for authentic and effective public engagement, which leads to a lack of common understanding of what public engagement is and how to approach it. The TIERS Public Engagement Framework and its companion program, the TIERS Learning Lab, provide a step-by-step approach to public engagement.

How Can Your Agency Benefit from Public Engagement?

Local governments will benefit from public engagement in the following ways:

- Improved local agency decision making and actions, with better impacts and outcomes
- More community buy-in and support, with less contentiousness
- Better identification of the public's values, ideas and recommendations
- More informed residents
- More constructive discussion and decision making
- Faster project implementation with less need to revisit again
- More trust in each other and in local government
- Higher rates of community participation and leadership development

THINK

Step 1: Self-Assessment

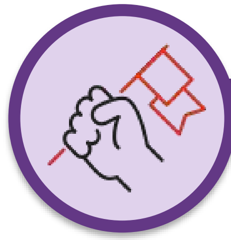
- Public Engagement Project Assessment
  - Quick Assessment (1-4 hours)
  - Deeper Assessment (8 hours to 6 weeks)
  - *Template Provided*
- Agency Assessment
  - Davenport Institute's "How are WE Doing?" assessment tool

Step 2: Consider Public Engagement Approach

- Draft Public Engagement Approach for your Specific Effort
  - *Template Provided*
- Draft Public Engagement Approach for Agency Wide Application
  - Review your agency's public engagement policies and practices, including current staffing
  - Conduct an analysis of the public engagement functions and needs across your agency

Step 3: Contemplate Community Landscape

- Create or update a list of local community based organizations (CBOs) and others to inform outreach efforts
- Identify diverse locations to hold meetings with target audiences in mind
- *Template Provided*



INITIATE

Step 1: Draft Public Engagement Approach

- Choose a mix of in-person and online activities
  - Consider the timeline, budget, staff time implications (your department and other departments as applicable)
  - Who will facilitate events? Who/ how will data gathered be input, analyzed, summarized?
  - What might go wrong? How might your approach mitigate for challenges?
  - *Template Provided*

Step 2: Develop Outreach Plan

- Create an Outreach Plan
  - Consider what you know from your 'community landscape' listing; who you are trying to reach, how much time and money available
  - *Template Provided*

Step 3: 'Reality Check'

- Are there local, state or federal laws or regulations you need to consider?
- Are there internal organizational 'politics' or challenges to take into consideration?
- Are there larger 'Political' issues to keep in mind?
  - For example: Is there an upcoming election? A significant recent incident?

"Society is strongest when we all have a voice. Engaged communities are often more vibrant and healthier."

- The James Irvine Foundation

ENGAGE

Step 1: Implement Outreach Plan

- Implement your plan, prioritizing outreach
- Ensure targeted audiences are represented (authentically) within your plan
    - Double check with local leaders to ensure authentic voices are reached

Step 2: Implement Public Engagement Approach

- Execute your plan; ensure roles are clear; adjust as appropriate
- *Template Provided*

Step 3: 'Reality Check'

- Are there internal organizational 'politics' or challenges that have changed and need to be considered?
- Check in with key community leaders on a regular basis to understand new or coming issues; mitigate accordingly

REVIEW

Step 1: Evaluate Public Engagement Approach

- What worked? What could have gone better? See ILG resources like Rapid Review Worksheets
- Is training needed for any staffers in order to execute more effectively in the future? (e.g. facilitation skills; graphic design; survey question construction; meeting design)

Step 2: Evaluate Outreach Plan

- What worked? What could have gone better?
- Is training needed for any staffers in order to execute more effectively in the future? (e.g. challenging people; communications skills; small group facilitation)
- Are there community leaders with whom the agency should build stronger ties?

Step 3: What Barriers Did You Overcome?

- What internal organizational barriers did you overcome?
- What other political barriers did you overcome?

SHIFT

Step 1: Internal Organizational

- Consider beneficial organizational shifts
    - For example: public engagement assigned within job description(s); commitment to train electeds and staff in public engagement policy and/or skills; ongoing communication strategies that go beyond traditional methods such as ethnic media
    - Send out periodic surveys to understand satisfaction with public engagement related efforts and policies
    - Ask for help when needed from organizations like ILG, Davenport Institute and/or consultants

Step 2: External |Your Community

- Consider beneficial shifts in external relations
    - For example: set and track metrics related to in-person and phone meetings with diverse and underrepresented community members, choose time bound goals; engage with local leadership programs

Step 3: Policy Change

- Consider policy review/ change/ adoption
    - Commitment to review public engagement related policies if they have not been systematically reviewed in the last ten years; Adopt a resolution demonstrating commitment to public engagement

TIERS℠ Public Engagement Learning Lab

The TIERS Public Engagement Learning Lab is an interactive, results-oriented 6 month program led by ILG that provides participants in California local government with hands-on instructions, exclusive TIERS public engagement tools, individualized support of your public engagement project, follow up private consulting, and peer-to-peer learning.

Program Benefits + Takeaways:

- Reframe your public engagement from a necessary burden to a beneficial and productive process
- Learn new tactics and tools to manage and respond to diverse viewpoints and navigate contentious stakeholders
- Learn how to drive higher turnout for your big events
- Gain new ideas and digital strategies to move your public engagement 'Beyond the Usuals' and reach new residents and stakeholders
- Increase your organization's internal buy-in for your public engagement work
- Connect with others in your region to share real-world case studies and provide mutual support for successful public engagement work

To learn more about the TIERS Learning Lab and other training opportunities in your region, please contact ILG's Public Engagement Program at publicengagement@ca-ilg.org

About the Institute for Local Government

The Institute for Local Government's (ILG) mission is to promote good government at the local level with practical, impartial and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities, the California State Association of Counties and the California Special Districts Association.

To access the Institute's resources on public engagement, visit www.ca-ilg.org/engagement

The TIERS Framework was developed with a generous grant from The James Irvine Foundation.

INSTITUTE FOR LOCAL GOVERNMENT℠
Promoting Good Government at the Local Level

The James Irvine Foundation

INSTITUTE FOR LOCAL GOVERNMENT

FOUNDED 1955

What is Public Engagement? & Why Should I do it?

There are many terms that describe the involvement of the public in civic and political life. We offer one set of terms and definitions here not because we're sure these definitions are the best or most complete – or even that most people would agree with them - but because we think it's important to draw distinctions among the various ways people can become involved. This is important because understanding these differences will help local officials "fit" the best approach (or approaches) to the issue, policy or controversy at hand. The exact terms and definitions are less important than recognizing that these distinctions exist.

Local governments throughout California are applying a variety of public engagement strategies and approaches to address issues ranging from land use and budgeting to climate change and public safety. They are discovering a number of benefits that can result from the successful engagement of their residents in local decision making.

What is Public Engagement?

CIVIC ENGAGEMENT

This is an extremely broad term that includes the many ways that residents involve themselves in the civic and political life of their community. It encompasses volunteering as a local Little League coach, attending neighborhood or community-wide meetings, helping to build a community playground, joining a city or county clean-up effort, becoming a member of a neighborhood watch group or local commission – and much more.

PUBLIC ENGAGEMENT

This is a general term we are using for a broad range of methods through which members of the public become more informed about and/or influence public decisions. Given our work to support good public involvement in California, we are especially focused on how local officials use public involvement practices to help inform residents and help guide the policy decisions and actions of local government.

PUBLIC INFORMATION/OUTREACH

This kind of public engagement is characterized by one-way local government communication to residents to inform them about a public problem, issue or policy matter.

Examples could include: a website article describing the agency's current budget situation; a mailing to neighborhood residents about a planned housing complex; or a presentation by a health department to a community group about substandard housing or "bird" flu policies.

PUBLIC CONSULTATION

This kind of public engagement generally includes instances where local officials ask for the individual views or recommendations of residents about public actions and decisions, and where there is generally little or no discussion to add additional knowledge and insight and promote an exchange of viewpoints.

Examples include typical public hearings and council or board comment periods, as well as resident surveys and polls. A public meeting that is mainly focused on asking for "raw" individual opinions and recommendations about budget recommendations would fit in this category.

PUBLIC PARTICIPATION/DELIBERATION

This form of public engagement refers to those processes through which participants receive new information on the topic at hand and through discussion and deliberation jointly prioritize or agree on ideas and/or recommendations intended to inform the decisions of local officials.

Examples include community conversations that provide information on the budget and the budget process and ask participants to discuss community priorities, confront real trade-offs, and craft their collective recommendations; or the development of a representative group of residents who draw on community input and suggest elements and ideas for a general plan update.

SUSTAINED PUBLIC PROBLEM SOLVING

This form of public engagement typically takes place through the work of place-based committees or task forces, often with multi-sector membership, that over an extended period of time address public problems through collaborative planning, implementation, monitoring and/or assessment.

Why Engage the Public?

BETTER IDENTIFICATION OF THE PUBLIC'S VALUES, IDEAS AND RECOMMENDATIONS

Elections help identify voter preferences and communication with individual constituents provide additional information to local officials about resident views on various topics. However gaps often remain in understanding the public's views and preferences on proposed public agency actions and decisions. This can especially be the case for residents or populations that tend to participate less frequently or when simple "pro" or con" views don't help solve the problem at hand. Good public engagement can provide more nuanced and collective views about an issue by a broader spectrum of residents.

MORE INFORMED RESIDENTS - ABOUT ISSUES AND ABOUT LOCAL AGENCIES

Most residents do not regularly follow local policy matters carefully. While a relatively small number do, most community members are not familiar, for instance, with the ins and outs of a local agency budget and budget process, or knowledgeable about planning for a new general plan, open space use or affordable housing. Good public engagement can present opportunities for residents to better understand an issue and its impacts and to see local agency challenges as their challenges as well.

IMPROVED LOCAL AGENCY DECISION - MAKING AND ACTIONS, WITH BETTER IMPACTS AND OUTCOMES

Members of the public have information about their community's history and needs. They also have a sense of the kind of place where they and their families want to live. They can add new voices and new ideas to enrich thinking and planning on topics that concern them. This kind of knowledge, integrated appropriately into local decision making, helps ensure that public decisions are optimal for the community and best fit current conditions and needs.

MORE COMMUNITY BUY-IN AND SUPPORT, WITH LESS CONTENTIOUSNESS

Public engagement by residents and others can generate more support for the final decisions reached by local decision makers. Put simply, participation helps generate ownership. Involved residents who have helped to shape a proposed policy, project or program will better understand the issue itself and the reasons for the decisions that are made. Good communications about the public's involvement in a local decision can increase the support of the broader community as well.

MORE CIVIL DISCUSSIONS AND DECISION MAKING

Earlier, informed and facilitated deliberation by residents will frequently offer a better chance for more civil and reasoned conversations and problem solving than public hearings and other less collaborative opportunities for public input.

FASTER PROJECT IMPLEMENTATION WITH LESS NEED TO REVISIT AGAIN

Making public decisions is one thing; successfully implementing these decisions is often something else altogether. The buy-in discussed above, and the potential for broad agreement on a decision, are important contributors to faster implementation. For instance, a cross section of the community may come together to work on a vision or plan that includes a collective sense of what downtown building height limits should be. If this is adopted by the local agency and guides planning and development over time, the issue will be less likely to reoccur as an issue for the community and for local officials. In general, good public engagement reduces the need for unnecessary decision-making "do-over."

MORE TRUST - IN EACH OTHER AND IN LOCAL GOVERNMENT

Whatever their differences, people who work together on common problems usually have more appreciation of the problem and of each other. Many forms of public engagement provide opportunity to get behind peoples' statements and understand the reasons for what they think and say. This helps enhance understanding and respect among the participants. It also inspires confidence that problems can be solved – which promotes more cooperation over time. Whether called social capital, community building, civic pride or good citizenship, such experiences help build stronger communities. Additionally, when a local agency promotes and is a part of these processes - and takes the ideas and recommendations of the public seriously - a greater trust and confidence in local government often results.

HIGHER RATES OF COMMUNITY PARTICIPATION AND LEADERSHIP DEVELOPMENT

Engaging the public in new ways offers additional opportunities for people to take part in the civic and political life of their community. This may include community members who have traditionally participated less than others. These are avenues for not only contributing to local decisions but for residents to gain knowledge, experience and confidence in the workings of their local government. These are future neighborhood volunteers, civic and community leaders, commissioners and elected officials. In whatever role they choose, these are individuals who will be more prepared and more qualified as informed residents, involved citizens and future leaders.

Generous financial support for this resource was provided by The James Irvine Foundation. All decisions regarding the final content of this publication were made by the Institute for Local Government.

About the Institute for Local Government

This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities, the California State Association of Counties and the California Special Districts Association.

For more information and to access the Institute's resources on public engagement, visit www.ca-ilg.org/publicengagement.

City of Menlo Park

Community Engagement Model Guidebook and Tool Kit

City of Menlo Park

Community Engagement Guidebook and Tool Kit

Spring, 2011

Table of Contents

Introduction

How this guidebook is organized

The guidebook has three major sections – An overview of basics; detailed "how-to" steps for implementing the Model's three stages; and a Tool Kit of various community engagement process methods. Included in green boxes are examples for many of the how to steps.

More than you ever wanted to know about….. everything
These brown boxes provide the research and best practices background supporting the methodology of the steps in the guidebook. Not necessary for doing the work, but fun to know if you care about the "science" of community engagement.

Sources

The ideas in this guidebook have many sources including formal trainings, loads of books, professional organizations and the experiences of members, best practices and plain old "in the trenches" experiences. Much of the knowledge is cumulative but when a source is known, it is cited. Much of the knowledge and language comes from the firm of KezziahWatkins, whose principals have been doing community engagement process work in communities across the country for over 30 years.

Core Values and Basic Principles

What community engagement is / isn't

Community engagement is any process involving residents in problem solving or decision making or using public input to make better decisions. The ultimate goal of community engagement is to make decisions reflecting a lasting public or community judgment. The long term outcome of meaningful community engagement is an increase in trust in local government and the replacement of a sense of alienation with a sense of community.

This does not mean community engagement always results in decisions that make everyone happy. It does mean that those who most oppose a decision will understand why it was made and will often go along, however reluctantly, because they had an opportunity to be heard.

Community engagement is not a substitute for decision making by an organization or elected body, but should be an important influence upon it.

Community engagement is also NOT public relations, although some of the tools are similar.

Most of all, community engagement is NOT a cure for conflict or a magic bullet. Often, community engagement activities surface conflict and provide a productive way to manage and resolve conflicts and controversy.

Here's what residents of Menlo Park said community engagement means to them:

- We really want to know the answer and do something with it so people feel heard
- People feel they've been listened to even if they don't agree with the outcome
- Residents feel that City Hall belongs to them
- Constant nurturing of relationships
- Convert people from outsiders to insiders
- Residents do not feel betrayed
- People are informed about core / underlying issues; less likely to be polarized
- Trust increases

It's clear that in Menlo Park people expect, even demand, that we use community engagement at least routinely, if not for every decision we make. There are no hard and fast rules for creating community engagement that meets all these expectations, but there are some core values to ground us, some best practices to suggest approaches, and some tried and true tools to support meaningful engagement. The purpose of this guidebook and tool kit is to be a reference for implementing effective community engagement processes meeting these core values and basic principles.

Core values and principles

The International Association for Public Participation, an international leader in community engagement, has developed Core Values for use in the development and implementation of community engagement processes. These core values include:

- Community engagement is based on the belief that those who are affected by a decision have a right to be involved in the decision making process
- Community engagement includes the promise that the community's contributions will influence the final decision
- Community engagement promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers
- Community engagement seeks out and facilitates the involvement of all those potentially affected by or interested in a decision
- Community engagement provides participants information they need to participate in a meaningful way
- Community engagement communicates to participants how their input affected the decision

Open / Honest / Fair

Experience also shows several important principles which, if followed, always contribute to successful processes:

- The decision making process is **open** to everyone, with every person given an equal opportunity and encouragment to participate
- There is a genuine intent to truly listen to what people have to say and to reflect their concerns in the final decision; all information, including the potential positive and negative impacts of any proposed solution, is **honestly** provided to everyone, equally.
- All voices are equal and considered **fairly**.
- An organization's role is to state and clarify the need for the decision or the problem to be solved, not to sell a particular solution
- There is no "general public" there are many publics who care about many different things
- Effective community engagement is more an attitude than it is the methods used

Roles and responsibilities

One common source of confusion when thinking about designing effective community engagement process involves questions about roles and responsibilities. Council and Commission members and appointed City staff are in these positions of authority because they are good at solving problems and making decisions… if residents are going to be making decisions, what's the job of Council, Commissions and staff?

Valuing and using community engagement is not a substitute for or abdication of decision making in public organizations. No one charged with ultimate authority and responsibility should simply turn over decisions to the publics they serve. This would certainly betray a trust placed with those authorities and may even be an irresponsible breach of the organization's charge or mission. So what's a responsible leader to do?

The community engagement model presented in this guidebook defines **leaders' roles** in this way:

- Identify the problem to be solved (we describe this as selling the problem, not the solution)
- Make sure that the problem is effectively communicated to the publics who could be impacted by possible solutions
- Decide what role public participants will play in the decision making process and what elements of a decision are not negotiable
- Decide how, and to what level, community engagement will influence the decision
- Hear first hand and genuinely consider the ideas, wants and desires of people when making the final decision
- Hold to the process outcomes and allow no compromising on an open, honest and fair process
- Absolutely refrain from any old-fashioned "deal cutting"

The community engagement model presented in this guidebook defines **staff roles** this way:

- Serve as information-givers, using technical expertise and professional experience to describe options as well as their pros and cons, and benefits and implications in order to make sound decisions possible
- Serve as facilitators, not necessarily of meetings, but in designing and carrying out community engagement processes
- Develop recommendations that are sound, fair and politically supportable by the decision-makers by helping people turn uninformed opinion into public judgment
- Track input and provide feedback on results to the participants and the decision makers
- Act as champions for community engagement in general and for specific processes overall in order to facilitate building trust and a sense of community

If a **Commission or Community-based Committee** is involved, their roles should be defined this way:

- The key here is to be careful not to create a process that pits the responsibilities of standing committees and boards against the responsibilities we're placing on participants
- Bring experience and perspective to bear in helping to define the problem or opportunity the process is being designed to address
- Promote attendance and participation, especially through personal contact
- Host meetings and attend and participate in others
- Honor the process results in their decision making and incorporate them into recommendations to Council
- See appendix A for sample "charges" to Commissions and Project / Advisory Committees

Residents and participants have a role, too:

- Choose to participate (or not) in any process involving a decision impacting them
- Keep in mind that by not participating they are consenting to the final decision made by others, no matter what that is
- When participating, provide honest input, listen respectfully to others and work hard to reach compromises on difficult issues

When to do it

There is no absolute formula for determining which decisions should include the community. Different issues and different situations will call for different levels of engagement and different engagement methods. The three phase process planning steps in the next section of this Guidebook will help you sort this out in the most effective way. Generally, though, community engagement is the right approach when decisions involve conflicting and / or competing public values or goals, such as:

- We're considering changes in use or deletions of service (or people will have to give up something they think of as a "right")
- We're dealing with environmental issues
- A project is perceived to have impacts on people's property rights, property values, quality of life or safety (keeping in mind that it's people's perception of the facts that matters more than the "facts" as staff might define them)
- We wouldn't want it in our backyard, wouldn't understand it without our inside knowledge or it wouldn't seem fair if it wasn't our idea (does it impact some people more than others?)
- The decision involves trade offs or weighing of one value in comparison with another (aka conflict!)
- Community support would help achieve a goal (such as community building)
- There is an existing legal or administrative requirement for engagement

Community engagement is **NOT** advisable if:

- We have absolutely no choice about what to do
- There is a crisis which needs to be handled immediately
- Nobody cares about the issue (but we should *always* check this assumption)
- We absolutely will not pay attention to what the community says

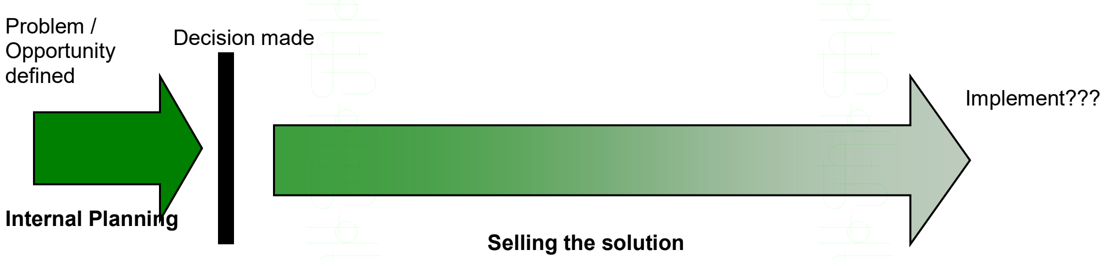
A Key Question:

Will community engagement mean it takes longer to do projects?

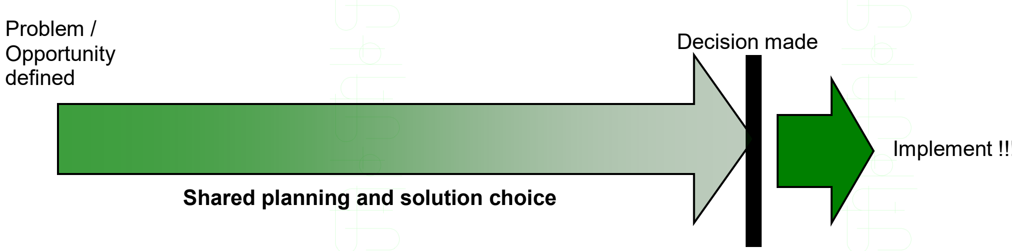
Here's the answer!

Although it may feel like it takes longer because more time is spent up front in the planning stage, there is MUCH less time spent defending decisions that, in some cases, never get to the implementation stage. When organizations do a good job of involving people in discussing the problem or opportunity and the alternatives on the front end, less time needs to be spent in selling the final solution. Implementation becomes much less tenuous.

Traditional / Unilateral Decision



Decision made with community engagement



Stages of Public Participation Planning

There are three basic stages in planning a meaningful community engagement process. Each stage also includes a series of steps that look something like this:

Stage One: Decision analysis

1. Clarify the decision being made (develop the problem or opportunity statement)
2. Decide whether public participation is needed and for what purpose (determine the level of engagement needed)
3. Identify any aspects of the decision that are non-negotiable, including expectations for who makes the final decision
4. Identify the stakeholders and their interests (determine the scope of the project)

Stage Two: Process planning

1. Specify what needs to be accomplished at each public step
2. Identify what information people and process facilitators need to build public judgment
3. Identify appropriate methods for each step

Stage Three: Implementation planning

1. Develop a supporting communications plan
2. Plan the implementation of individual activities
3. Plan the input analysis process
4. Honor and evaluate the process

Stage One: Decision Analysis

Problem or opportunity defined

The very first step in designing any community engagement process is to define the problem that needs to be resolved or the opportunity we need to take advantage of. This sounds like it should be easy, but it's not. You'd be surprised how often problems and issues are defined in "solution" language – in such a way that a solution is implied from the start. Misunderstanding the problem is also a common trouble spot for community engagement processes.

An easy way to begin is to ask the process planning team to brainstorm the consequences of doing nothing. What would happen if the problem wasn't solved or the opportunity not pursued? Here we need to keep in mind whether or not doing nothing would be irresponsible, given our mission. If doing nothing is not an option, we have a real problem that needs to be addressed.

Put down on paper not just how the team sees the problem, but how those impacted by the issue might describe it in a problem or opportunity statement. Keep asking *"why is that a problem?"* until you reach the most fundamental level possible. This statement will be used to draw people in to the process. It should link with their self interest at the broadest level and help us "sell" the problem as a way of compelling people to participate.

We all look at situations through our own "lenses". The key to getting a problem statement right is to see the problem as those whose lives will be affected by a solution will see it. We should always consider testing our assumptions about this with a few interested residents, Commission or Council members.

A good problem or opportunity statement should:

- Clearly establish the goal the project is designed to accomplish in it's broadest terms
- Be concise
- Be factual
- Be framed in language everyone can understand
- Not suggest solutions (for example, don't say "traffic calming on Main Street is needed." Say: "Traffic speeds are excessive on Main Street and it is not safe for pedestrians or bikers")

The problem statement will be included in every piece of information we produce for a process. We should present it both visually and verbally at the beginning of every meeting we hold. It will serve to focus attention on the reason for the process and the goal everyone is trying to achieve.

Here's an example of the evolution of a problem statement:

Iteration #1:
Santa Cruz Avenue has a PQI below the City's standard.

Why is that a problem?

Iteration #2:
The road is rough and causes wear and tear on automobiles. It's not very attractive and it's difficult to drive on.

Why is that a problem?

Iteration #3:
A rough road can cause drivers to have difficulty controlling their car and contributes to accidents – there are schools in the area and children walk along the street.

(Then, the fundamental nature of this problem is that the road is increasingly unsafe for drivers and pedestrians and must be fixed)

Final Problem Statement:

> Santa Cruz Avenue is one of the top five most-used streets in Menlo Park, especially for east-west traffic and as an emergency vehicle and school route. But the project area is also one of the worst roads in the City. It's crowded, left turns are difficult, and the road surface is really rough. Poor drainage in the area makes the situation worse and often results in flooding and standing water. All these conditions are causing concern for safety of people who drive on or walk near the road and something must be done to solve these problems.

Here's another example:
Your City Your Decision
The City of Menlo Park faces a $2.9 million budget shortfall in 2006-2007. This gap represents 10% of the City's annual operating budget and will widen over time if nothing is done. Short-term savings and lower impact cuts made over the last four years have not been enough. A permanent solution to Menlo Park's budget crisis is needed and will involve many tough choices and trade-offs.

More than you ever want to know about…… the importance of problem statements

Experts say that public problems persist largely because we confine ourselves to debating solutions for them. We don't get past arguments about what to do. This happens because we don't take time to understand the problem well enough to deal with the fundamental issues. How we should respond to a problem should be the last matter we discuss. To progress toward solving a problem, we need to step back from solutions. Before we can identify and evaluate our options, we need to understand exactly what the problem is, what's at stake, and why it's so difficult to come up with an effective, supportable response.

Fox and Miller (1996) call this important problem definition step "situation-regarding intentionality" (p. 123) which they believe is important to assure that the public process is about something, about contextually situated activities, and brings participants closer to the common ground of public interest over self-interest: "By connecting their claims to a situation, discussants are better able to direct everyone's attention to the public policy question that matters most: What should we do next?".

They say that situation-regarding intentionality promotes a "higher level of generalization" (the public interest) than the standpoint of the "atomistic, utility-maximizing individual" (self-interest).

Yankelovich (1998) also discusses the importance of framing the issue as the first step in deliberative processes designed to develop public judgment. He says, "Citizen engagement requires elaborate preparatory work. The first step is to define the policy issues from a citizen, rather than an official, perspective" (p. 6).

The National Issues Forum (1996) believes "people only become involved when they see a connection between what is valuable to them and the issues of the day. So problems or issues have to be named in terms of what is most valuable to people, that is, in public terms" (p. 2).

Good problem statements do all these things to make a process effective, and so that is always where we start.

Level and purpose of community engagement defined

What level of community engagement is right? Levels of community engagement have been described by the International Association of Public Participation (IAP2) as including a spectrum of activities demonstrating varying levels of public participation in decision-making depending upon the goals, time frames, resources and level of public interest in the decision.

The *IAP2 Spectrum*, below, describes levels of community engagement across the top and typical goals or purposes for those levels down the rows, as well as the implied expectations the community will have at that level and the typical methods of engagement used (note that each level incorporates the goals of prior levels).

	Inform	Consult	Involve	Collaborate	Empower
Typical goals	Provide the community with balanced and objective information to assist in understanding services, problems, alternatives and / or solutions	Obtain public feedback on analysis, alternatives and / or decisions	Work directly with the community throughout the process to consistently understand & consider concerns and aspirations	Partner with residents in each aspect of the decision including development of alternatives and choice of the preferred solution	Place final decision-making in the hands of residents
Promise to community	We will keep you informed	We will keep you informed. Listen to and acknowledge concerns and aspirations and provide feedback on how input influenced the decision	We will work to ensure that your concerns & aspirations are directly reflected in alternatives developed and provide feedback on how input influenced the decision	We will look to you for advice and innovation in formulating solutions and incorporate your advice & recommendation into decisions to the maximum extent possible	We will implement what you decide
Sample methods	**Web sites, news releases, fact sheets**	**Focus groups, surveys, meetings**	**Workshops, deliberative polling**	**Commissions, committees, participatory decisions**	**Delegated decisions, ballots**

Deciding what level of engagement will occur involves seriously considering the impacts of the problem as it was stated in step one. It also involves thinking about the level of involvement needed for the decision to have “legitimacy” – that is what level of engagement is needed so that the decision can be implemented once it is reached – what level will make the decision “count”? Usually the greater the public concern, the higher the level of engagement needed.

The level of engagement will also depend upon factors like resources and time frames available for process implementation. It’s also helpful to consider these questions:

- Do you want the people involved to just give you information about how they perceive the problem and whether or not something should be done about it?
- Do you only want their advice on how you should approach the solution?
- Are you investing them with the authority to make the final decision?

Sometimes it can help to define the Givens (see below) when determining how much of a final decision is actually open for debate or input.

One fun way to think about levels of engagement is to compare it to how you might describe dessert options to your dinner guests:

Inform: “We’re having chocolate cake for dessert tonight.”

Consult: “I was thinking of serving chocolate cake for dessert. Would that be OK?”

Involve (phase one): “What type of dessert would you like tonight – sweet or salty?”
Involve (phase two): “OK, you said sweet; I’ve looked at what’s in the cupboard and we could have cake or ice cream or cookies… what do you think?”
Involve (phase three): OK, you said you wanted ice cream, do you have any flavor preferences?”
Involve (final decision): “ We’re having chocolate ice cream based on your input.”

Collaborate: “Let’s sit down together and figure out what we want for dessert tonight – we could make it together.”

Empower: “Here’s $20, go out and buy or make dessert for us tonight” OR “We will vote on which dessert to have from this menu of choices.”

Project Givens

The next step in decision analysis is to identify any aspects of the decision that are non-negotiable, including expectations for who makes the final decision; this further refines the thinking done in the previous step.

Givens are the elements of a decision that the organization would be irresponsible putting up for discussion. Considering the City's or your department's mission, are there any conditions you would be irresponsible to let anyone else decide? Are there any responsibilities we have that we cannot let anyone jeopardize? What solution could people come up with that we would never be able to implement (the "why nots" become the givens)?

Sometimes it's helpful for the project team to think of givens as "curbs" or "the box" within which the community will make a decision. It tells people what the boundaries are.

Usually, givens describe legal, moral and ethical, safety or financial constraints we face and must honor. They should never be just our preferences and should never be used to manipulate a process. We should also make sure what we think the constraints really are – if residents want to raise money to increase the budget for a park improvement project, isn't it really the City's contribution to the project that is a given rather than the total budget? Givens should be tested with Commission members or interested residents to make sure we're not including any assumptions. Givens should always be formally submitted to the Council for agreement (and, ideally, formal approval) before a process begins. Even more valuable would be for Council to assist in the development of the Givens especially when they will be the ultimate determiners of what decision making can be delegated.

Keep the list as short as you can.

The only Given that is **ALWAYS** included is a process one: who will make the final decision. If there are several steps that must occur before final action and implementation, this process Given should include those as well. Participants need to be very clear about what will happen with what they say.

Givens will be stated early and often

Just like the problem statement is developed at the beginning of a process, Givens are clearly stated at the outset, in all communications about the process, and at every meeting.

Examples of givens:

Willows Area Traffic Study

- The project area is defined as the residential area between US 101, Willow Road, Middlefield Road, Woodland Avenue and Manhattan Avenue, including a small portion of the City of East Palo Alto (see map on reverse).
- Cut-through traffic is defined as any traffic generated outside the project area and traveling through the project area to a destination outside the project area.
- Implementation of any traffic calming measures approved as a result of this study will comply with the Neighborhood Traffic Management Program (NTMP), beginning with the Resident Survey for Trial Installation. For more information on the NTMP, see http://www.menlopark.org/departments/trn/ntmp_final.pdf

Your City Your Decision

Serving as a framework for the residents of Menlo Park to help set budget priorities are a list of conditions which must be met:

- The City budget must be balanced.
- The safety of Menlo Park residents will not be compromised in any way.
- State and federal mandates must still be met.
- Financial indebtedness must be honored.
- Prior votes of the people must be honored.
- Services will be provided to professional management standards.
- City staff and Council want to hear people's ideas about what services are the priority; the City will decide HOW those services will be delivered; and
- The City Council will make the decision on the final budget.

Stakeholders and their interests (determine the scope of the project)

The third step in the decision analysis stage is to identify a list of people who might want to be involved --everyone from individuals to groups, from early supporters of a specific solution to those you may not yet have heard from. Who will probably care about the issue or project? These are your stakeholders. You'll also make a list of what they are likely to care about.

Stakeholders are… groups and individuals who will be affected by or who will likely care about the problem or opportunity to be addressed. Don't' forget your internal interests like other City departments and the news media. Assume that all stakeholders you can think of have an interest in participating and let them decide if they'll get involved or not.

Interests are… the things the stakeholders care about.

These lists will help you determine the scope and complexity of your process. If there are many stakeholders, you'll need more methods for engagement and those methods will need to accommodate a larger number of people. You might even need to repeat methods to make sure everyone has an opportunity to be involved. You'll also be relying more on the media to get the word out to a broader audience if the stakeholder list is long.

If the list of interests is long, understand that the problem is complex, so the solution and the process will also be complex, so plenty of time will be needed to develop that solution and weigh in on its implications.

Short lists may indicate you'll just need one meeting or even just a cup of coffee with a few key people!

These lists are not intended to serve as exclusive lists of participants, but serve three purposes:
- Helps you see the problem / opportunity as those affected will
- Gives you an initial contact list for project promotion and communication; and
- Hot issues you may need to begin gathering background information about

Use your project team to make these lists, then ask others, including some of the stakeholders, to provide input as well. Think about adding to the lists as you work through the rest of the process design steps.

Then, take one more look at the problem as you've defined it. Does your understanding of the problem / opportunity still hold? Do you have any new insights now that you've thought through who's likely to care and what their concerns might be?

Examples of stakeholders and interests:

Willows Area Traffic Study
Stakeholders

- The “traveling” public
- Neighborhood homeowners and renters
- Area school students, parents and staff
- Utility companies
- News media
- Police and Fire Departments
- Neighborhood activists (listed individually)
- Residents of nearby neighborhoods
- Runners
- Bicyclists
- Adjacent park users
- City Public Works Department
- Area businesses

Willows Area Traffic Study
Interests

- Safety of the roadway
- Ease of travel
- Impact on residential areas
- Noise
- Cut-through traffic
- Decision-making process
- Pedestrian safety
- Underground utilities
- Speed limit
- Drainage
- Sidewalks
- Trees
- Safety of the neighborhood
- Accessibility of the neighborhood

More than you ever want to know about……….. stakeholders

Experts say that a productive public discussion depends on making sure all perspectives on the problem are incorporated into its descriptions and the generation of potential solutions. The problem outline must fairly and sympathetically encompass the outlooks of every segment of the public. Granted, this comprehensiveness is not to be realized perfectly. For people to feel the discussion process is fair and will serve their interests better than more adversarial strategies, they need to be assured that their particular views will receive an honest hearing.

Briand (1995) believes that because no single gathering of citizens can include everyone, the full diversity of a community will not be reflected in any single outreach technique. However, the community's full diversity can be captured through a well-planned process. He observes, "This means that public discourse participants must guard against the temptation to believe their views are representative. Because it's impossible to assemble a truly diverse group of citizens, participants should discover what other community members think, so even if they aren't physically present, the group will take their views into account" (p. 27).

Fox and Miller (1996) say: "It is expected that in an authentic discourse, the stances and viewpoints of participants will undergo alteration. One may endorse the provisional results of a given discourse, if one has had an equal chance to influence that discourse, even if one's own points did not prevail."

This step is vital to the success of later steps. Briand (1995) states, "It is hardly possible to overrate the value…of placing human beings in contact with persons dissimilar to themselves, and with modes of thought and action unlike those with which they are familiar…Such communication has always been, and is peculiarly in this present age, one of the primary sources of progress" (p. 29).

Making sure we're including diverse stakeholders also helps ensure that different perspectives hear from and are influenced by one another's needs and wants – people are much more likely to participate in a give-and-take around a compromise when their "adversary" is another resident, not City staff.

A Handy Tool

A chart like this can be used for recording stakeholders and their interests:

Stakeholders and their Interests Matrix

Stake-holders					
Interests					

Stage Two: Process Planning

Coming to Public Judgment

An overarching goal for all community engagement processes is the development of public judgment, also called public will or political will, that allows a community-based decision to be seen as legitimate, politically supportable, and so, implementable.

Public judgment is distinguished from public opinion that is not seen as legitimate, lasting or implementable, largely because public opinion is not dependant upon factual information and core values. We all hold opinions about lots of things. Some of our opinions are fact based and some are developed based on media headlines, rumor, word-of-mouth and other often-questionable sources like blogs or wikis. Opinion alone is NOT good for problem solving. Opinions can and should change easily as more and different information and perspectives about an issue emerges.

Judgment, on the other hand, does not change by the introduction of inconsequential information, largely because judgment is linked to our central beliefs and values. The Pew Partnership for Civic Change says that a public judgment consists of a shared and common sense of our public priorities:

> *Judgment is not the same thing as complete agreement or consensus. Nor is it simple compromise. Rather, a public judgment represents a shared conclusion about what is best, all things considered. A public judgment never loses sight of the importance of the good things that may have to be assigned relatively less emphasis in order to resolve a conflict. Accordingly, it insists they be respected insofar as possible.*
>
> *In practice, a public judgment is achieved when people can say phrases such as 'what we can all live with' or 'what everyone can go along with.' Of course, in some cases a public judgment may prove elusive. There is no guarantee political opponents will acknowledge the validity of each other's needs and concerns. But a public judgment is a practical objective, attainable through patient and persistent deliberation.*

Daniel Yankelovich is an international expert on public judgment and the process people go through to develop it. Our process planning steps are based, in part, on his research and recommendations (see *Coming to Public Judgment*, 1991) which say our fundamental beliefs *can* be changed by information but the information must be so compelling that it requires us to re-examine principles we have held over time and are emotionally attached to. We make this change in stages that involve, as Yankelovich says, "confronting ambivalent feelings, accommodating unwelcome realities, overcoming the urge to avoid the issue because it involves reconciling conflicting values, and, then, finally, overcoming the need to put our own needs above other ethical commitments."

This means that the shared decision-making embodied in community engagement processes needs to take into account the fundamental values and beliefs held by community residents as well as the conflicts (both personal and interpersonal) that come with rethinking community opinions. It also needs to provide information so residents can develop judgment about issues and decisions ahead. And, it needs to include opportunities for people to discuss and collectively weigh the meaning of the choices facing them.

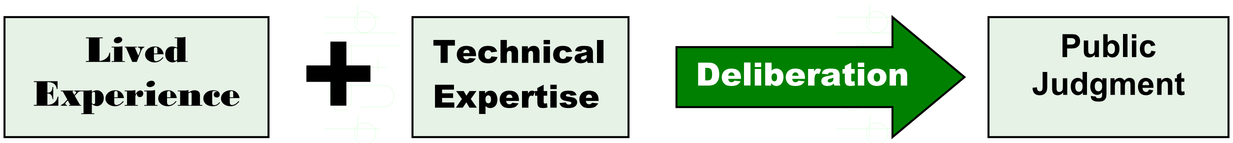
So, in order for a community engagement process to result in a public judgment, it must include:

- Factual information and opportunities to clarify it
- Deliberation – the opportunity to hear other perspectives, ideas and values
- Discussions framed as "what can we do to solve this problem?" rather than "how did we get into this situation?"
- Discussions focused on achieving the goal of a solution, rather than arguing from entrenched positions

For these reasons we structure community engagement processes in a sequence of decisions that helps people move through the phases needed to come to public judgment.

How the sequence of decisions works

Community engagement works best when there is a partnership between local governments and residents, each bringing valuable information to the solution. Government staff bring factual information and technical analysis. People who will be impacted by the solution bring their "lived experience," relating how the situation / solution has or could impact their lives. The ultimate result is a decision that's responsible and politically supportable (a public judgment).



More than you ever want to know about………………public judgment

Experts say that political questions are not factual and that reliance on technical experts and reason-based scientific knowledge shuts down public discussion, as there is no way to argue with the "scientific method." They say public questions are different from scientific or technical questions because they are questions we must face without conceptual "yardsticks" by which to measure them or by "banisters" of accepted values. They are questions to which reasonable answers emerge in the course of argument, and to which there is no "truth" determined by someone else (Arendt, 1968).

Benjamin Barber (1985) has said, "It is a kind of 'we' thinking that compels individuals to reformulate their interests, purposes, norms and plans in the mutualistic language of public goods. 'I want X' must be reconceived as 'X would be good for the community to which I belong'– an operation in social algebra for which not every 'X' will be suitable" (p. 171).

Goodsell (1990) believes this expression of public interest arises directly from the need to find ways to accomplish self interest through the cooperation of others. He argues that those advocating on behalf of the public interest at least claim to be decent and respectful of community norms. Other sorts of claims, such as those that occur in market exchanges, do not carry such implications. Speakers claiming to represent what the public wants invite others to join the appeal with broad arguments beyond self-interest. Goodsell says participants in this sort of discourse make meaning together and, in doing so, become serious about the public interest (p. 113).

Isaacs (1999) believes that dialogue and the discovery of common interest are linked more closely. He says dialogue achieves breakthroughs "by deepening the 'glue' that links people together. This 'glue' is the genuine shared meaning and common understanding already present in a group of people. From shared meaning, shared action arises" (p. 10). Isaacs says that this is particularly true under conditions where the stakes are high and the differences abound, where people harden their positions and then must advocate for them. To advocate is to speak for your own point of view, your own interests. Issacs says, "dialogue, as I define it, is a conversation with a center, not sides. It is a way of taking the energy out of our differences and channeling it toward something that has a greater common sense," (p. 19).

Mary Parker Follett (1994) says this dialogue has even greater advantages than ordering individual thought in preparation to be shared. She says "the great advantage of discussion is that thereby we overcome misunderstanding and conquer prejudice" (p. 43). "If the multiplicity and complexity of interrelations of interests and wants and hopes are to be brought to the surface to form the substance of politics, people must come more and more to live their lives together."

What about "consensus"?

Sometimes, if issues are very controversial and thoroughly grounded in adversity, with hostility and values that absolutely conflict, reaching consensus on the best solution may not be possible. Deliberation can still develop informed judgment about the problem even if grudging agreement can't be reached.

Many times, though, consensus can be achieved on the best solution to the problem. Not to be confused with absolute unanimity, consensus can be described as an agreement that everyone agrees to live with, even though people may have had to give up something they wanted and did not achieve their solution of first choice.

Consensus is reached through deliberation. It is a series of agreements built one at a time until the final resolution is reached. Each party involved in consensus decision-making should be able to describe his or her state of mind at its conclusion as:

> *"I understand what most of you want to do. That alternative is not my first choice, and I would like to do something else, I've had ample opportunity to have my views heard and to try to convince others to do what I want to do, but I haven't been able to. So, since this process has been open and fair, I'll go along with what most people want to do."*

Consensus assumes several things:

- There is common ground among competing / conflicting interests
- An overriding goal can be identified and agreed to
- People who disagree need not be enemies or adversaries
- There is legitimacy to every perspective
- People will work to accommodate each other's needs so that everyone gets more of what they want

The heart of any process – Sequence of Decisions

The first step of Stage Two involves defining the Sequence of Decisions (see figure below) needed to reach public judgment on the issue or opportunity. We'll then select the appropriate engagement methods based on that sequence and the potential participants identified in Stage 1. In this step, we think through all of the information, including community values and concerns, as well as expert technical information, that people need in order to weigh the choices and do the hard work of coming to judgment.

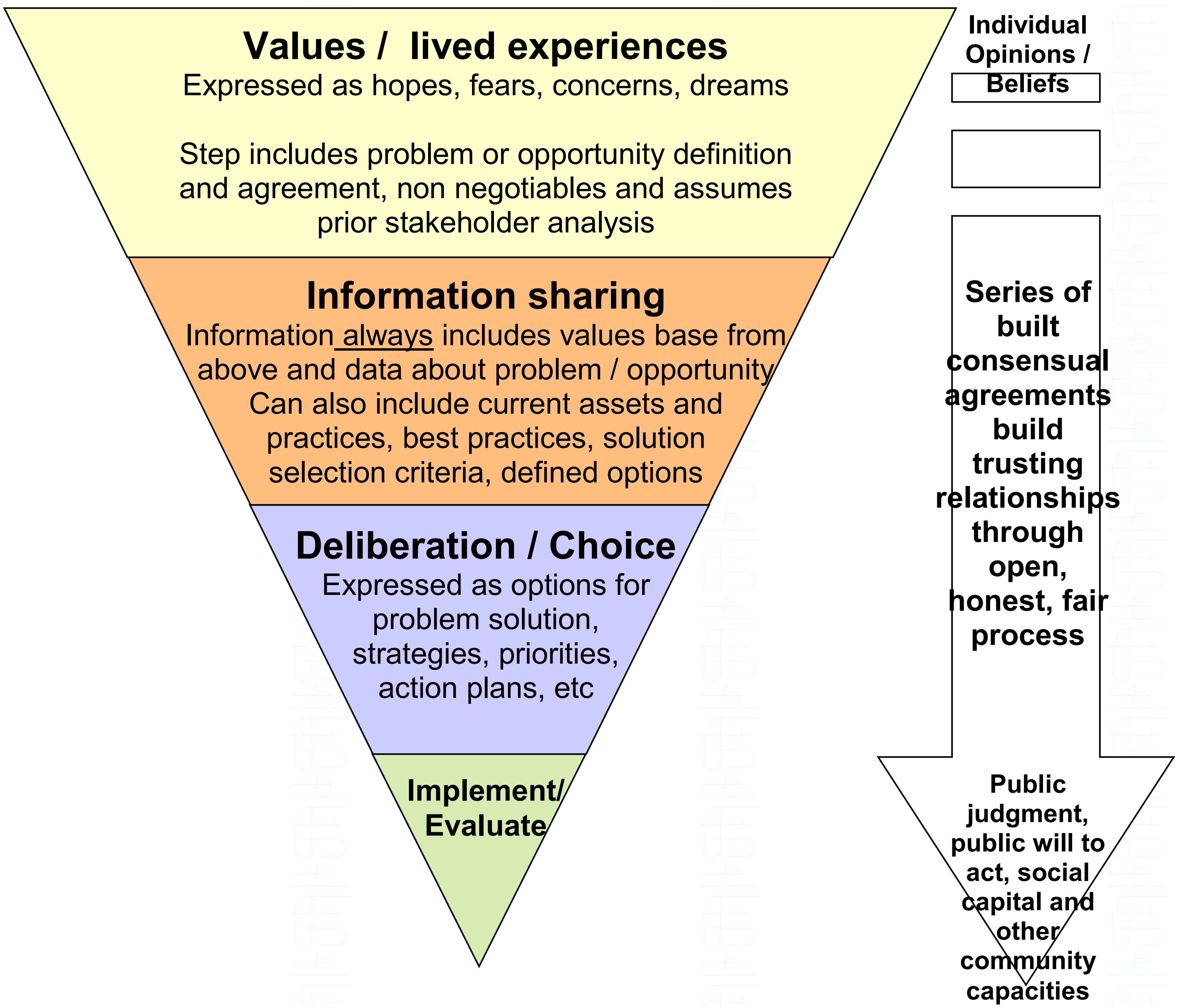
Community engagement processes, if they are to coalesce individual interests and opinions into group judgment and will to act, should always begin with the big picture where public interests, expressed as people's values, adhere in the definition of the problem. This is also the place where broadest agreement begins and can serve as the basis for a series of built consensual agreements that become more and more specific (and so, more conflict laden). This is why we spent some extra time writing a problem statement that was broad and connected with people's self-interest.

As discussions and decision points proceed through the process, topics and choices should become increasingly focused and specific. The graphic below represents the Sequence of Decisions, which reflects the general progression of decision points for most public deliberation processes, as they move from the "largest" value level with broadest agreement to the more finite level of concrete and workable options.

As we move through thinking about people's values, fears, concerns and hopes, then through the sharing of that information as well as any technical information about the situation and possible options for "what to do next" to the choice phase, people weigh the information-based options, hear from one another and work through their choice, ending the sequence with implementation of the solution. Structuring the back and forth flow of information and discussion in this way enables project planners to apply suitable methods and anticipate communication needs for each step.

Depicting the Sequence of Decisions in an inverted pyramid conveys the flow of discussion from broad and general to the specific selection of a preferred option. The completed sequence will be the template upon which we will overlay the engagement methods used at each step and then to overlay the information and communication strategies supporting each level in the progression toward judgment.

Community Based Decision-Making
Sequence of Decisions



Listening for Values – an important starting point

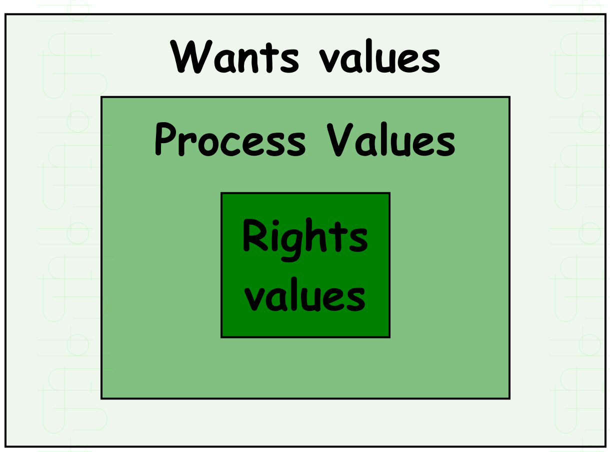
Community engagement processes begin at the top of the sequence by first uncovering the broadest, biggest and most opinion-based level of thinking and information, which we refer to as values but are generally expressed as concerns, hopes and fears, sometimes called "lived knowledge" -- it's what people know without factual information from what they have personally experienced. This implies that the kind of questions we ask people at this first stage of a process should be those that do not need facts or data in order to be answered and can be expressed as hopes, fears, concerns and desires.

All of us hold certain values, things we believe are important, which influence the way we live our lives. Some of these values are preferences, or "wants" values such as "I want ball diamonds in all City parks."

Values drive people to action, so it's important to know what values are driving the people involved in our processes. This helps us understand their perspectives and concerns. This, in turn, helps guide us in developing alternative solutions which are most likely to match those preference values. People may have relatively strong "wants" but many times they are willing to accept others' "wants" enough to modify their own.

There are also values that focus on process, and people generally consider these more important than "wants" values. In the United States, for example, fairness is a widely and strongly held process value. Most people believe that community engagement processes should be "fair" -- everybody should have an equal say and everybody should be given equal treatment. When values that deal with the fairness of a process are violated, people become very unhappy and our processes lose legitimacy. If any stakeholder group perceives a process as unfair – we need to take a time out to correct the situation.

Even more strongly held than process values are "rights" values which have to do with things that are sacrosanct, like the right to express an opinion or the right to have a vote that counts equally with every other vote cast. Rights are core values that must be honored in any process.

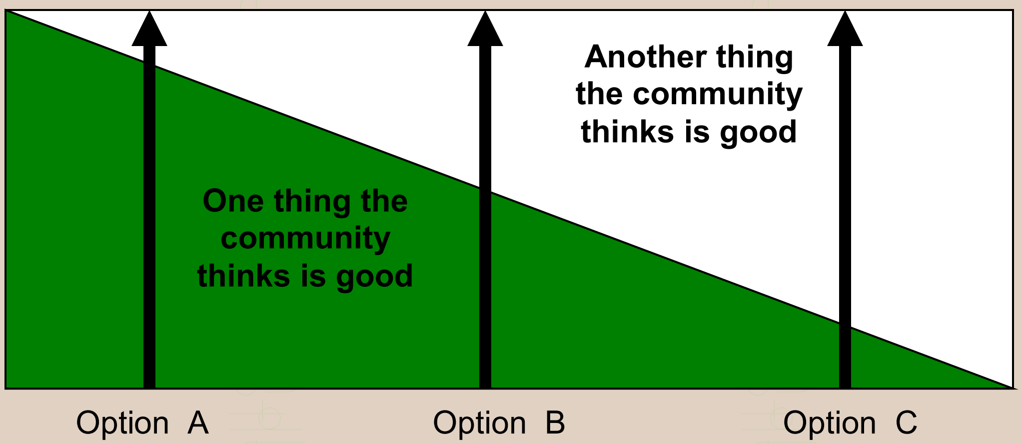


When we get responses to questions throughout our processes, whether verbal or written, we should listen for values. We can do this through listening for consistent preferences, often-used words and recurring themes. We need to make special note if we hear comments that focus on process or rights values, and make changes to our process if we hear these consistently.

More than you ever wanted to know about….. values

Most public policy issues involve values conflicts, where the best policies strike a workable balance between two (or more) conflicting needs, desires or beliefs. When only one values dimension, such as cost, risk, feasibility, etc, is being considered we have a good example of a question for technical experts to handle on their own.

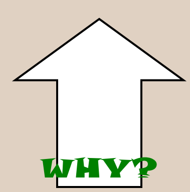
Ultimately, expertise and scientific study can inform values choices but there is nothing about expertise that provides a basis for making fundamental values choices. Community engagement processes can help us discover the relative importance stakeholders assign to the values choices that underlie a particular decision. More and more tools exist that attempt to provide ways for process organizers to quantify values conflicts (see Tools and Methods section).



Good community engagement processes help people understand that policy dilemmas involve tensions between values, or how to do one good thing without jeopardizing another good thing, so it always helps if questions are not framed to focus on “good” vs “bad”. No matter what we call the values conflicts involved in decisions, recognizing them will help people understand their differences and reach a balance that most people can live with. It helps people talk more clearly and constructively about what they want. Greater clarity, understanding and respect about agreements and differences usually results.

Another key is keeping discussion from focusing on “positions” and instead on the underlying values and interests for those expressed positions. There are usually more ways to satisfy interests than to bridge conflicting positions. A focus on values and interests can reduce conflicts and differences, minimize the divisiveness of creating “winners and losers” and encourage people to be more constructive.

Here’s an example:
Value: I think children are vitally important to our community.
Interest: I want the health of our children protected.
Position: I want a legislated limit on the amount of mercury in our water supply.



This is another place where asking ”why” helps you move up the chain to the broader levels of possible agreement from positions through interests to the underlying values.

Focus Questions

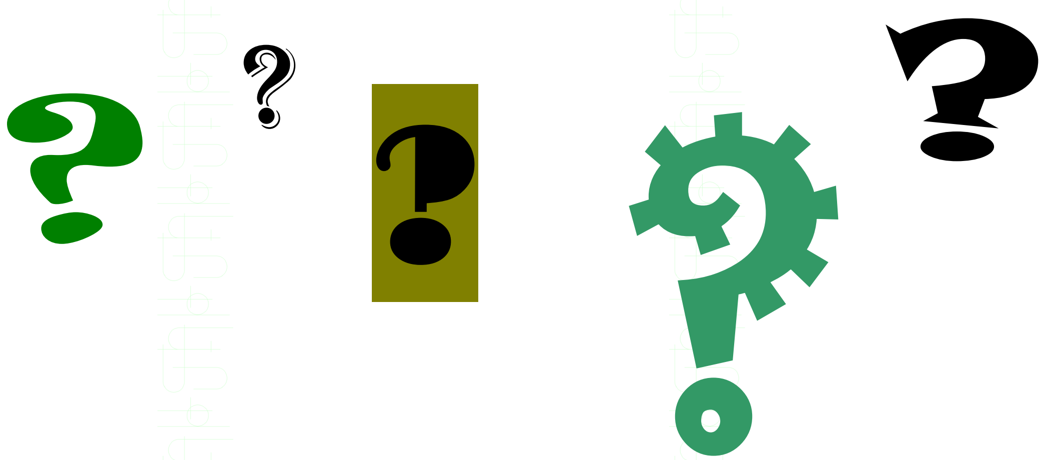
Each step in the sequence of decisions will always include one or more focus questions. A focus question is a tool developed by the Institute for Cultural Affairs that ensures that the purpose of that process step is clear to everyone. We will develop focus questions for each step in the sequence of decisions, including those steps done internally.

To develop focus questions we ask: What do we need to know / what will people need to know from us to complete this process step? Then, we will create a specific question to be asked and answered through the methods we will choose later.

Good focus questions are strategic (see Appendix A, page 75) and:

- Are open ended – *"List the greatest hopes and concerns you have about this project….."*
- Are impossible to answer with a "yes" or a "no" – *"What suggestions do you have for increasing the safety of school children as the come and go along this roadway?"*
- Are framed for a positive response – *"What are the most important elements in the proposed design options and why do you think so?"*
- Are neutrally worded – *"What do you believe are the advantages and disadvantages of (insert options)?"*

More examples of focus questions are included on page 32.



Sequence of Decisions
Typical focus questions

Values / beliefs / issues

What's most important about…?
What would you like to see happen with…?
What are you worried about when it comes to…?
What would the perfect solution to this issue allow…?

Technical / Applicable Information

What information do people need to address their concerns?
What are the technical considerations for any solution?

Alternative Solutions

Would you prefer to spend more in order to add…?
What criteria should be applied in choosing a solution?

Implications of Alternatives

Here are some trade offs to consider…
Here are three alternative solutions…
What do you like / not like about each?
Apply the criteria you developed to the following range of options. Which choice comes out on top?

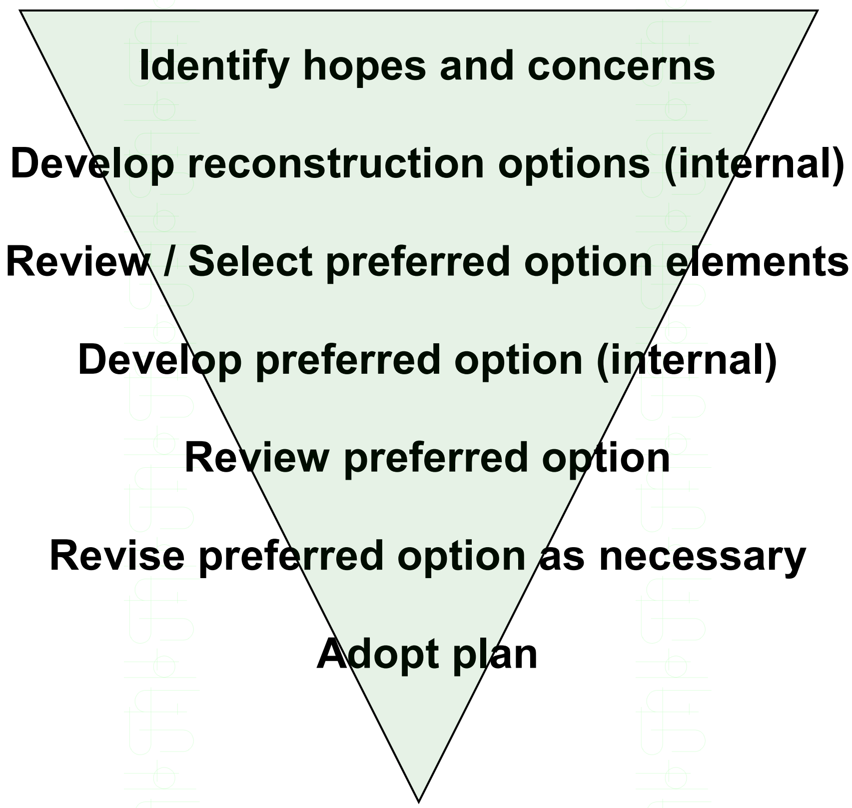
Preferred solution

Here are the consequences and costs of the approach you prefer. Are there adjustments you'd like to make?

Action

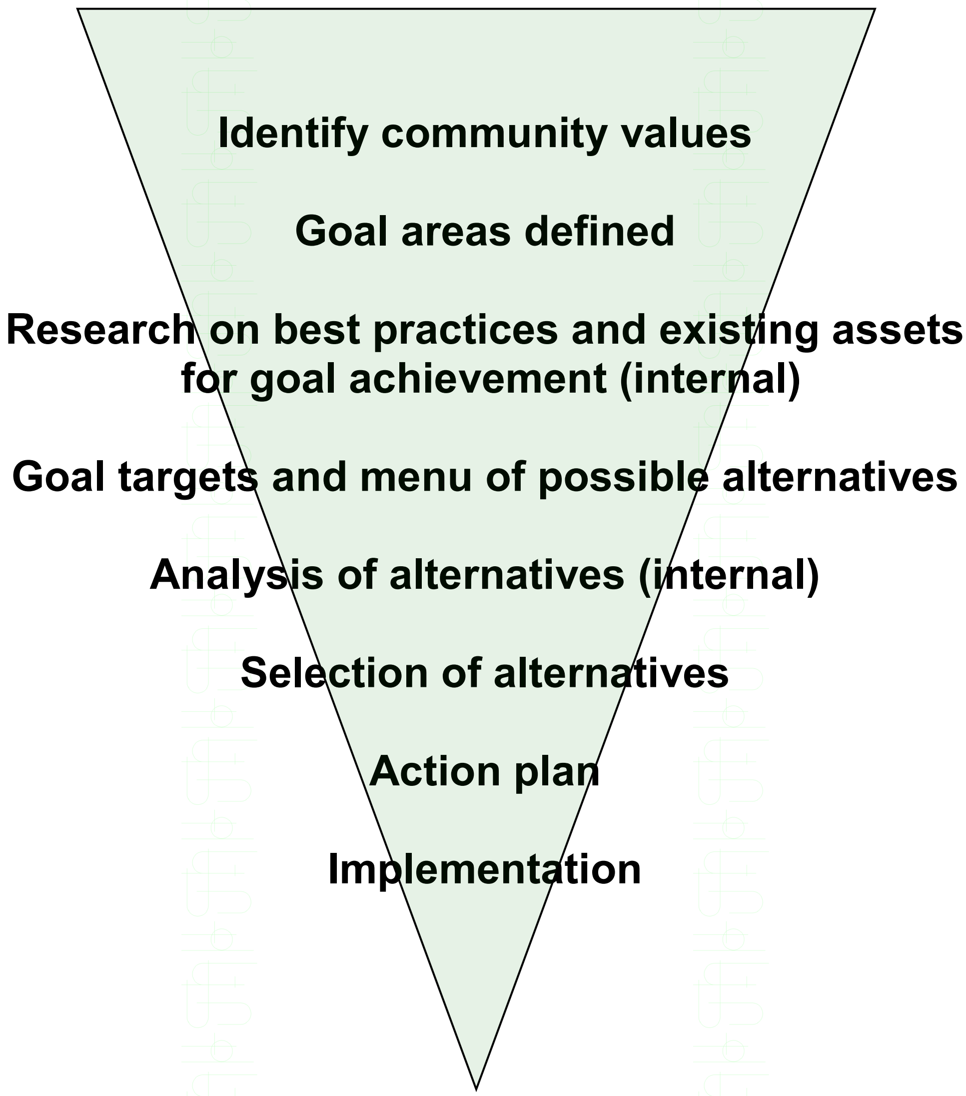
Examples of Sequence of Decisions:

Street Reconstruction Project



Examples of Sequence of Decisions:

Community Vision or Planning Process



Process Design – important things to consider

We're almost ready to actually design the community engagement process and select the methods and tools that work best for each type of decision and each type of stakeholder.

This is a good time, though, in any process to go back and review the cumulative factors that are all converging at this point in our planning.

Here's why:

- The nature of the problem or opportunity drives the givens (and the givens can also help define the problem…) that will apply to the project decisions and the initial list of likely stakeholders and their interests

- The problem and givens drive the sequence of steps, determining what people will influence, what information is needed from them and what information we need to provide so that we all develop judgment

- The problem, givens, scope of the initial list of likely stakeholders and interests, and the sequence of decisions drive the selection of the methods for process steps; and

- The design of the process steps drives the communication strategy that will promote and support the process.

Fundamentals

As we decide specific methods for each step in the sequence of decisions, there are a few fundamentals to bear in mind:

- The broader the scope of the problem and the greater the number of stakeholders, the more repetitive methods we will need – one workshop won't accommodate all the interests we need to hear from in a broad process We need several, spread out geographically, with identical agendas, providing multiple opportunities for participation. All results then get combined.

- The process needs to be structured for deliberation – it's essential as people sort out option choices

- Cast a wide net at the beginning of a project – we need to use lots of different methods of communication and involvement in the earliest phases and spend more time at this stage to engage people initially.

- Use personal contacts for recruitment – printed materials alone won't communicate the importance of participation. Nothing works as well as personal contact either from staff or from a source known to those we're reaching. The most effective method, by far, is friends asking friends.

- Move process activities to where people are – Expecting people to always use our timetable and our venues will result in very few faces we don't recognize. To find out what lots of people think, we need to go to them, where they already are. It's especially important to make sure those most impacted by a decision can participate easily. Sometimes things like food, childcare, transportation or even a small stipend help promote attendance.

- Good community engagement processes bring out conflict – Remember that conflict and an accommodating atmosphere are not mutually exclusive. It's better to have the issues on the table so they can be addressed proactively, rather than to have them surface at decision time.

- Use consensus techniques as much as possible – choose methods that reinforce people working together for a common goal; avoid "voting" and work instead toward a series of built agreements

Evaluating Options

- Alternative solutions to the problem your process is addressing need to be considered and evaluated as objectively as possible.

- One way to do that is to establish a set of criteria early in the process against which to weigh each alternative. While you are thinking about what information you need to provide to people at each step in the process as well as what information you need to get from people, you should consider whether "criteria for decision making" questions fit in that mix.

- If you are dealing with a question that starts out broadly but will eventually narrow to a specific controversy as adverse impacts on a specific neighborhood or community group emerge, development of decision evaluation criteria in advance can be helpful.

- The idea is that if people have a hand in crafting the criteria, agree it is a fair set of standards and agree on how they will be applied, you will go a long way toward establishing fairness of outcome, even though not everyone will be happy once the applied criteria lead to a specific conclusion.

Here's an example of how a criteria chart might work for a park design project

City Park Criteria	Option A	Option B	Option C	Option D	Option E	Option F
Ease of access to park	X		X			X
Separation of ball fields and play grounds		X	X	X		X
Buffering from neighborhood impacts		X	X			X
Weekend access		X	X	X		X
At least two ball fields	X	X			X	
Soccer field						
Unprogrammed spaces	X	X	X	X	X	
Safety for ball players		X	X	X		X
Improvements to play ground areas	X			X		
Picnic facilities	X	X	X	X		X

- You can evaluate options in a workshop or open meeting setting. Always try as hard as you can to have more than two options; dealing with only two choices means that people divide in favor of one and opposed to another, creating winners and losers; often the best solution is some combination of choices.

- If there are only two choices, structure the question to ask what parts of each option people like best and what gives them concern about both, rather than asking which option people like best.

- It's also possible to evaluate alternatives by using a visual preference system that asks people in small groups to decide their group's level of support for a variety of different scenarios. The scores of all small groups are then compiled into a mean score for each scenario, providing valuable guidance to staff in developing a final plan.

Road Connectivity

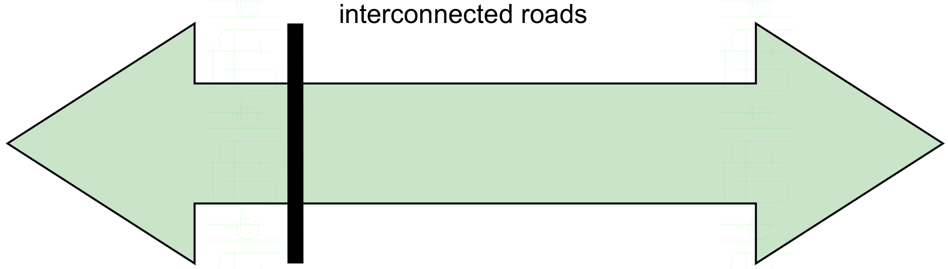
More interconnected roads to get around town

Trade off: shorter drive to services and more roadway connections between neighborhoods

Fewer interconnected roads to get around town

Trade off: longer drive to services and fewer roadway connections between neighborhoods

Mean score
2.25 favoring more interconnected roads



5.0 | 0 | 5.0

Pitfalls of a Committee with "outcome" decision authority

When local governments think about involving the community in a decision, the first approach considered often includes appointing a committee. There are some disadvantages to this that we should always consider:

- You'll never be able to appoint everyone who believes his or her interests should be represented.

- Asking Committee members to serve as "representatives" of a constituency is an almost impossible assignment. The traditional committee is usually composed of people who are used to making decisions, so they will be likely to make them - expressing their own preferences rather than communicating effectively with their constituents. This effectively renders other opportunities for public influence by the "non-committee" public meaningless. This scenario has the potential to make everyone angry – people who feel that their input was ignored and committee members whose decisions about outcomes may be overturned by the final decision making body.

- As soon as there is a committee they are viewed by others as "insiders" who have been co-opted and their work becomes suspect.

- One important outcome of community engagement is relationship building – why limit this to a select few who most likely already have a relationship?

- Committee recommendations represent the judgment that they have developed as individuals in the course of becoming informed. Any consensus they reach likely represents only the consensus of those individuals, not necessarily among those who have not had the same information and dialogue. This makes a final "public judgment" and so, a politically supportable decision, unlikely.

Best case scenario – the Committee has "process" decision authority to:

- Ensure that all voices are equal in influencing a decision rather than appointing some to be – or to be perceived as – more equal than others.

- Agreeing to a clear charge for the committee (in writing) and including in that charge: affirming the design of specific input methods; recruiting others to participate; hosting meetings and other gatherings; affirming findings of the public input activities; attending and participating in public meetings, workshops, etc.

- Being diligent in keeping everyone informed about how their input was used in developing the final resolution.

Sample Advisory Committee Role and Responsibilities in Community Engagement

The X Advisory Committee will fill an essential role in the development of the (project name). Working in partnership with the consultant team and staff, the Committee will help ensure that the community engagement process is based on both community dreams and on technical analysis and achievable possibilities. Specifically, Committee members will:

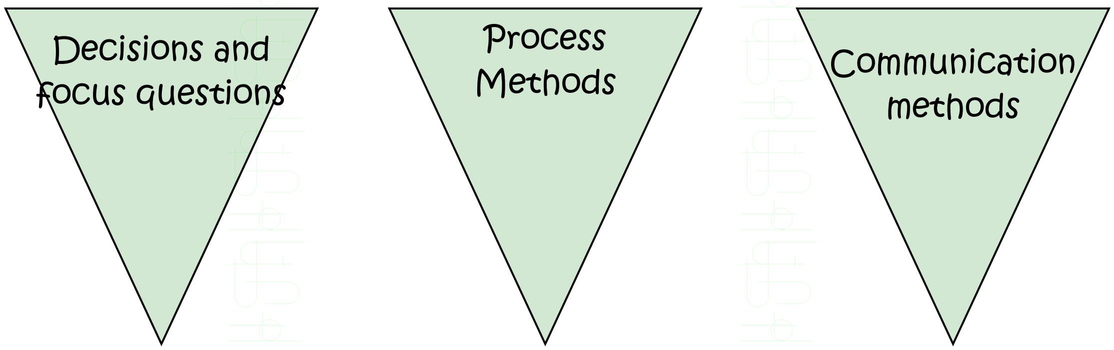
- Serve as a sounding board for plan ideas
- Serve as a liaison to your respective constituencies or the community at large
- Promote participation in planning events to your constituencies and to the community at large
- Attend meetings of the Committee and public planning events; and
- Do your best to achieve Committee consensus on community engagement process elements and serve as a strong voice for process implementation. In the event that consensus on process elements is not possible, unresolved recommendations will be sent to the (X Commission / Council) for final resolution.

Here's a TIP:

Always spell out the role of a committee or a commission in the givens

Finally – designing the plan

One good way to map out a process plan that includes the communications techniques for each step (we'll do that next) is to start with three sheets of flip chart paper with the triangular sequence of decisions shape on each.



1. On the first sheet, write the decisions and their focus questions in order, from the broadest at the top to the final decision at the bottom. It will help to number each decision step. This sheet is the framework for the details you fill in on the other sheets.

2. On the next sheet, number from top to bottom to correspond with the steps on the first sheet, then list all the process methods you'll use for each step, including internal ones (see page 34 for a chart of the best methods for each general process step and Section III for the Methods Toolkit).

3. On the third sheet, again with decision step numbers from top to bottom, apply the communication methods you'll use at each step.

Finally, apply a calendar. Given what you've decided to do at each step, how much time is required for each? Continue to adjust the calendar until it is manageable.

Doing this with your entire project team creates a project outline that identifies how much time and resources are needed to accomplish the intended results as efficiently and effectively as you can.

Example of a Project Outline: Roadway Reconstruction Project

1. Identify Hopes and Concerns (May – July)

- Focus questions: What would you like to see as Main Street is redone? What would you be worried about?

- Engagement methods
  - Door-to-door personal conversations / interviews along the length of the project area as well as a postcard survey on case residents were not available for interviews
  - Noon-time briefing meetings at gathering places around the community
  - Table at local mall for “stop by” interviews and conversations
  - Hotline phone number answered by a real person to take comments and answer questions
  - Initial series of three identical workshops to present problem, givens and conduct an “around the room” identification of issues and concerns related to the project
  - Survey on the City website

- Communication methods
  - Project newsletter to all residents and businesses within ½ mile of project area plus adjacent neighborhoods
  - Project newsletter and survey on website
  - Project engineer appearance on local radio call-in show

2. Site Analysis / Development of Construction Options

- Focus questions: Are there physical constraints on roadway reconstruction? What reconstruction elements best achieve the hopes and best avoid the concerns expressed in Step One?

- Engagement methods
  - Internal work by City Engineers
- Communication Methods
  - None (internal step)

3. Discussion / Selection of Preferred Options

- Focus questions: Based on what people said they wanted and are concerned about, and based on your own beliefs and experiences, which of these options for each element do you prefer?

- Engagement methods
  - Three repetitive workshops (identical format and agenda) held in two weekday evenings and a Saturday morning at a school near the project area. Information on choices presented included: upgrade street lights or leave as is; maintain two lanes widen to three or widen to four; reduce or increase speed (specific options provided) ; install sidewalks on one side, the other or both, or none.

- Communication methods
  - Second issue project newsletter with options / response card
  - Second issue newsletter on web page w/ response option
  - Newspaper article

4. Develop Preferred Options

- Focus question: Based on the choices people made in Step Three, how should the roadway be reconstructed to best include those preferred elements while meeting professional design standards?

- Engagement methods
  - Internal work by City Engineers

- No communication methods (internal step)

5. Review Preferred Options

- Focus questions: Have we got it right? Are there major changes that must be made to achieve what people said they wanted?

- Engagement methods
  - Final workshop that presented preferred option. Discussion produced agreement to change one element.

- Communication methods
  - Third issue project newsletter with options / response card
  - Third issue newsletter on web page w/ response option

6. Adopt reconstruction plan

Formal public hearing and Council vote with supporting announcements.

Overview of Community Engagement Methods

See Section III for a complete tool kit of methods. This chart provides an overview of the best methods for each major phase of the sequence of decisions.

Public Participation Methods		
To solicit opinion only, with minimal judgment	***Individual judgment without deliberation***	***Individual / group judgment with deliberation***
Surveys: written, telephone and in person at community events; on websites; in newspapers and newsletters; as postcards	Personal interviews	Community connectors
Individual / small group interviews and personal conversations (with interview formats and data recording methods)	Television with call-in / email responses	Meetings-in-a box
Focus groups / community roundtables	Mailing / newspaper insert / bill stuffer with response forms	Focus groups / community roundtables
Public forums		Existing community and neighborhood organizations
Existing community and neighborhood organizations (data recording methods)		Workshops / charettes / design workshops
Other website responses	Other website responses	Open meetings

Stage Three: Implementation Planning

All you need for success!

You've analyzed your decision and the reasons for a community engagement process; you've worked through your sequence of decisions and have a logical process plan that will build public judgment; now, the last thing you need to do in order to prepare for a successful community engagement process is Implementation Planning.

This involves four steps:

1. Developing a supporting communications plan
2. Planning the implementation of individual activities
3. Planning the input analysis and data tracking process
4. Determining the evaluation activities and a feedback loop

Developing a supporting communications plan

This is an absolutely essential step in the development of a successful process, and it needs to be built into the plan from the beginning, not as an afterthought. In fact, communication should happen before, during and after every step. Extensive communications to support the process:

- Helps people understand the problem or opportunity and link it to their lives
- Lets people know the process that will be followed to make the decision
- Encourages broad and active participation in the decision-making process
- Keeps participants and other community members informed as the process progresses
- Announces the results of the process and how those results were influenced by community engagement

At the beginning of a process it is important to take a marketing approach because you've got things to "sell," such as the problem / opportunity; how it affects people; the importance of participating; and the open, honest and fair process that will be used to make the decision.

It's often a good idea to develop a short "definition piece" – a handout that defines the project and process and helps promote involvement. This piece should be distributed as widely as possible at the beginning and throughout the process as new people join in. It should include "the Big Three" of community engagement process communications:

1. The problem or opportunity statement
2. The givens
3. The process steps and time frames

That way, everyone will know from the beginning why the process is being undertaken, the constraints on the decision making and how they can participate.

A simple graphic with project name and logo helps make your communications more recognizable and fun. It doesn't need to be fancy – clip art will work!

Revisit your stakeholder matrix to identify targets for your marketing
With all of our busy schedules and the thousands, if not millions of messages bombarding us all every day it takes a lot of effort and creativity to get the attention and interest of people we want to reach. Personal recruitment and "target" marketing are key.

By far the most effective way to get people to participate in your process is to have those people personally invited by someone they know, either through a phone call, letter, postcard, email, social media, e-vite (or better yet, all!).

The One-to-Many Method
A good method for accomplishing personal recruitment is called the one-to-many method. All you need to do is get a group of people, say 30, to each commit to personally recruiting five of their friends, neighbors, co-workers to attend your meeting or event. That's 150 people who have been personally invited, and chances are a good portion of them will respond. A key to making this method more successful is to ask your original contacts to fill out a form documenting who they will contact, and then following up with them to make sure those contacts have been made.

Other non-traditional, personal methods include:

- Personalized letters / post cards
- Telephone trees
- Direct mail
- Door hangers
- Short articles in neighborhood, organizational or church newsletters
- Short presentations at neighborhood get-togethers
- Flyers in grocery stores
- Movie theater announcements
- Road way "Burma Shave" signs (especially good for road related projects)
- Facebook "likes"
- Tweets – "Hey – I'm going to x meeting right now; join me!"

Keep it simple

The primary goal of the communications part of your process plan is to make sure people understand the problem and how it affects their lives. That means it's very important to talk with people like you would talk with your own neighbors, using words that real people use. Avoid jargon, government-speak and technical terms that a limited number of people understand.

Work with the media

It's important to give everyone equal opportunity to get involved, even if they don't appear on our stakeholder / interest matrix, so you also need to work with local media to get the word out. Before you begin your process, set up a meeting with the newspaper reporters who cover our community. At the meeting, share the problem or opportunity statement, the givens and the process plan and ask for help in promoting the process so that as many people as possible can get involved.

Communications during the process

After your first blanket of communications to welcome people into and promote the process, you need to have ongoing ways to report on the issues, information and dialogue during your process so that everyone will know what is being discussed and decided as the process unfolds. Throughout the process you also need to provide a feedback loop so that people will know what you did (or could not do) with what they've told you.

An effective way to do this is with a project newsletter, short meeting summaries, or email blasts which help clarify issues, document progress and make sure everyone has full access to all information.

Although they can't provide a method for deliberation, initial newsletters can elicit ideas about the project that are based on belief and opinion, such as people's hopes for solutions, concerns about impacts or implied values.

Using a project newsletter involves an initial investment of time to develop as broad a mailing or email list as possible, and adding to it throughout the project. Make sure it's not the only communications tool for your process, but do use it regularly to let people know the opportunities to get involved.

Be strategic about electronic updates and meeting summaries through email, since not everyone is comfortable with or has access to a computer (your stakeholder list can help identify when this method works and when it doesn't).

Throughout the process, remember to keep the newspaper informed and encourage attendance at as many meetings as possible.

Communicating the process results

When your process is finished it's important to communicate the results. People also need to be reminded about the process that was followed, what was decided, and the next steps for implementation.

The most important thing when communicating results is letting people know how what they told you through the process was used in the final decision. If they see no relationship between what was said and the process outcome, it's unlikely they will ever participate again. So, organizing messages in a "here's what you said so here's what we did" format, in writing, electronically and verbally, is best. You might also need to include "here's what you said and here's why we couldn't do it" messages. One of the biggest complaints from people who are asked to get involved in community engagement processes is: "Nobody told us what they did with what we said." Let's make sure we close the loop!

Also at the end of a process, you might want to host a celebration or "thank you for participating" event that would personally acknowledge folks who participated.

Key Messages for Community Engagement Processes

"Solving (or not solving) this problem could directly impact you by…"

"We need your help in making these decisions."

"It won't be possible to make everyone happy."

"Not everyone will be able to get his or her first choice; we'll need to be open to compromise and improvement."

"We would be irresponsible if we didn't assure the following givens…"

"The givens provide the 'box' within which this decision will be made. It's a pretty big box, but it does define where we need to concentrate."

"Here's what you said, so here's what we did (or did not do and why)."

Planning the implementation of individual activities

Stage three, Step Two involves planning for your individual community engagement activities.

Location and site logistics

The meeting logistics are very important to consider in an open, honest and fair community engagement process. Some things to consider include:

- Adequate notice – people need time to arrange child care or possibly transportation
- Location familiarity – choose sites where people customarily feel welcome or that are familiar to most people
- Parking – is it convenient?
- Accessibility – is there full access to people of all abilities?
- Physical comfort – people are put off by cold meeting rooms, poor acoustics and uncomfortable seating
- Varied meeting times – people have different commitments; often it is appropriate to hold the same meeting at different times and in different locations
- Space for work – will the meeting space accommodate the number of people likely to attend? Is there space for easels and presentation materials, and a flip chart to record what people have to say?
- Accommodations for those who might not otherwise participate – such as child care and transportation
- Amenities – refreshments (don't have to be fancy) help set a friendly, open tone for meetings; you should also make sure people are personally welcomed at the door and consider using name tags that can also be helpful in setting a welcoming tone

Agenda and format

Forget the usual public meeting where people get "talked at" for the entire time and then are allowed to ask questions only if some time remains. It can sometimes be good to start the meeting with questions; list them on a flip chart for all to see. Then have presentations, followed by addressing any of the questions that remain.

At a workshop, where people will be asked to do work and accomplish results, presentations have to go first so that people have the information they need to do the work. A good rule of thumb, though, is to plan for no more than one-third of your total time for presentations of information. Consider mailing or emailing participants detailed information ahead of the meeting.

However you design the meeting, it is a good idea to post and review the agenda at the beginning so that people know what to expect. If you expect the meeting to be highly charged, you can also ask the group to agree to the agenda so that if someone later tries to derail it, you can reinforce the group's agreement.

Remember, also, to begin every meeting with the Big Three: problem, givens, process.

Ground rules

Meeting ground rules help to establish a courteous and respectful tone and help place responsibility for a productive meeting with the participants. They can also help ensure understanding of the process, allow agreement to the process and charge the group with the responsibility for the success of the process.

Sample ground rules include:

- You have a responsibility to say what you think
- You have a responsibility to listen carefully and with respect to others
- Try hard not to dominate the discussion, and, if necessary, ask others not to
- Help keep the record accurate
- Help keep the group on time and on track
- Agree to try your best to reach decisions by consensus
- Be open to compromise and improvement; accept what you can live with, even though it may not be your first choice
- Can you agree to these ground rules?

Group Memory

Group memory refers to the record kept of a group's discussion and or meeting results. It's best to use flip chart paper or projected computer documents so everyone can see the record of what's being said and have a chance to correct it if necessary.

If your meeting involves small group work, it's important that all groups bring their work back in group memory form to use in reporting out to the larger group.

In addition to the work that's on the meeting agenda, it's helpful to ask people to fill out a form giving their ideas and preferences regarding the project because it allows people to individually register their thoughts, and it gives you a record of what's on people's minds.

Planning the input analysis and data tracking process

Stage Three, Step Three involves thinking ahead about how you will manage and analyze all the input you collect.

Questions you will need to think about in developing your data analysis plan include:

1. What form will the data be in and what were you hoping the data would tell you? (This should be easy if you used your sequence of decisions correctly.)
2. Who will be responsible for crunching the data?
3. What format will you use to report the data back out to stakeholders?
4. How will you store the raw data (you should be ready to share the notes, surveys, transcripts or whatever form the data was collected in…)?

Tips on qualitative data analysis

A lot of the data that is collected in community engagement processes is “qualitative,” in the form of ideas or comments or open-ended responses to questions as opposed to “quantitative data” or things that can be counted. Qualitative research places more emphasis on the “quality” of the data and is often analyzed using a “thematic” approach that follows a process that looks like this:

“Prefiguring” the field

Analysis of qualitative data begins before it is collected by being aware of the theoretical responses to your focus questions and anticipating what you may find.

Pre-figuring the field runs the risk of us only finding out what we want to find by only looking for specific responses, or by being blind to other issues that arise. By being aware of these pitfalls we can maintain openness and be attentive to issues that are not expected. Being aware of our own values, ideas and pre-judgments as “researchers” is known as reflexivity.

Iteration

Iteration means moving back and forth between data collection and analysis. In qualitative research it is difficult to cleanly separate out data collection or generation from data analysis because there is movement back and forth – every new piece of input we gather helps us shape the next steps in the process. Find someone on the team who likes to deal with detail – whomever starts the data analysis will need to read and re-read the raw written input to begin to identify themes, patterns and meanings.

Researchers often write analytical notes to themselves about the data they're currently collecting and analyzing and then use these notes to inform the next bout of data collection. These analytical notes include things like:

1. The identification of patterns and themes based on categories defined by the sequence of decisions
2. Working out the limitations, exceptions and variations present in the responses
3. Generating tentative explanations for the patterns and seeing if they are present or absent in other settings or situations
4. Using our knowledge of the community to provide deeper understanding of responses and their relationship to participants' motives, meanings and behaviors.

Triangulation of analysis

It is very rare for qualitative data to be collected all in one go, then processed and analyzed. If this happened we might criticize the process for not being true to the context in which it was generalized. One way of producing believable, credible and trustworthy data analysis is to use "triangulation" which simply means we look for confirmation or consistency of our conclusions across different input methods in different settings.

Although computer programs are available to do this analysis, it's also possible to do this with several people grouping "things that go together" based on key ideas, common words or levels of information that support other ideas.

More than you ever wanted to know about…. "reliability"

Sometimes the validity or reliability of a process is challenged as not statistically representative of the community. The following points can help you respond to these concerns:

- Validity – as well as words like 'reliability' and 'generalizability' are used by researchers to evaluate the soundness or trustworthiness of a research design and the resulting conclusions. It's important to stress that community engagement is NOT social research in and of itself, although similar approaches may be used.
- It's about community judgment – Community engagement is not designed to simply measure where people are in their thinking at a given moment (one of the most common goals of social research); community engagement processes are designed to develop public judgment about an issue or opportunity. These processes are designed to be deliberative and result in stronger community relationships of trust between residents and government and among residents themselves.
- Qualitative data – as we said above, a lot of the data collected in community engagement processes is qualitative and so achieves its validity and reliability through the richness of the detail as well as the breadth and depth of the information. Although methods for collecting the data are not usually statistically valid (although demographics information can be collected to help demonstrate the representativeness of the stakeholders involved), qualitative methods are often more reliable for community decision making because of their detailed, scaffolded nature (building to public judgment from public opinion).
- Community decision making is most like "participatory action research" – because of its assumptions that multiple realities exist in communities. Participatory action research is most often used for "finding solutions to practical concerns as well as developing knowledge" (Morse, 1997). Participatory research is a "self-conscious way of empowering people to take effective action toward improving conditions in their lives" (Dey, 1993). This kind of research is purposefully more than data gathering.
- Public judgment vs public opinion – Daniel Yankelovich, known for his work on public judgment, makes a clear distinction between quantitative "statistically representative" public opinion polling and public judgment reached through a deliberative community engagement process. He views public opinion as "popular impulses at a particular time," likely to be inconsistent and subject to change. He defines public judgment as "a particular form of public opinion that exhibits (1) more thoughtfulness, more weighing of alternatives. More genuine engagement with the issue, more taking into account a wide variety of factors than ordinary public opinion as measured in polls and (2) more emphasis on the normative, valuing, ethical side of questions than on the factual, informational side" (Yankelovich, 1991).

Honor and evaluate the process
Stage Three, Step Four involves ensuring that your process results are utilized by the final decision makers as determined in Step One. This step also includes evaluating your efforts and using the feedback to make changes and improvements for the next process.

There is no more important element in community engagement processes than honoring the process when the final decision is made. If we engage an often-skeptical citizenry in a process we have positioned as genuine and have promised people they will influence the outcome, it is absolutely essential that the true intent is to honor that outcome. Not to do so will set trust back MUCH more than not having done a community engagement process at all.

Honoring the process involves:

1. Staff presenting the recommendation to the appointed bodies and reflecting exactly what people who participated in the process believe it was intended to include.

2. Sometimes there are circumstances that constrain us from reflecting the outcome of the process precisely – timing, budget, and applicable regulations are possible examples. These circumstances should have been included in the givens. If they have arisen during the process, they should have been communicated to participants for consideration. If they have emerged since people developed the recommendation, make sure people know how things have changed and why -- BEFORE submitting the recommendation.

3. Appointed bodies, such as committees or commissions, which will review the recommendation, should be aware of and involved in the process all along. Their obligation is to act on the recommendation upholding the commitment made to the process.

4. The Council is where final accountability for honoring most processes will rest. It's possible that people who are not pleased with the final outcome will try, privately or publicly, to apply pressure on decision makers to override the process. Succumbing to that pressure may momentarily satisfy those who apply it but will create outrage among those who counted on the dedication of elected and appointed officials to keep their word. The opposite is also true – publicly stating and keeping a commitment will be recognized and acknowledged and community values and partnerships will be strengthened.

Evaluation

Evaluation of the process should be conducted both internally and externally. Hopefully, at every opportunity you've asked process participants to let you know how you're doing. Make sure to write down incidental feedback you get along the way and include it in the final evaluation of the process.

Individual methods evaluations

Typical post-meeting evaluations often include questions like:

1. How did you hear about the meeting?
2. What prompted you to attend?
3. What was of greatest value to you about the meeting?
4. What suggestions do you have for meeting improvement?
5. Did you feel your input was welcomed?
6. Room for other comments
7. Room for name, email and or address (but make it optional – have a separate list for signing up for mailings and email blasts)

Post-process evaluations

An evaluation of the entire initiative is often valuable. A short survey e/mailed to all participants can also double as a thank you and can help you understand what people valued about the process as well as what they'd recommend you not repeat. You can also use your outreach committee or another group of participants to help you review the process. Make sure that you include questions about how people received information about the project so you'll know what communication methods are working best.

Typical post-process evaluations often include questions like:

1. Did you feel that ideas and recommendations from the process were considered by decision makers?
2. Did you feel there was sufficient opportunity for learning about the topic and for deliberating with other community members about solutions?
3. Was the process open, honest and fair?
4. Was the process well-managed?
5. Would you participate in another community decision making process?
6. Was getting involved easy? If not, why not?
7. Was communication about the process adequate and accessible?

Internal evaluation with the team

An internal evaluation is also helpful. Convene everybody who helped with the project, including Council members if appropriate.

Typical internal evaluations often include questions like:

1. What worked / what would we definitely repeat?
2. What project elements would we change or eliminate?
3. What did evaluation forms or feedback indicate were strong elements that should be retained / repeated? Eliminated or improved?
4. Were participants “representative”?
5. Was there early involvement from a majority of our identified stakeholders?
6. Did the process genuinely influence the final decision?
7. Were process decisions made in a transparent and open way?
8. Was the process as cost effective as possible?
9. Was the process result accepted as legitimate by stakeholders?
10. Did various groups of stakeholders understand others’ concerns?
11. Was the key decision improved through the process?

Don’t forget to say thank you!

Next to honoring the process, the most important piece of follow-through is to express your thanks to participants – each and every one! It’s more powerful for people to receive individual letters of thanks than for a generic thank you to appear in the newsletter or in a newspaper ad. Other ideas for thanking people include:

- Include the names of all participants in the final written report
- Post participants names on the City Website with thanks
- Thank people after every meeting, including asking people to give themselves a round of applause

Methods Tool Kit

General rules of thumb for selecting methods

- Tailor your methods to your process needs – if your analysis of stakeholders and interests shows you have many of each, you'll need many methods to give everyone a fair opportunity to be involved; if your list of interests and issues is small, you can effectively use just a few methods – a few phone calls or a coffee with a couple of folks might even be enough!
- Remember your initial methods need to be aimed at opening lines of communication with all your stakeholders – later on in the process the purposes of the methods will change – they may expand to accomplish hands-on work, express a choice about options, etc.
- Make participation easy and friendly for people (not staff…) – also remember that one of our objectives with community engagement is to build positive relationships in the community.
- Aim for deliberation – get people talking to each other as much as possible so that they hear and express different perspectives.
- Use consensus as much as possible, choose methods that reinforce groups working together toward a shared goal – avoid placing people in "voting" situations or other techniques that make people choose "sides" on an issue. Work, instead, toward a series of built agreements.
- Select methods that are as personal as possible - If there is one approach that should be included in every process, it is face-to-face discussion and deliberation. Solving community problems / addressing community needs means that there are differing opinions, beliefs, values and experiences that need to be considered along with relevant technical information. These life experiences can be written down and shared or communicated some other way, but there is no substitute for people hearing from one another how they view the same issues and opportunities. In fact, in evaluations of many processes over the years, when people are asked what was most valuable about a session, respondents overwhelmingly say it was "hearing from other people."

With the last rule of thumb in mind – selecting methods that are as personal as possible, the **Toolkit of Methods** is organized, roughly, from the most personal to the least personal approaches.

Informal interviews and personal conversations

- Use personal conversations to understand preferences and values
- Listen non-defensively to fully understand what people are telling you
- Don't "call people in" – go to them
- If you can take the time, door-to-door visits are very effective
- Be sure to talk with those you feel are your strongest opponents; you need to understand their perspectives as well
- Interviewing is a very effective method when there are issues which people may be uncomfortable talking about in public gatherings; it can provide a safe way for people to express fears that we need to be aware of
- Use unconventional sites for informal "man-on-the-street" input: community events or popular local gathering places where your identified stakeholders are likely to hang out

Formal interview system

- A formal system of interviews can be set up to engage people early and include those that may be unlikely to attend a meeting
- Develop a set of focus questions / discussion points so that you are consistent in each interview and can better analyze responses and tabulate results
- Tell interviewees you'll be sharing what you hear
- Establish a method for recording and distributing the information
- Remember that people often find out about issues and projects from one another; enlist the help of those you interview in spreading the word and ask who else cares about the issue and add them to your list
- Talk with food – make it friendly and social

Here are a couple of creative examples of interview techniques:

Tent Talks: set up a tent or canopy in a neighborhood park or school parking lot; serve picnic food and encourage people to talk with Council members, Commissioners or staff about the project.

Lawn Chair Parade: choose a neighborhood where you would like to get input and have Council members, Commissioners or staff walk door-to-door with lawn chairs in the evening – people end up gathered on various front lawns talking over issues.

Dinner and Dialogue: residents put their names in a drawing at City Hall or other sites. The host who wins the drawing gets to invite 20 guests for a dinner attended by City staff and Council members.

Community Connectors

- The idea for Community Connectors grew out of the understanding that people would be more likely to attend a meeting if invited by a friend

- Community Connectors are folks who agree to host a small gathering of their friends, neighbors, colleagues, even family, to talk about the project or issue

- About 10 to 12 is a comfortable number for a discussion, although larger groups work as long as everyone can see and hear one another

- Connector hosts invite anyone they'd like to, and set the date and time that's convenient for them; we provide a facilitator, background information and materials and then document the discussion

- Staff present information, such as the problem or opportunity, the process that will be used to solve it, any "givens" and background information about the project that people might need for good decision making as well as the focus question(s) you'd like them to answer as part of the discussion

- Take notes or ask people to fill out a card or form with their responses

- Keep track of what's said at every meeting as well as the neighborhood the meetings are held in and as participant demographic information

- Follow-up with a mailing or short summary to participants about what was said at all the meetings

- This method is time consuming and staff-intensive – presenter / facilitators need to be fully prepared so that information giving and gathering is the same

- The strength of this method is that it gets a lot of people who would not normally participate involved, ensuring the participation of people other than "special interests". It also builds relationships with people and truly engages them in constructive deliberation on issues

- Be careful not to rely on this as your only method

- Not everyone who might want to have a say will necessarily be invited to a session so you'll need to schedule some "open" meetings with the same agenda and materials as the hosted meetings

Meetings-in-a-box

- This method is similar to Community Connectors in that it encourages small group meetings in people's homes or through already established groups, such as existing civic organizations or clubs

- All the materials for the meeting are literally contained in a box: a discussion outline, written and or video (computer link or DVD) information, response forms and even some packages of microwave popcorn; this self-contained approach allows for a turn-key meeting which residents can host on their own

- Since the meetings are designed to be self directed, with no staff present, the issue to be discussed with this method should be straight-forward. The information must be clear and choices laid out in simple terms; the possibilities of misinformation or misunderstanding must be minimal

- Meetings-in-a-box are great for asking people about their values and hopes for the future and other topics that are not as dependent upon factual information

- Extensive promotion to encourage meeting hosts to volunteer, as well as coordination and follow up are required.

Focus Groups / Roundtables

- This is not a method that provides statistical accuracy reflecting the community's demographics because people "self select" in agreeing to participate. Results, however, are reliable in that if they are consistent across groups the same results can be expected from the larger population

- Focus groups don't ask people to reach agreement on anything; in fact, disagreement should be encouraged so that a range of thinking on a topic can be understood

- This kind of discussion is good for probing for values, beliefs, what people would and wouldn't support and why. So you should use focus groups and roundtables early in a process to help define issues, and probe attitudes about the problem / opportunity and potential solutions

- Sometimes, if all you need to do is explore attitudes toward an issue or assess the information about a topic that people have or need, a series of focus groups may be all the process you require

- Groups can be made up of people known to you or random residents; often, open registration can be encouraged so that anyone who wants to participate can do so

- Each group should have 10 to 20 participants

- Groups can be balanced by geography, age, ethnicity, gender, interest or other characteristics

- Recruit a few more people than you need for the group as not everyone who signs up will come. Make the recruitment as personal as possible. Invite by telephone, direct mail, email from someone with a relationship or other personal invitation

- Be clear about why you're asking people for their participation and what will happen with what they say

- Once participants have agreed to attend, send a follow-up confirmation letter or postcard and place a reminder call or email a day or two ahead

- Develop a discussion guide to get at the issues you want to explore and use a neutral, trained discussion leader

- Serve refreshments and keep the tone informal

- Use flip charts to record the input but don't attribute opinions to specific individuals

- Extend the offer to keep people informed of what happens next and then do it. Most people who agree to participate are interested in the issue

- This is a time-intensive method but is great for building relationships with people; if the process continues beyond this step, discussion participants can often help to rally others to participate in subsequent activities

Workshops

- Workshops are great for getting real work done; structure the agenda so something is accomplished

- Often, the work of a workshop is best done in small groups, enabling every participant an easy opportunity to influence the group's work and minimizing the "grandstanding" that often takes place in large group settings

A typical workshop agenda looks something like this:

Meeting Agenda Tasks and Timing		
One third:* *Information	***One third:* *Group deliberation***	***One third:* *Group report out***
Provide participants with factual / background information in a variety of formats and with as much creativity as possible	People work in small groups to reach consensus on recommendations / goals/ suggestions, depending on the workshop focus	Small groups report out their work to the larger group. Meeting facilitator highlights common themes

- Workshops are good for developing options for solutions or responding to options already developed
- If you're asking for possible solutions, promote creativity
- If there are options to be assessed, use the techniques described in the "evaluating options" section on page 36.
- Be sure to give the small groups one or two specific focus questions from your sequence of decisions to answer
- Provide written, step-by-step instructions for small group work to each participant. Also deliver the instructions verbally before groups start work
- Sometimes it is a good idea to structure the work to produce multiple answers. Ask for the "five most important elements or features," or the "six most critical needs" or similar.
- Workshops allow people to move from their individual perspectives to consideration of a small group's assessment to the larger group's sense of the issue; they are structured to help take off the personal "blinders" and reinforce the larger context of the issues at hand.
- You might consider getting complex information out ahead of time so participants have time to digest it and you save workshop time (and people don't feel that the meeting it too presentation-heavy)

- Holding a workshop or a series of workshops takes a lot of preparation and organization; invitations to attend should be issued in as many different ways as possible and as personally as possible – the more personal the recruitment, the better the attendance.

- A series of workshops is usually preferable to a single event because people then have multiple opportunities to attend and can choose the most convenient – aggregate attendance from multiple workshops is likely to be much greater than for a single workshop.

- We also know that variations in the time of day and the day of the week appeal to different groups – parents of young children and seniors prefer day time meetings and weekends, for example. Attendance always increases when venues in neighborhoods or other comfortable locations are chosen.

Charettes / design workshops

- A charette is much like a workshop in that it accomplishes hands-on work. Charettes are usually associated with design issues, such as site specific plans at either a single area or site or neighborhood level.

- A charette is an intensive exercise that takes place over a couple of days and often includes a cadre of experts working in design teams who review all pertinent information, then get to work producing round after round of draft plans that get more and more specific and more responsive as they are reviewed by participants.

- Wider public review can occur, for example, each evening of the charette after teams do their daily work; review is done by anyone interested in the work as well as design experts.

- A charette can be expensive, since fees, meals and lodging are often provided for design teams; it can also be an energizing way to generate excitement for implementation.

- A great feature of this technique is the opportunity for a tour or experience of the problems / opportunities needing to be dealt with (see Field Trip, below).

Field Trips / Tours

- As with a design charette / workshop, an on-site review of existing conditions that pertain to a project and its issues can be invaluable. Tours provide first hand observations and should be open to anyone with an interest.

- Program and policy questions can also benefit from field trip – on-site experiences of current and proposed conditions (best practices or examples elsewhere) are irreplaceable for developing judgment about issues. If an on-site tour is not possible, video or photo tours are a good substitute.

Open Meetings

- Open meetings are good any time in a process as long as they are carefully structured and have a clear purpose. Early on, they can help clarify issues and make sure project information is delivered directly to people that are interested rather than relying on “misinformation by rumor”; later in the process, you can review what’s been accomplished so far and ask for reaction

- This format is best for general discussion of issues – it’s not a good format for issues which can be highly controversial or emotional. If information is presented, it should be brief – allocate no more than 1/3 of the total meeting to presenting information and leave the rest for discussion and response. Discussion should be framed to elicit constructive responses and should have a skilled facilitator.

- An open meeting can be used at the beginning of a project to identify hopes and concerns because people need only minimal project background to express these opinions about what they like and what their concerns are.

- In groups of about 20 to 30 it's possible to use something called Nominal Group Technique – an around the room chance for every participant to briefly express what he or she would like to say. Participants can "pass" as well.

- For larger numbers it is often more effective for small groups to work together to produce lists of issues, hopes and concerns which are then reported to the larger group.

- Issue invitations in every way available: organizations' newsletters, news media announcements, direct mail, websites, e-mail, personal phone calls. Direct mail is not always as effective as we'd like – we shouldn't count on a significant turnout as a result of direct mail.

- Recruit groups and individuals to help spread the word; without a doubt personal contact is the best way to turn people out

- The more informal the setting and the tone, the more relaxed participants will be; officials who are present should be introduced but should sit among the audience rather than at a head table or behind a dais and should be there as listeners and observers, not participants.

- Be cautious of limiting discussion to designated topics; you might miss something important, or might create antagonism if people have come to talk about something specific you're disallowing; we need to let people get their points across.

- Open meetings held in a series can reach a conclusion / result; if the issue is narrow enough to be handled in a single meeting, one session may be all you need if facilitated discussion can propose and reach agreement on a solution.

- Make sure to keep two records of this and all kinds of community meetings:
  1. A sign in sheet with name, address and email so you know who was present and can keep in touch if you need to
  2. Keep a record of the general discussion and compile written responses

Pubic Forums

- Public forums are similar to open meetings - people assemble at a designated time to discuss a topic; however, the discussion is not structured to reach any conclusion, but is designed to surface various perspectives or to generate solutions; its most appropriate use is, therefore, at the beginning of a process.

- Forums let people hear various points of view directly from each other, and can often bring out points of agreement; they can also demonstrate the complexity of an issue and how many different interests are affected.

- Set expectations early in the meeting that no conclusions will be reached; let people know that the forum is designed for people to hear from one another so they'll prepare to speak. It's critical to frame the issue or problem as constructively as possible – in terms of what needs to happen to make things better.

- Spend the minimal amount of time at the beginning with a welcome; keep background information on the topic as brief as you can since the purpose is to let people hear from each other.

- It's appropriate and encouraged to include decision makers at the forum to hear the issues first hand, but avoid a "head table" or dais room set up; officials are introduced at the forum's beginning so that people know they are present, but sit scattered in the audience rather than in a visible group and act as observers, not participants

- If the forum is an extremely formal one, or if it's essential to anticipate how much time will be needed by speakers, you can ask people to sign up ahead of time as they arrive; less formal, less intimidating formats are usually preferable; people can simply stand or move to a microphone to speak, facing the audience rather than the moderator.

- Be cautious about setting absolute time limits for speakers; often people will conform to limits but you'll have to be prepared to stop the speaker who doesn't relinquish the floor. It's better to suggest a time limit, note how many people would like to speak and keep people accountable to one another. After a few speakers you can ask the group whether they believe a time limit should be imposed; any limitations then belong to the group.

Open houses

- The format for an open house involves having information available at a specific site, usually over the course of several hours or multiple days, to allow people to attend at their convenience and to respond to what they learn.

- The open house format allows for one-on-one, site specific questions to be handled by the technical staff; it does not, however, allow people to hear from one another and facilitate understanding of other points of view.

- Hold open houses in convenient, safe, comfortable and non-intimidating locations; try places in addition to or other than City Hall or the Council Chambers – somewhere in the area affected by the project is best.

- Use personal invitations as much as possible as well as through the media and through project e/mailing lists. Greeting people at the door really makes them feel welcomed.

- Usually, open houses include display stations covering information about various aspects of the project / problem / solution options. Equip each station with a flip chart easel and pad for people to record comments or ask questions.

- Individual written response forms will encourage comments from those who don't want to write what they think for anyone else to see.

- Project staff do need to be present to respond immediately to questions. If it's not possible to provide answers on the spot, make sure to get back with people as quickly as you can.

- Open houses are not conducive to deliberation in the way that workshops are; in fact, people may be suspicious that you're holding an open house in lieu of an open meeting in order to "divide and conquer." One solution to this perception is to hold the open house over the course of several hours, adding an open meeting component at the end of the designated time; this allows people the opportunity to say whatever they want without restriction.

- An open house / workshop combination is also a possibility, with the open house providing the background information before people get to work.

- Open houses work at any point in a longer process: at the very beginning to explain background and ask for response; in mid-process to review and ask for response to options being considered; or near the end to review the whole project, process and results.

- Be cautious about relying on an open house to provide guidance about people's preferences and responses to issues; open houses work best as one of many process methods.

Public Hearings

- Yes, you will still have to have public hearings. It's due process and often legally required. But, traditional public hearings are not effective public process, so don't have them until the very end of a project process.

- The settings for traditional public hearings are very formal, people must stand at a microphone with their backs to their fellow residents and publicly state their position or plead with Council to do whatever it is they're about to do (or not). They're very emotional and do not generally promote civic interchange.

- When a problem / opportunity / project has gone through a community engagement process to determine people's preferences, when the process has been open, honest and fair, there should be no surprises when it comes time to hold the required public hearing; everyone should be familiar with what's to be recommended and with the likely outcome.

Logistics to consider for any kind of meeting

- Try to avoid private meeting or conference rooms where not everyone is customarily welcome
- Make sure people know how to get to the meeting
- Make sure parking and access are convenient
- Make sure the space is physically comfortable
- Make sure acoustics allow everyone to be easily heard and the room has the flexibility you need for your planned activities
- Provide refreshments if you possibly can
- Greet people at the door
- Consider using name tags, they can help set a friendly tone

History Wall

- A history wall is a useful tool at open houses, workshops, open meetings and public forums. The "wall" is usually located outside or to the side of the meeting space and people are asked to contribute to it in some way to build a sense of community history.

- A history wall serves to ground participants in the larger context of the community and reminds people "we're all in it together."

- People can be asked to include on the wall: when they arrived in the community; one or two events of significance to them or the community during a certain time period relevant to the project; their responses to certain key events in the community or other creative focus questions that reinforce the idea of a shared community culture. Try a "vision" wall at the beginning of a project and ask people to actually draw what they'd like the final solution to look like or do for the community.

Community Organizations and the "rubber chicken circuit"

- It's often a challenge to engage people who don't have a direct interest in an issue as well as those who have an obvious interest. If your process needs to include the general sentiments of many community constituencies, take advantage of organizations / agencies / places where they already gather. Engaging people on their own turf makes participating more convenient for them and can broaden participation. Many of these folks are active in the community but may not have a particular position on the issue.

- Community groups that are effective contact points include neighborhood organizations, school support groups and, possibly, general civic organizations such as Rotary. In many communities churches are a good way to contact populations that might otherwise be hard to reach.

- Attending civic meetings can give you a rapid feel for how the community views the issues. Visit these groups to describe the problem / opportunity and ask for full participation. You can also use the time to ask for responses that don't need information or use response forms to be filled out individually.

- Often organizational newsletters will provide some space for articles or updates. Organizations may even be willing to make their membership or board lists available for a mailing.

- In some cases it might be appropriate and effective to ask organizations to co-sponsor project workshops or other meetings. People are most likely to attend if they're invited by a group they're already involved with and trust.

- While working with community organizations has obvious advantages, there are also disadvantages: it requires intensive staff or volunteer effort to cover all the potential groups and compile their input; it can't be used as a substitute for other process methods which might need to include deliberation or longer discussion.

A Physical Presence

- Community events, festivals, celebrations and activities are great places for interacting with people, particularly if it's important that everyone in the community have an equal and convenient way to get involved.

- Colorful displays are effective in drawing people in to get information about the project and process and how they can participate as well as an easy way to ask for responses that can be opinion / belief based and don't need much background information.

Citizen Juries

- This technique is one that selects a demographically representative sample of twelve or more community members who can devote several days to a project or problem. It shares with a design charette or workshop an intensive time schedule where the group meets with experts over the course of several days.

- At the end of the time the "jury" is to come to a conclusion about the best course of action recommended to solve the problem / address the issue.

- The same advantages and disadvantages existing for task forces exist for citizen juries – there is really no way to assure that the conclusions the jury reaches will represent the conclusions of the community as a whole.

Future Search Conferences

- This type of conference has been used in some communities to deal with long range questions such as the development of a community vision. Its strength is that the method takes place over a long weekend, so the work is accomplished relatively efficiently.

- A major weakness of the method is it recommends that a designated number of people (60) serve as appointed representatives. While this assures that numbers are manageable, it also means that some people who want to participate will be left out and may not feel that their views were adequately represented. It can also mean that an opportunity to build support for the outcomes will be lost. Remember – open, honest and fair.

- If you consider this approach, take another look at the "Pitfalls of a Committee" on page 33.

- It's possible that this approach could be combined with periodic public review and comment so that adjustments could be made to conform with broader community preferences.

Newspaper insert / mailer with response form

- This approach is closely related to a mailed survey; it provides written information to be considered by individuals who then have an opportunity to respond with written open-ended comments to be mailed back or by filling out a printed form for mailed return.

- People who have taken the time to read the information and return a response develop individual judgment about the issues; they don't have an opportunity to benefit from the thinking of others which might away their own response, but each respondent clearly has something to say.

- Even if response is low to this method, it serves as an easy opportunity for participation. We need to carefully consider if the investment is worth the return.

The Web

- It's a must! Our use of project pages is a model for the rest of the world to follow – we need to keep these as updated and attractive as possible in order to maximize their effectiveness. Always make sure the problem / opportunity statement, givens, process outline, background information and process so far, as well as opportunities for future involvement, are highly visible.

- Using the web to receive questions regarding the project or individual comments about the hopes, issues or concerns also works well. We should, however, use caution when including unattributed responses. If we are using the site to respond to questions, it must be monitored daily.

Surveys

- Surveys of any kind – random sample telephone or mailed surveys, general mailed surveys or e-surveys such as surveymonkey (the City is a subscriber to this service) – are useful tools for finding out how people perceive a problem or issue, what their individual opinions are about proposed solutions and whether they support or oppose a particular course of action. One caution about them is that they are opinion-based and should never replace face-to-face deliberation and the negotiation of solutions.

- Random sample surveys have the advantage of replicating, on a smaller scale, certain demographic characteristics so we can compare responses from various groups.

- Professionally administered random sample surveys can be expensive to conduct; telephone surveys are typically most expensive but usually can be completed more rapidly than random sample mailed surveys, which require repeated follow-up mailings to produce a statistically reliable response.

- General mailed surveys or e-surveys provide the opportunity for everyone in the community to respond, often an important attribute when your process needs to consider everyone's preferences; paper versions are not inexpensive since they are usually mailed to every household. Results for both general mailed and e-based surveys cannot be considered a statistically valid sample of the community although results often have statistical reliability.

- Another form of surveying is an insert in a local paper or our City newsletter which appears three times a year in the Activity Guide. These formats can include background information and a way to respond either with a mail-back coupon or an email address for comments.

- A survey conducted early in a process can include as a last question, "Would you be willing to attend a focus group (workshop) about X? May we contact you?" This approach has had great success in other communities.

- Always remember that a survey solicits opinion; it does not develop informed judgment and is not a substitute for deliberative decision-making.

Time Out

- This is not a method you'd ever want to plan for, but if you need to, call a time out. If a situation is so controversial that allowing things to proceed without intervention will only make things worse, it's time to step back and reassess what's happening.

- A time-out call should only be used if the situation is significantly serious and if allowing things to go forward would be irresponsible. A time period for the time-out should be named and people should understand what, if anything will be done during the time out period.

Final Tips and Ideas (just in case…)

What happens if a group "rebels" in a meeting and doesn't want to follow your agenda?

Don't' try to suppress comments or over-control (it might backfire!) – People who come to meetings have things on their minds that they care about and want to express – if they didn't, they wouldn't come to the meeting. Be flexible and find another way to accomplish what you need to do at the meeting.

Always use flip charts or other recording systems to help reinforce for people that they have been heard and their comments are valued.

How can we avoid meetings or a process being controlled by a special interest?

Reaching people who aren't readily engaged is a challenge – but there are several things that might help:

- People need to understand the subject at hand as it relates to their everyday lives; tell them why they should care
- Recruit people directly and personally
- Move the process to people's living rooms; recruit people to host small discussions among their neighbors and friends
- Go find people where they already gather together; partner with civic groups, etc
- Have lots of ways for people to get involved
- The more you ask the question the more answers you get; a series of meetings with duplicate agendas provides more opportunities and makes attendance more convenient

If the number of participants is small, does that mean the process isn't valid?

There is no magic number that makes a process legitimate, so don't be absolutely driven by numbers – Consider using a survey to supplement participation, particularly at an early step when opinion and belief are appropriate responses. Another idea is to take what we've heard in the process so far and "field test" it through the "rubber chicken circuit", neighborhood groups and other existing places where people gather.

How can we "disarm" 11th hour opponents who show up to defeat a recommendation developed through an engagement process?

11th hour opponents will always be there – Our best strategy is to stress the multiple opportunities for participation when making the final presentation. We should be spending at least as much time describing the process used to reach the recommendation and the multiple communication vehicles used to promote it as the presenting the recommendation itself.

We also need to encourage people who have been involved in the process to attend the Council meeting where the issues will be decided to support their recommendations and the process.

Lastly –

Remember that you've got a team you can brainstorm with for solutions to other issues that arise!

Appendix A – Asking Strategic Questions

Strategic questioning is the skill of asking questions in a dialogue setting that helps people discover their own ideas and strategies for change. Strategic questioning involves a special type of question and a special type of listening – a strategic question opens up all participants in a dialogue to other points of view.

Key features of strategic questioning:

- It creates knowledge by synthesizing new information from that which is already known by participants in the dialogue
- It is empowering – ownership of new information stays with the person answering the question and also empowers the group
- It releases the blocks to change and to new ideas
- It facilitates people's own response to change
- It creates answers that may not be immediately known but may emerge over time
- A strategic question is NOT – a suggestion disguised as a question (as in "why don't you……..?")

Strategic questions:

1. Assume motion on the issue (meaning they assume the person / group wants to move forward)
2. Create options (more than two)
3. Avoid "why" (which forces people to defend an existing position)
    a. "What keeps you from working on _______?" vs "Why aren't you working on _______?"
4. Avoid yes / no answers
5. Empower – ie "What would it take for you to change on this issue?" "what would you suggest to improve this proposal."

Strategic questioning has two levels:

1. Level 1 – questions that describe the problem or issue in an open and unbiased way for a common understanding of the dialogue's "center"
    - What are you most concerned about related to ________?
    - What do you think about ___________?
    - What are the reasons for ______________?
    - What effects of this situation have you noticed?
    - What do you know for sure and what are you uncertain about?
    - How do you feel about the situation?
    - How would you describe the problem you / we are trying to solve?

2. Level 2 – questions that create new information
    - What would you like to see happen with ____________?
    - How can the situation be changed for it to be as you would like it?
    - What will bring the current situation toward the ideal?
    - How might those changes come about? Name as many ideas / alternatives / options as possible.
    - How could you reach that goal?
    - What prevents the community from __________?
    - What resources already exist that could support this change / solution?
    - What support would be needed for the community to make this change?

Other examples of strategic questions to help move a dialogue toward resolution include:

- Here's the evidence we're / I'm basing our / my conclusions on….what are we / am I missing?
- Can you give me some examples of that?
- What have you seen that leads you to those conclusions?
- What information is missing that might help us understand the problem more completely?
- What is emerging that we can all agree on?
- What are our underlying assumptions about this idea or situation?
- How would you define this problem?
- What do you think other people care about most in relation to this problem?
- What would an ideal solution help us do?
- What else could we do?

THIS PAGE INTENTIONALLY LEFT BLANK

AGENDA ITEM I-1

City Manager's Office

CITY OF MENLO PARK

STAFF REPORT

City Council	
Meeting Date:	**5/21/2019**
Staff Report Number:	**19-104-CC**
Informational Item:	**City Council agenda topics: June to August 2019**

Recommendation

The purpose of this informational item is to provide the City Council and members of the public access to the anticipated agenda items that will be presented to the City Council. The mayor and city manager set the City Council agenda so there is no action required of the City Council as a result of this informational item.

Policy Issues

In accordance with the City Council procedures manual, the mayor and city manager set the agenda for City Council meetings.

Analysis

In an effort to provide greater access to the City Council's future agenda items, staff has compiled a listing of anticipated agenda items, Attachment A, through August 20, 2019. The topics are arranged by department to help identify the work group most impacted by the agenda item.

Specific dates are not provided in the attachment due to a number of factors that influence the City Council agenda preparation process. In their agenda management, the mayor and city manager strive to compile an agenda that is most responsive to the City Council's adopted priorities and work plan while also balancing the business needs of the organization. Certain agenda items, such as appeals or State mandated reporting, must be scheduled by a certain date to ensure compliance. In addition, the meeting agendas are managed to allow the greatest opportunity for public input while also allowing the meeting to conclude around 11 p.m. Every effort is made to avoid scheduling two matters that may be contentious to allow the City Council sufficient time to fully discuss the matter before the City Council.

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 Council agenda topics: June to August 2019

Report prepared by:
Judi A. Herren, City Clerk

ATTACHMENT A

City Council, city attorney, city manager

City Council procedure manual

City Council 2019-20 priorities and work plan

Commission reports: Sister City Committee, Environmental Quality and Parks and Recreation Commissions

Funding request from the Chamber of Commerce

Finance and Audit Committee expansion and appointments

Belle Haven Neighborhood Library Advisory Committee charter and appointments

Reach codes

Heritage tree ordinance update

Local minimum wage ordinance

Master agreement contract for zero waste plan and general plan activities

Authorize approval for city participation in the PACE program

Administrative services

Proposed fiscal year 2019-20 budget and capital improvement plan public hearing

Adopt fiscal year 2019-20 budget and capital improvement plan

Community development
Cannabis regulations
Master professional agreements for building permitting and inspection contract services
ConnectMenlo study session follow up
El Camino Real/Downtown specific plan biennial review
Architectural control/use permit/major subdivision and below market rate housing agreement

Community services
Contract with the State of California Department of Education for Belle Haven Child Development Center child care reimbursement
Belle Haven Child Development Center self-evaluation report for fiscal year 2018-19
Parks and Recreation master plan

Library
MOU renewal with Ravenswood City School District for Belle Haven branch library operations
Professional services agreement for branch library conceptual design, site analysis and preliminary cost estimation services

Police

Safe City update

Public works

Menlo Park landscaping assessment district for fiscal year 2019-20

Annexation procedure/policies/applications/West Menlo Triangle/Menlo Oaks annexation

Belle Haven transportation master plan implementation schedule

City’s stormwater management program for fiscal year 2019-20

Select preferred alternative for the Middle Avenue pedestrian and bicycle rail crossing

Transportation master plan project prioritization strategy

STAFF REPORT

City Council	
Meeting Date:	**5/21/2019**
Staff Report Number:	**19-107-CC**
Informational Item:	**Update on best practices for addressing chronic homelessness**

Recommendation

This is an informational item and does not require City Council action.

Policy Issues

This informational report is provided as requested by City Council as a follow up to their best practices for chronic homelessness study session held March 12.

Background

On March 12, the City Council held a study session on the topic of best practices for addressing chronic homelessness. The staff presentation included an overview of the police department's past and current practices for managing homelessness in Menlo Park and brief presentations from several nonprofit organizations about the various types of homeless supportive services they provide locally and regionally. The presentations were followed by a City Council discussion and direction to staff to coordinate and convene meetings with the various organizations to identify new ways to increase and diversify Menlo Park's approach to managing homelessness. City Council expressed their desire to take a new approach and utilize best practices for addressing chronic homelessness and learn more about ways Menlo Park can engage, support and help coordinate those efforts with community partners.

Analysis

Following the March study session, the police department and community development staff met to plan an initial outreach and coordination meeting. The strategy included holding an initial meeting with the core homeless service organizations followed by a larger meeting with more organizations.

During this initial review process, the City was notified of three different homeless encampment cleanups that were scheduled to occur in the Menlo Park Marsh/Bayfront areas. Staff were notified of two of the 72-hour encampment clean up notices on a Friday afternoon, leaving very little time to connect with the core homeless service organizations to request their assistance with outreach to those living in the encampments. Despite the short notice, LifeMoves and Samaritan House staff as well as Menlo Park code enforcement immediately mobilized and directed their efforts to provide outreach and ensure those in the encampment were aware of the scheduled cleanups and resources available to them. The outreach efforts were successful with everyone leaving the encampments before the cleanup actions that were scheduled for first thing Monday morning. A third encampment clean up notification came in the following week and was managed in a similar manner.

On May 1, an initial homeless service provider meeting was held and included staff from the City, Samaritan House and LifeMoves. Project WeHope was invited but was unable to join the meeting. The homeless outreach staff at LifeMoves works closely with Project WeHope and reported they were very busy conducting outreach at another nearby city but stated they are a very important resource and support for local and regional homelessness efforts.

The meeting agenda included an overview of services and programs each organization provides and how they function. It also included an overview of the Menlo Park homeless population and a debrief on the recent encampment cleanups including what worked well and what could be improved in regard to communication and coordination. Best practices for addressing homelessness in Menlo Park was discussed including new strategies that can be explored. Clarification of roles and responsibilities of each organization were reviewed, identification of primary contacts for coordinating homeless incident responses, homeless encampment clean up notifications, which often come with short notice, and short and long-term outreach and support for managing chronically homeless in Menlo Park.

City staff expressed the desire to take a new approach to addressing homelessness through outreach, intervention and coordination. LifeMoves stated their relationships with the City and law enforcement are critical to the teamwork necessary for intervention and outreach efforts to be successful. Both organizations expressed their willingness to partner and collaborate with the City in efforts to address chronic homelessness through better engagement, coordination, communication and participation.

LifeMoves provides safe and clean living spaces, nutritious food, counseling and mental health supportive services, therapeutic child care and after-school activities, and job and housing search assistance. They also provide homeless outreach and referral services daily throughout San Mateo and Santa Clara counties. LifeMoves outreach staff are the direct connection to homeless persons and provide the conduit to resources, including referral to an initial needs assessment, which is a critical step to access support services, called “coordinated entry.”

Coordinated entry is an intake process to match people experiencing homelessness to community resources that are the best fit for their situation. All homeless individuals and families complete a standard assessment survey that considers the household’s situation and identifies the best type of housing intervention to address their situation. Permanent housing programs, including permanent supportive housing and rapid rehousing, will fill spaces in their programs from a list of eligible households generated from the standard assessment.

The San Mateo County Human Services Agency contracts with community organizations to coordinate emergency safety net services such as information and referrals, food, rental, utility, transportation assistance, emergency shelter and transitional housing. They also identify and contract with a nonprofit homeless services organization to administer the coordinated entry program, which is currently Samaritan House.

Samaritan House South is the core service agency serving Menlo Park residents, one of eight core service agencies in San Mateo County that work in close collaboration with the Human Services Agency to provide individuals and families with basic emergency and support services to stabilize their living situations. Core service agencies provide clients with crisis intervention and referrals based on an evaluation of their needs and qualifications for assistance. Core service agencies provide safety net services to San Mateo County residents in need of food, emergency housing assistance, emergency utility assistance, shelter and other basic needs.

In San Mateo County, including Menlo Park, the LifeMoves homeless outreach team refers homeless individuals and families to Samaritan House for a coordinated entry assessment. Once a person or family is assessed then they receive intensive case management services with the goal of getting them into stable housing. Both organizations are primarily funded by the county of San Mateo, through measure K funds, to provide services throughout the County.

Next Steps

Near term and longer-term strategies to address the homeless population in Menlo Park were discussed, including the chronically homeless in downtown area, the larger number of homeless in the Marsh/Bayfront area and various other locations. City staff have another meeting scheduled with LifeMoves homeless outreach staff to develop a plan for initiating an assessment process for the chronically homeless population in the downtown area, to be followed by a larger scale strategy for the Marsh/Bayfront area.

LifeMoves and Samaritan House both highly recommended using a best practice recently deployed in Half Moon Bay, in an area similar to the Marsh/Bayfront encampment in Menlo Park. In this model, called "homeless connect," a plan was coordinated between all the various community partners including core service agencies, homeless service providers and law enforcement. In Half Moon Bay, an encampment clean up notice was provided with a few weeks advance warning, rather than the more common 72-hour notices. After the notice was issued it was followed by two to three different outreach days where all the local homeless service providers coordinated and set up on-site to conduct assessments and make referrals. In this proactive approach many more homeless were assisted and transitioned to more stable living situations.

Although Project WeHope currently deploys their Dignity on Wheels shower and laundry trailer weekly in Burgess Park near the skate park, staff is exploring the possibility of deploying it near the Marsh/Bayfront area where the highest concentration of Menlo Park's homeless are located. LifeMoves agreed to reach out to Project WeHope to determine if this may be possible, or if there are ways that Menlo Park can support this effort. If it's determined infeasible, most likely due to the need for water and sewer connections, staff will continue to work to identify ways to make this resource more accessible to those encamped in the Marsh/Bayfront.

Additionally, there is a robust homeless services network in San Mateo County, led by the Center on Homelessness, which serves as county liaison to core service agencies, homeless service providers and shelters, and coordinates the Human Services Agency's policies on homelessness. City staff will be joining this network and will begin attending and participating in meetings to learn about modern policies and practices in addressing homelessness and to discuss and plan regional strategies and efforts. Staff will also attend and participate in existing homeless services interagency efforts, such as the San Mateo County Homeless Outreach Team, the San Mateo County Continuum of Care and the Quarterly Human Services Network. Maximizing opportunities to participate in this existing network for homeless case management will lead to improved outcomes in Menlo Park.

Other strategies discussed and recommended include the following:

- One of the primary barriers identified as a cause of continued homelessness is the lack of affordable housing and the need for more permanent supportive housing. Menlo Park will continue to seek opportunities to support the production of affordable and supportive housing.
- The need for a resource guide was identified, to both educate and inform city staff and the community. We recommend a printed resource guide be developed that will be provided to staff, placed in various community centers, provided to downtown businesses and made available for the community on the City website.
- The need for the City to engage the community in outreach efforts and homelessness prevention was discussed and staff will research a plan to engage with downtown businesses and the Chamber of Commerce.
- City staff will convene another meeting with homeless service providers, including the core service agencies as well as other such organizations that serve victims of domestic violence and organizations that serve homeless youth, with the goal of establishing a support network.

Finally, as LifeMoves and Samaritan House have noted, setting reasonable expectations regarding outcomes is important. There is not a quick fix to homelessness and the reality is that while many homeless can be helped, some individuals will not accept assistance and may continue to be homeless. The City can take a new proactive approach to addressing homelessness in Menlo Park to achieve better outcomes using new tools and networks.

Impact on City Resources

Staff time was used to prepare, coordinate and participate in meetings with homeless service providers and more staff time is expected to be utilized to continue to improve coordination efforts.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

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

Report prepared by:
Rhonda Coffman, Deputy Community Development Director – Housing

Reviewed by:
Mark Muenzer, Community Development Director
Dave Bertini, Police Chief
Richard Struckman, Commander