



REGULAR MEETING AGENDA

Date: 7/16/2019
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

7:00 p.m. Regular Meeting

A. Call To Order

Mayor Mueller called the meeting to order at 7:15 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Taylor, Mueller
Absent: None
Staff: City Manager Starla Jerome-Robinson, City Attorney Bill McClure, City Clerk Judi A. Herren

C. Pledge of Allegiance

Mayor Mueller led the Pledge of Allegiance.

D. Presentations and Proclamations

D1. Park and Recreation month

Mayor Mueller read the proclamation (Attachment) and Program Assistant David Hill, Recreation Supervisor Todd Zeo, Parks and Recreation Chair Christopher Harris and Parks and Recreation Commissioner Jennifer Baskin accepted and presented a video.

E. Public Comment

F. Commission Report

F1. Consider applicants and make appointment to fill one vacancy on the Finance and Audit Committee ([Staff Report #19-157-CC](#))

The City Council made an appointment to fill a vacancy on the Finance and Audit Committee.

Finance and Audit Committee:
Shaun Maguire – term expiring April 30, 2021

G. Consent Calendar

Mayor Pro Tem Taylor pulled items G4 and G6.

G1. Accept the City Council meeting minutes for June 4, and June 11, 2019 ([Attachment](#))

- G2. Authorize the city manager to enter into a master professional agreement with R3 Consulting Group, Inc. to implement zero waste programs and policies for a five year period up to \$100,000 per year ([Staff Report #19-149-CC](#))
- G3. Adopt Resolution No. 6513 accepting the green stormwater infrastructure plan for stormwater discharge in accordance with the municipal regional stormwater permit ([Staff Report #19-143-CC](#))
- G4. Accept and appropriate the California State Library grant in the amount of \$95,000 and authorize the city manager to execute all necessary agreements to conduct an after-school homework support center pilot program ([Staff Report #19-140-CC](#))

The City Council received clarification that the original request for proposals (RFP) received no applicants, but the second yielded three to advance to the interview process. Also clarified, were the hours, space limitations and student capacity.

ACTION: Motion and second (Nash/ Carlton) to accept and appropriate the California State Library grant in the amount of \$95,000 and authorize the city manager to execute all necessary agreements to conduct an after-school homework support center pilot program, passed unanimously.

- G5. Item moved to regular business
- G6. Adopt Resolution No. 6510 approving the City of Menlo Park to become an additional member of the California Community Housing Agency ([Staff Report #19-137-CC](#))
- Karen Grove spoke in support of becoming an additional member of the California Community Housing Agency.
 - Lynne Bramlett requested the item be pulled and additional details be added to the staff report.
 - Katie Behroozi spoke in support of becoming an additional member of the California Community Housing Agency.

The City Council discussed how Menlo Park would assist in the selection of tenants.

ACTION: Motion and second (Carlton/ Nash) to adopt Resolution No. 6510 approving the City of Menlo Park to become an additional member of the California Community Housing Agency, passed unanimously.

ACTION: Motion and second (Carlton/ Nash) to approve the consent calendar excluding items G4 and G6, passed unanimously.

H. Public Hearing

- H1. Consider the Planning Commission's recommendation to approve architectural control, use permit, heritage tree removal permit, major subdivision, and below market rate housing agreement for a six unit condominium conversion, the addition of two new condominium units and associated site improvements at 975 Florence Lane ([Staff Report #19-144-CC](#))

Senior Planner Corinna D. Sandmeier and Assistant Community Development Director made the presentation (Attachment).

Project Architect Steve Kellin made a presentation.

Mayor Mueller opened the public hearing.

- Kristen Leep spoke in support of the 975 Florence Lane project.

By acclamation, Mayor Mueller closed the public hearing.

The City Council received clarification on the program restrictions.

ACTION: Motion and second (Nash/ Taylor) to uphold the Planning Commission's recommendation to approve architectural control, use permit, heritage tree removal permit, major subdivision, and below market rate housing agreement for a six unit condominium conversion, the addition of two new condominium units and associated site improvements at 975 Florence Lane, passed unanimously.

The City Council went to recess at 8:25 p.m.

The City Council reconvened at 8:34 p.m.

I. Regular Business

Item I1 was continued.

11. 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 \$992,460 and future augmentations as may be necessary to complete the environmental review for the proposed project ([Staff Report #19-145-CC](#))
12. Review the Heritage Tree Task Force recommendations and direct staff to prepare necessary amendments to the heritage tree ordinance ([Staff Report #19-148-CC](#))

Sustainability Manager Rebecca Lucky made the presentation (Attachment).

- Peter Edmonds spoke about reprioritization and provided alternatives (Attachment).
- Steve Van Pelt spoke about concerns for private trees (non-development).

The City Council received clarification on the number of trees, type of removal and the levels of decision-making criteria. There was also discussion on the penalty fine and the amount being set by the City Councils discretion, the remaining public engagement opportunities, and expressed interest in the development of a smart app for inspection purposes.

ACTION: Motion and second (Carlton/ Combs) to review the Heritage Tree Task Force recommendations and direct staff to prepare necessary amendments to the heritage tree ordinance, passed unanimously.

13. Authorize staff to develop amendments to the 2019 California Building Standards Code to require new buildings be electrically heated and require solar production on new nonresidential buildings, and apply for a \$10,000 reach code grant ([Staff Report #19-146-CC](#))
Sustainability Manager Rebecca Lucky and Sustainability Specialist Joanna Chen made the presentation (Attachment).

- Joanna Falla spoke in support of the adoption of reach codes (Attachment).

- Janet Walworth spoke in support of the adoption of reach codes.
- Ryann Price spoke on behalf of the Environmental Quality Commission (EQC) and in support of the staff recommendation.
- Sven Thesen spoke in support of the adoption of reach codes.
- Nova Midwinter spoke in support of the reach codes.
- Moshe Heletz spoke in support of the staff recommendations.
- John Tarlton spoke on a concern regarding the lack of technology to heat life-sciences without natural gas.

The City Council expressed interest in pursuing 100 percent electrical requirements on all non-residential projects, excluding public-serving restaurants.

ACTION: Motion and second (Carlton/ Nash) to authorize staff to develop amendments to the 2019 California Building Standards Code to require new buildings be electrically heated and require solar production on new nonresidential buildings, and apply for a \$10,000 reach code grant, passed unanimously.

14. Approve the terms of a successor agreement between the City of Menlo Park and the Menlo Park Police Sergeants Association; and amend the citywide salary schedule effective July 21, 2019 ([Staff Report #19-151-CC](#))

Administrative Services Director Lenka Diaz introduced the item.

ACTION: Motion and second (Combs/ Taylor) to approve the terms of a successor agreement between the City of Menlo Park and the Menlo Park Police Sergeants Association; and amend the citywide salary schedule effective July 21, 2019, passed unanimously.

15. Item moved to July 15, 2019.

16. Approve the public engagement plan for the Belle Haven Branch Library conceptual design process ([Staff Report #19-141-CC](#))

Library Services Director Sean S. Reinhart and Assistant Public Works Director Chris Lamm introduced the item.

ACTION: Motion and second (Carlton/ Combs) to approve the public engagement plan for the Belle Haven Branch Library conceptual design process, passed unanimously.

J. Informational Items

- J1. City Council agenda topics: August to October 2019 ([Staff Report #19-127-CC](#))

K. City Manager's Report

None.

L. City Councilmember Reports

Mayor Pro Tem Taylor reported on the last two Facebook community grant meetings.

City Councilmember Carlton reported on attending the upcoming Sister City International meeting.

M. Adjournment

Mayor Mueller adjourned the meeting at 10:33 p.m.

Judi A. Herren, City Clerk

These minutes were approved at the City Council meeting of August 20, 2019.

Proclamation

PARKS AND RECREATION MONTH July 2019

WHEREAS, Parks and Recreation promotes physical, emotional and mental health and wellness through organized and self-directed fitness, play, and activity; and

WHEREAS, Parks and Recreation supports the economic vitality of communities by attracting new businesses, promoting community revitalization, increasing tourism, providing jobs and generating revenues; and

WHEREAS, Parks and Recreation creates memorable experiences through engaging programs, dynamic events and new opportunities designed to get people involved in their communities; and

WHEREAS, Parks and Recreation fosters social cohesiveness in communities by celebrating diversity, providing inclusive services, modeling compassion, promoting social equity, connecting social networks, and ensuring all people have access to its benefits; and

WHEREAS, Parks and Recreation supports human development and endless learning opportunities that foster social, intellectual, physical and emotional growth in people of all ages and abilities; and


WHEREAS, Parks and Recreation sustains and stewards our natural resources by protecting habitats and open space, connecting people to nature, and promoting the ecological function of parkland; and

WHEREAS, Parks and Recreation strengthens community identity by providing facilities and services that reflect and celebrate community character, heritage, culture, history, aesthetics and landscape; and

WHEREAS, Parks and Recreation supports safe, vibrant, attractive, progressive communities that make life better through positive alternatives offered in their recreational opportunities.

NOW, THEREFORE, BE IT PROCLAIMED, the Menlo Park City Council hereby proclaims July 2019 as Parks and Recreation Month and, in doing so, recognizes the importance of access to local parks and facilities for the health, wellness, development, inspiration, and safety of its citizens; and urges them to use and enjoy its parks, trails, facilities, and recreation opportunities because Parks Make Life Better! ®




Ray Mueller, Mayor
July 2019



975 FLORENCE LANE

July 16, 2019

CITY COUNCIL ACTIONS REQUESTED

- Major Subdivision
 - Creation of 8 condominium units by converting 6 existing apartments and constructing 2 new units (one BMR unit and one market rate unit)
- Architectural Control
 - Construction of 2 new units and other exterior work

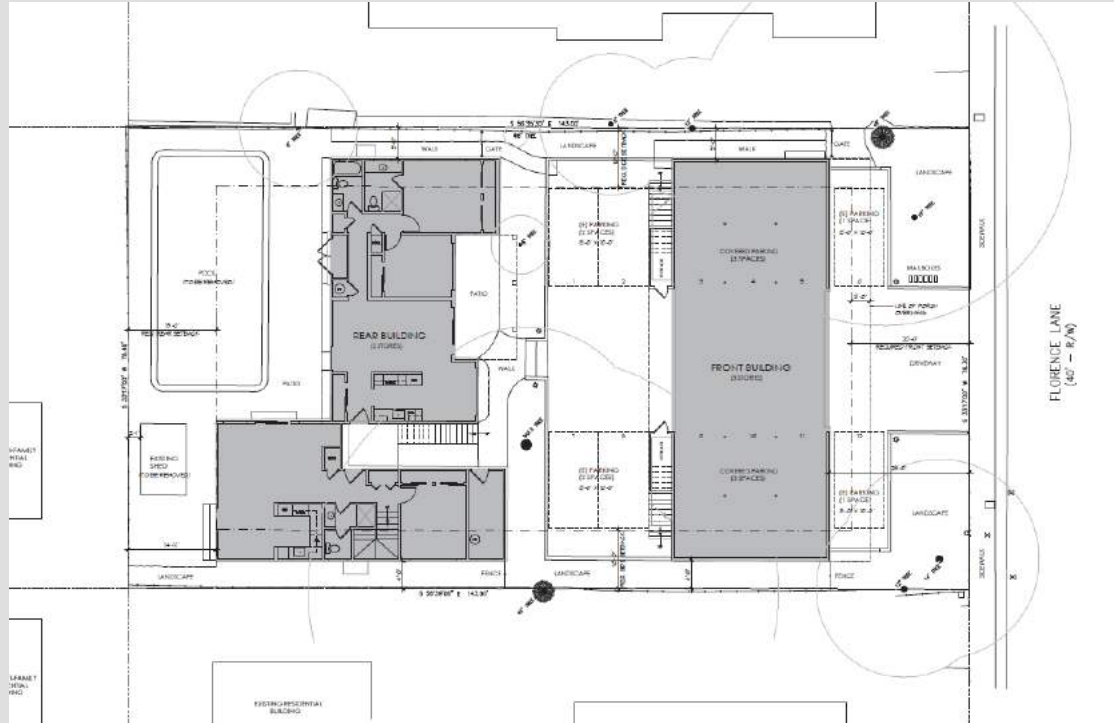




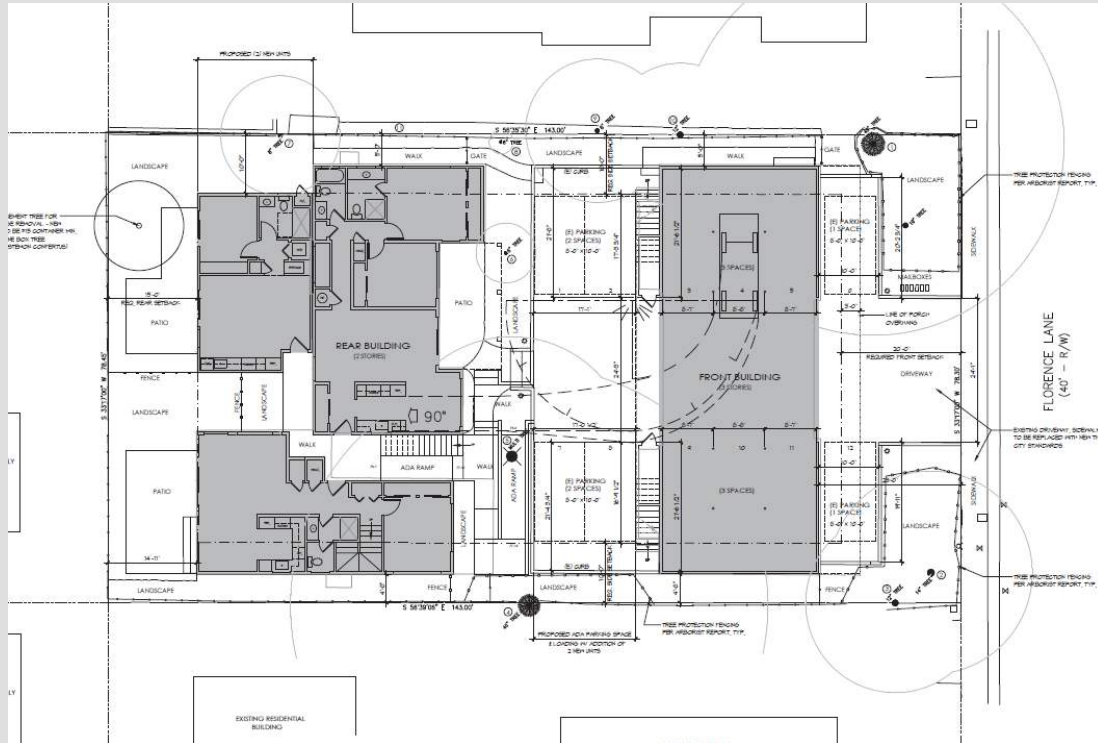
CITY COUNCIL ACTIONS REQUESTED

- Use Permit
 - To allow work on an existing non-conforming structure that would exceed 50% of the replacement value
- Heritage Tree Removal
 - To allow removal of a Japanese maple tree
 - Due to tree's poor health and space needed to construct a ramp to meet accessibility requirements
- BMR Agreement
 - One on-site, for sale BMR unit (moderate income level)

EXISTING SITE PLAN



PROPOSED SITE PLAN





STATE DENSITY BONUS LAW

- Purpose of the law is to encourage and provide incentives to include lower income housing units in development proposals
- Language of the law is mandatory
- City must grant the applicant a density bonus that
 - Allows the applicant to increase the density above the limit
 - Allows waivers to development standards if the application of a standard would physically preclude construction of the project
- Requested waivers
 - Reduction in parking (from 15 spaces to 11 spaces)
 - Increased building coverage (from 40% to 53.7%)



PREVIOUS REVIEW

- Housing Commission (August 8, 2018)
 - Recommended approval of BMR Agreement
- Environmental Quality Commission (May 15, 2019)
 - Recommended approval of heritage tree removal permit



PREVIOUS REVIEW

- Planning Commission (May 6, 2019)
 - Recommended approval with conditions
 - 2:1 heritage tree replacement
 - Continue to include Condition of approval 6(b), requiring the CC&Rs to state that no on-street overnight parking permits will be issued
 - City Council to identify which unit to be designated as the BMR unit and appropriate income level if the BMR unit is a one-bedroom unit
 - City Attorney reviewed and application must be processed as submitted
 - The City Attorney to investigate if project is subject to State Density Bonus law
 - City Attorney reviewed and project is subject to State Density Bonus law
- Additional correspondence received



CONCLUSION

- Approval of the project would
 - Allow the addition of one market rate unit and one BMR unit to the lot and the City's housing stock
 - Allow the buildings to be refreshed and brought up to building code
- The waivers from R-3 development standards are necessary for the addition of 2 new units
- The Planning Commission and staff recommend that the City Council make the necessary findings and take actions for approval of the 975 Florence Lane project, as outlined in Attachment A of the staff report



THANK YOU

HANNA & VAN ATTA

ATTORNEYS AT LAW

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July 16, 2019

VIA E-MAIL: jaherren@menlopark.org

City of Menlo Park
c/o Judy Herren, City Clerk
701 Laurel Street
Menlo Park, CA 94025
Attn: Ray Mueller, Mayor
Members of the City Council

Re: 975 Florence Lane – 8 Unit Condominium Project

Dear Mayor and Members of the City Council:

With regard to the petition signed by a number of residents opposing the new condominium project which consists of a conversion of six existing units, plus adding two new units, the protest is not unusual nor is it unanticipated. Everyone is for more housing and for affordable housing, unless it is in their neighborhood and then they are against it. A recent article in the New York Times stated: "California has the highest poverty rate in the country – about 1 in 5 people – once the cost of shelter is figured in. This is not for lack of jobs or money, but because its cities are so exclusive that they are essentially turning working class residents into poor people."

The failure of most cities and counties to take action to remove the obstacles to the creation of new housing, and to respond to the need for more affordable housing, have made it necessary for the state to attempt to adopt legislation to facilitate the creation of more affordable housing. Government Code section 65589.5 states that a local agency shall not disapprove a housing development project for moderate income households unless it makes written findings, based upon substantial evidence that the project would have a specific adverse impact upon the public health or safety.

Government Code section 65915 states that a local government shall not refuse to grant a waiver or reduction of development standards, or apply development standards that will in either case have the effect of precluding the construction of a development which meets the state requirements for a project seeking a density bonus for a housing

development which complies with the requirements of the state law granting density bonuses and other incentives. In this case, the protesting residents should understand that the City would expose itself to liability, including payment of attorneys' fees, by failing to approve a project such as this one, which does meet the statutory requirements.

Respectfully,



John Paul Hanna

JPH:sm



HERITAGE TREE ORDINANCE UPDATE

Rebecca Lucky, Sustainability Manager

July 16, 2019



THE TEAM AND COMMUNITY

Staff:

- Candise Almendral, Sustainability Project Contractor
- Christian Bonner, City Arborist
- Thomas Rogers, Principal Planner
- Rebecca Lucky, Sustainability Manager
- Cara Silver, Assistant City Attorney
- Darya Barar, HortScience | Bartlett Consulting
- Debbie Schechter, Peninsula Conflict Resolution Center

City Council Appointed Task Force Members:

- Drew Combs (Chair)
- Sally Cole (Vice Chair)
- Jen Judas
- Kimberly LeMieux
- Tom LeMieux
- Scott Marshall (former EQC member)
- Catherine Martineau (Executive Director Canopy)
- Carolyn Ordonez
- Horace Nash
- Sally Sammut Johnson



BACKGROUND



HERITAGE TREE ORDINANCE BACKGROUND

- Purpose of the Heritage Tree Ordinance is to preserve trees by regulating their removal on private property
 - Implemented by requiring a permit to allow pruning or removal of trees of a certain size
 - City Arborists uses specific decision making criteria to determine if removal is necessary
 - Allows for appeals of the City Arborist decision
 - Includes penalties for violations of the ordinance
- Adopted in 1979 and has been revised five times with the latest in 2006





WHY AN UPDATE?

- Over the last several years concerns have been raised regarding development related appeals, unpermitted removals, and inadequate code enforcement
- Environmental Quality Commission provided recommendations to the City Council in 2012
- City Council Work Plan item in 2017, 2018, 2019 (priority No.4)



TASK FORCE PURPOSE AND EXPERIENCE

- Appointed by City Council in August 2018
- 10 open public meetings from August 2018 to June 2019
- Collaborative community engagement process
- Group agreed to make final recommendations to City Council through a super majority vote (2/3)
- Group diversity = finding middle ground solutions
- Delivered 16 recommendations on time to the City Council
- Appeals hearing body was the only area where staff and Task Force recommendations differ



CITY COUNCIL OBJECTIVES

- Desired outcome is to ensure a significant and thriving population of large healthy trees in Menlo Park for public enjoyment and environmental sustainability while balancing property rights/values and implementation efficiency
- Explore options based on evidence and best practices from other communities





POLICY ANALYSIS



POLICY ANALYSIS PROCESS

- Phase I (August 2018 to February 2019)
 - Collected permit data and surveyed past permit applicants and appellants
 - Major finding: decision making criteria are ambiguous and lack clarity leading to higher instances of conflict between applicants, appellants, and city staff
 - Collected best practice from other communities
 - Identified high level options to explore



POLICY ANALYSIS PROCESS CONTINUED

- Phase II (December 2018 to April 2019)
 - Deeper analysis of identified options
 - Interviewed communities practicing proposed options
 - Evaluated benefits, risks, implementation logistics, savings or costs to applicants, appellants, and the City

- Selecting criteria for determining preferred options
 - Increase clarity (20%)
 - Increase or maintain tree canopy (60%)
 - Improve effectiveness (20%)



RESULTS

- Heritage Tree Ordinance Update Policy Analysis Report
 - 26 options were explored in depth in Phase II
 - 16 emerged as preferred options
- Intent and Purpose drafted by the Heritage Tree Task Force
- Definition of Heritage tree
 - Changes to how multi-stem trees are evaluated



RESULTS: DECISION MAKING CRITERIA

- Provides greater clarity regarding what factors the City Arborist will consider when making a decision for tree removal
- Uses industry standards to define thresholds for removal
- Requires evidence for development related tree removals on alternative designs



RESULTS: APPEALS

- Limits ability to appeal when tree risk rating is determined to be moderate or high and there is no feasible option to lower the risk
- Specific standards related to filing appeals for increased efficiency
- Offering conflict/mediation for community member appeals before a formal appeal is processed
- Change the appeal process for tree removal related to Planning Commission project approvals





RESULTS CONTINUED

- Mitigation and tree replacements
 - Development related removals
 - Require replacement to be equal to the value of the tree(s) being removed
 - Non-development related removals
 - Replacement matrix

- Expanding use of the Tree Fund
 - Direct violations or other heritage tree related fees to an existing tree fund to plant more trees or assist in implementation of the Heritage Tree Ordinance





RESULTS CONTINUED

- **Enforcement of Replacement Trees**
 - Two inspections required: one to confirm tree is replaced and another two years later to confirm that tree is thriving

- **Violations**
 - Increase violations to \$10,000
 - Assess punitive or administrative penalties
 - Remove building moratorium penalty

- **Notification Requirements**
 - Apply existing public noticing requirements required for community development
 - Open access to all heritage tree removal applications, permits, and appeals



APPEALS HEARING BODY OPTIONS

- Policy analysis recommended establishing a Heritage Tree Board made up of community members with expertise in development and arboriculture

- Heritage Tree Task Force agreed with a new board, but wanted to maintain a representative process of community peers
 - Recommended a new board made up of existing commission members that would meet and make decisions on appeals as needed
 - Each commission chair could be the designated representative of each commission

- Staff recommendation
 - Maintain the status quo of the EQC, and add language that allows flexibility to designate another City Council body

COSTS IF UPDATES ARE APPROVED

- \$185,000 to \$200,000 annually to implement the changes
- Inspection of replacement trees is resource intensive
- Recovered through increasing permit fees and a portion of the proposed tree mitigation requirements
- General Fund may be needed to supplement shortfalls





COMMUNITY ENGAGEMENT OPTIONS

- 10 public meetings have been held with the Task Force
- Task Force engaged, informed and received feedback from their neighbors or community member to help inform their decisions
- 20 public comments were received
- Surveyed past permit applicants and appellants
- Next steps:
 - Bring forward to the Planning and Environmental Quality Commission
 - Two additional meetings of the Task Force in September and October



COUNCIL ACTION



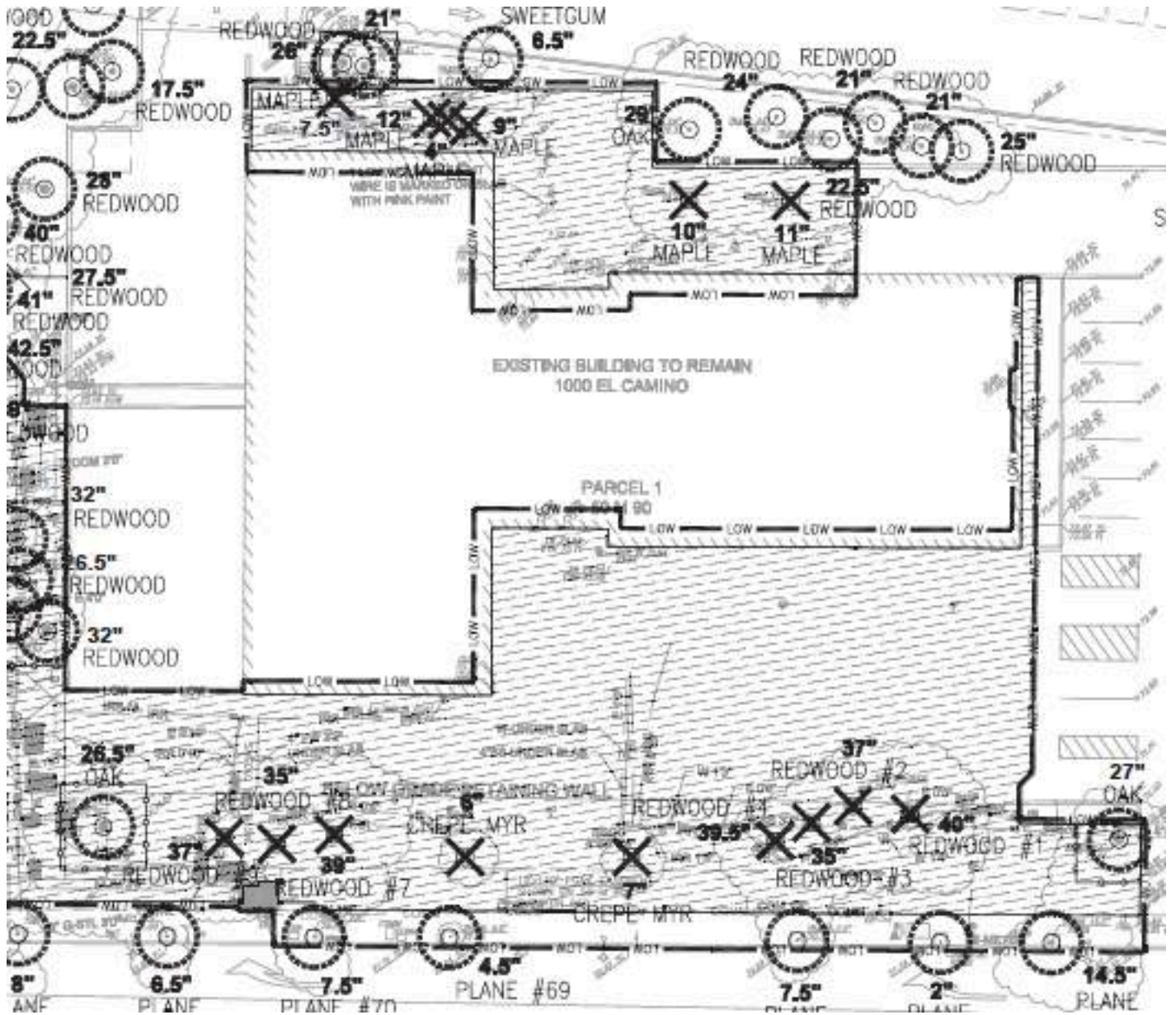


RECOMMENDATION

- Direct the city attorney to incorporate the Heritage Tree Task Force and staff recommendations into a draft ordinance for public review
- Maintain the Environmental Quality Commission or other City Council appointed body to make decisions on appeals
- Limit further community engagement to Environmental Quality Commission, the Planning Commission, and remaining Task Force meetings
- If approved, staff will:
 - Return to City Council in October for updated ordinance adoption
 - Prepare to include additional costs and cost recovery measures in FY 20-21 budget
 - An implementation and education plan would be developed with an effective date of July 1, 2020.



THANK YOU





City of Menlo Park
Engineering Division
 701 Laurel Street
 Menlo Park, CA 94025
 Telephone (650) 330-6740

PERMIT NO.: HTR2017-00223

DATE ISSUED: 6/12/2019

Keep Permit
 at work site

HERITAGE TREE REMOVAL PERMIT

Location of Work:
 1000 El Camino Real

Name of Property Owner	Address	City	ST	Zip	Telephone
MATTESON INV CORP ET AL LES	1510 FASHION ISLAND BLVD	SAN MATEO	CA	94404	

Name of Arborist	Address	City	ST	Zip	Telephone
SBCA TREE CONSULTING	1534 ROSE STREET	CROCKETT	CA	94525	

ISA No.	Menlo Park Business License No.	CA Contractor License No.
On File		

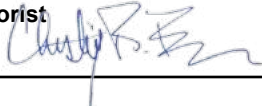
The following tree(s) are to be removed / pruned

Species	Removal or Heavy Pruning	Reason for Removal	Approved Removal Date
Coast Redwood		Structural proximity	January 09, 2019
Coast Redwood		Structural proximity	January 09, 2019
Coast Redwood		Structural proximity	January 09, 2019
Coast Redwood		Structural proximity	January 09, 2019
Coast Redwood		Structural proximity	January 09, 2019
Coast Redwood		Structural proximity	January 09, 2019
Coast Redwood		Structural proximity	January 09, 2019

GENERAL CONDITIONS OF PERMIT

- Removal upon receipt of this approved permit.
- SEE ATTACHED CONDITIONS OF APPROVAL

DO NOT WRITE BELOW THIS LINE -- CITY STAFF USE ONLY

Approved by City Arborist Processed by: 	Date 6/12/2019	Permit expires 12/12/2019	Fees (retained by City) Paid	\$765.00
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Additional Comments:
 appeal period extended to 1/9 to account for the winter closure.



June 4, 2019

Matteson Investment Corporation ("Matteson")
1510 Fashion Island Boulevard
San Mateo, CA 94404

Subject: Conditions of Heritage Tree Removal Permit at 1000 El Camino Real.

Dear Matteson,

This letter is regarding the permit (HTR2019-00223) for the removal of 7 coast redwood Heritage Trees on the property at 1000 El Camino Real, Menlo Park, CA. The following are conditions of the removal permit:

1. Owner shall plant a minimum of fourteen (14), thirty-six inch (36") box trees on the subject property in the locations and utilizing tree species which are specified in approved landscape plan of the Architectural Control permit (PLN2018-00045) and in accordance with the most current International Society of Arboriculture (ISA), Best Management Practices prior to final inspection of associated construction.
2. Owner shall make a donation of sixty two thousand dollars (\$62,000) to the non-profit organization, Canopy, within thirty (30) days of removal. The funds shall be used for the planting of twelve (12) trees in Burgess Park and Civic Center Campus at 701 Laurel Street, Menlo Park and fifty trees (50) in and within the near vicinity of the Belle Haven Neighborhood, all as specified by the City.
3. Except as otherwise provided below, the owner shall process the saw-log portions of the 7 (seven) coast redwood central stems into primary wood products (e.g. lumber, panels, plywood, containers, sheathing) to be used directly for domestic/residential/local purposes and donated to a local affordable housing provider. Owner shall provide documentation that saw-logs have been utilized and/or that an agreement has been entered into to achieve such purpose within ninety (90) days of removal. A portion of the saw-log material shall be made available to, or in coordination with, the City, to be modified into a piece of artwork or a bench/feature, at the direction and cost of City. The owner shall deliver such portion to a location as designated by the City. The owner shall not utilize the saw-log portions of the redwoods for roundwood products that are not milled (e.g. fuelwood, mulch, posts, etc).

Failure to comply with the conditions of this permit will constitute a violation of the Heritage Tree ordinance and may result in City action and penalties associated with the ordinance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christian Bonner".

Christian Bonner
City Arborist
Public Works Department
333 Burgess Dr. Menlo Park

RESOLUTION NO. 6493

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
CALL TO CLIMATE AND SUSTAINABILITY ACTION IN MENLO PARK**

WHEREAS, the open space surrounding and within Menlo Park, including the hillsides, baylands, and parkland, offer beautiful places for residents to recreate, and protect the Menlo Park community from flooding, filter our water, clean our air, and provide a whole host of other ecosystem services free of charge to our residents each and every day; and

WHEREAS, common sense and morality indicate that humanity can no longer safely emit GHGs and current levels and must demand an urgent effort to rapidly reach zero emissions across all sectors to safely remove excess carbon from the atmosphere; to preserve and restore the Earth's biodiversity; to implement safety measures to protect all people and species from the consequences of abrupt warming in the near-term; and to cultivate a shift toward climate resiliency that prioritizes conservation, community, and independence from fossil fuels; and

WHEREAS, the urgency, and magnitude of the challenge of addressing climate change calls for leadership in all sectors of society, all institutions and all elected leaders, including at the local city and neighborhood level; and,

WHEREAS, The collective community of the City of Menlo Park has the insight, drive, ingenuity, and capacity to work for environmental justice, and fully understand that when we work together across social and city borders, we can build transformative networks to reduce climate change and improve quality of life and prosperity across all communities; and,

WHEREAS, our action or inaction on these issues will be our legacy left to our children and future generations,

BE IT FURTHER RESOLVED, the City of Menlo Park commits to protecting open space and natural resources as a part of it's climate action and adaptation strategy.

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 sixteenth day of April, 2019, by the following votes:

YES: Carlton, Combs, Mueller, Nash, Taylor

NOES: None

ABSENT: None

ABSTAIN: None

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



Ray Mueller, Mayor





























2020 REACH CODES

Joanna Chen, Sustainability Specialist

Rebecca Lucky, Sustainability Manager



ARRIBERCA FAMILY
GYMNASIUM

A photograph of a brick building facade at night. The building has a prominent sign that reads "ARRIBERCA FAMILY GYMNASIUM". The sign is illuminated from below, and the building's architectural details, including a large overhanging roof structure with recessed lighting, are visible.



BACKGROUND





TEAM

- Staff:
 - Chuck Andrews, Assistant Community Development Director
 - Joanna Chen, Sustainability Specialist
 - Deanna Chow, Assistant Community Development Director
 - Rebecca Lucky, Sustainability Manager
 - Cara Silver, Assistant City Attorney
- External Support:
 - Farhad Farahmand, Sr. Project Manager at TRC Companies
 - Rachael Londer, Sustainability Coordinator at County of San Mateo
 - Rafael Reyes, Director of Energy Programs at Peninsula Clean Energy
 - Sven Thesen, Clean Energy Programs Manager at Peninsula Clean Energy
- Environmental Quality Commission
 - Ryann Price, Chair



CALIFORNIA BUILDING STANDARDS CODE

- New building codes get adopted every 3 years (code cycles)
 - New code cycle effective on January 1, 2020

- Mandatory for all cities to adopt

- Creates an opportunity for communities to adopt local code amendments (reach codes) to address environmental goals, such as reducing greenhouse gas emissions from the building sector

- Local governments seeking to increase environmental standards typically amend parts related to the:
 - State Energy Code
 - California Green Building Standards Code (CalGreen)



REACH CODES AND MENLO PARK

- 2019 City Council work plan included exploring adopting a Reach Code in Menlo Park

- Referred to the Environmental Quality Commission (EQC) for further study and recommendation
 - Discussed the matter over three public meetings
 - Reviewed four options

- EQC unanimously recommended requiring new buildings to be electrically heated and a minimum amount of solar to be installed for nonresidential buildings.



ANALYSIS

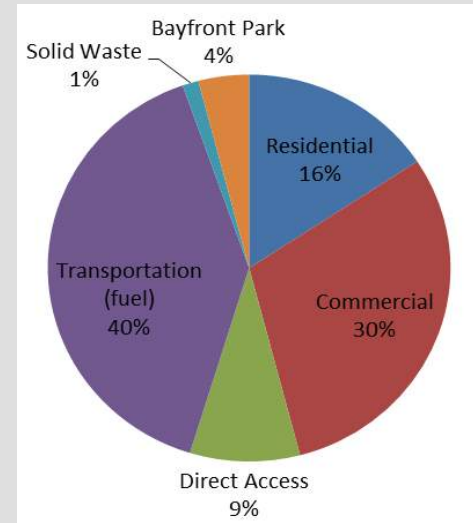




WHY ELECTRIFICATION OF BUILDINGS FOR REACH CODES

- State is requiring power providers to achieve 100 percent greenhouse gas (GHG) free electricity by 2045 (SB100)
- 40% GHG reduction required in buildings by 2030 (AB 3232)
- Aligns with Climate Action Plan to reduce GHG emissions in the building sector.
- Mayor signed the Climate and Sustainability Resolution on Earth Day this year
 - Drive toward all electric for new buildings, and move away from the use of the natural gas (fossil fuel)

2013 GHG Inventory





MAXIMIZE COMMUNITY'S RENEWABLE ENERGY PORTFOLIO

- Menlo Park businesses and residents are enrolled in Peninsula Clean Energy (PCE)
 - 50% of electricity comes from clean and renewable energy sources
 - Goal of 100% GHG free by 2021 and use all renewable energy by 2025

- PCE does not provide natural gas that contributes to climate change by emitting GHG emissions

- This means that electrifying buildings in Menlo Park would be GHG free after 2025
 - Minimizing and reducing the GHG impact of development on Menlo Park's greenhouse gas inventory the impact of development
 - Ensures that the GHG reduction goal of 27% is maintained



MENLO PARK DEVELOPMENT FORECAST

- If future developments are approved, Menlo Park anticipates to see:
 - 100 residential buildings (based on last three years of permit data)
 - 21 new buildings that include multifamily, office, retail, and hotel (based on planning permit data in the queue)

- If buildings use natural gas, 212,876 tons of GHG emissions would result over the life of the buildings

- Increases community GHG emissions by 1% to 2% annually

- It still makes a difference, percentage point reductions are not easy to achieve



PREFERRED REACH CODE OPTION

- Require new buildings to be electrically heated (space area and water heating)
 - excludes cooking, fireplaces and other uses
- Require new nonresidential buildings to have on-site solar

Square footage of building	Size of panel
Less than 10,000 sq ft	Minimum of 3-kilowatt PV systems
Greater than or equal to 10,000 sq ft	Minimum of 5-kilowatt PV systems

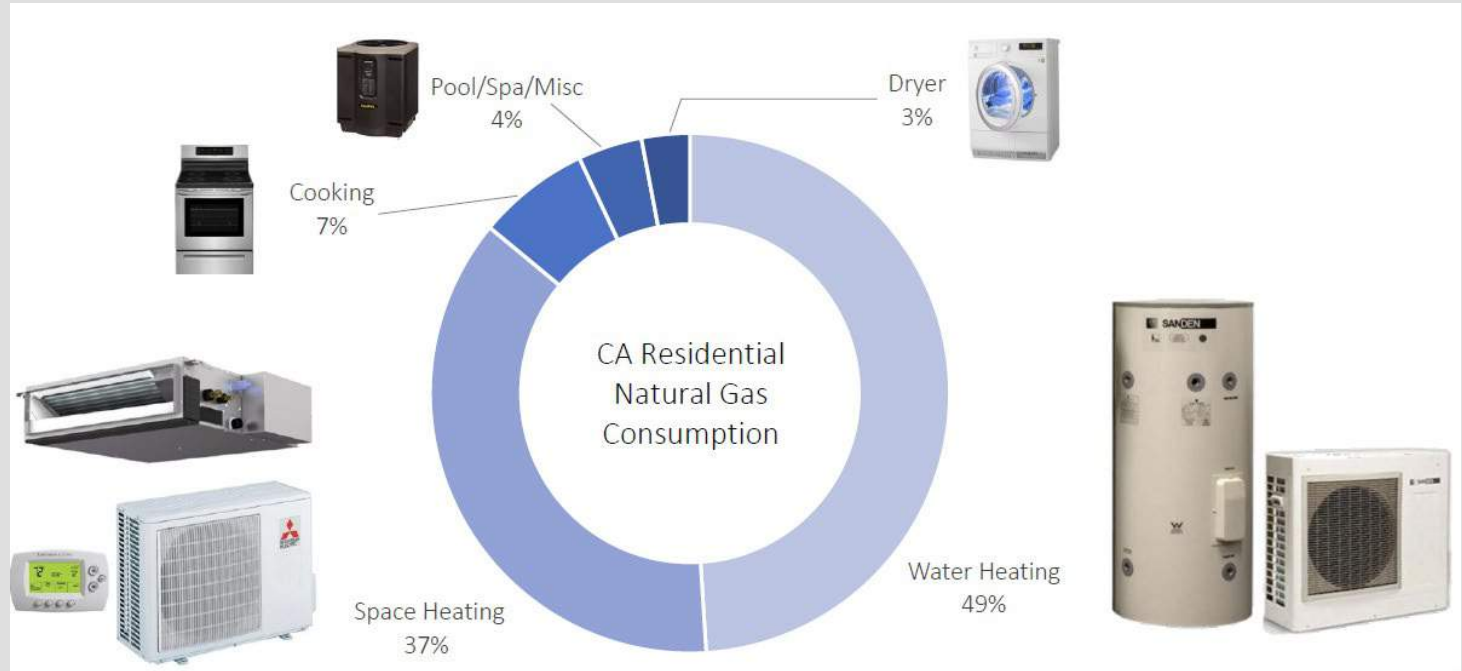
EXCEPTION: As an alternative to a solar PV system, the building type may provide a solar hot water system (solar thermal) with a minimum collector area of 40 square feet.



WHY JUST ELECTRICALLY HEATED

- **ONLY** applies to new construction from ground up
 - Does not apply to additions, remodels, some tenant improvements
- Achievable and found to be cost effective
- Simple for permit applicants to understand
- Easy for the city to implement
- Allows strong consumer preference for cooking with natural gas
- Guarantees significant GHG reductions

WHY JUST ELECTRICALLY HEATED



Source: 2010 California Residential Appliance Saturation Survey



DEMONSTRATION

- One gallon jug = amount of carbon dioxide emissions (CO₂e) emitted to provide 50 gallons of shower temperature water (55°F rise)
 - Use natural gas water heater: 8.52 lb of CO₂e **VS**
 - Use electrical heat pump water heater: .88 lb of CO₂e

- 50 gallons of hot water = ¼ of an average winter day's space heating for small or efficient house

- Credit: EQC Commissioner Tom Kabat



MENLO PARK PROPOSAL IN THE MIDDLE

- Many cities are proposing a disincentive type regulation by providing building permit applicants a choice between all electric or meeting expensive higher energy efficiency standards to use natural gas
 - Not proven to be effective in the past at achieving GHG reductions
 - Sonoma Clean Power offered substantial rebates for electrifying buildings after the fires, and only 1/3 of all permit applicants choose all electric
 - Consumer preference reigns over cost savings or additional funds

- A small number of cities are proposing or considering requiring all electric new buildings
 - Berkeley - Healdsburg - Burlingame
 - Santa Rosa - Petaluma

- Menlo Park is a combination of a requirement and disincentive to drive to all electric buildings



NEXT STEPS





TENTATIVE TIMELINE

Task	Description	Date
City Council meeting	Staff brings EQC recommendation to City Council	July 16
City Council meeting	1 st ordinance reading	August
City Council meeting	2 nd ordinance reading	September
Submit application to CA Energy Commission	CEC needs to approve the reach codes before adoption	October
File with Building Standards Commission	Reach codes must be submitted to the Building Commission	December



RECOMMENDATION





EQC AND STAFF RECOMMENDATION

- Authorize staff to develop amendments to the 2019 California Building Standards Code to require new buildings to be electrically heated and require solar production on new nonresidential buildings
- Authorize City manager to apply for \$10,000 PCE Reach Code grant



THANK YOU





4 OPTIONS

1. Minimum State requirements
2. Allow natural gas
3. Progress toward all electric building
4. All electric building

Option 1

Minimum GHG
emissions
reduction

Option 2

Option 3

Option 4

Maximum GHG
emissions
reduction

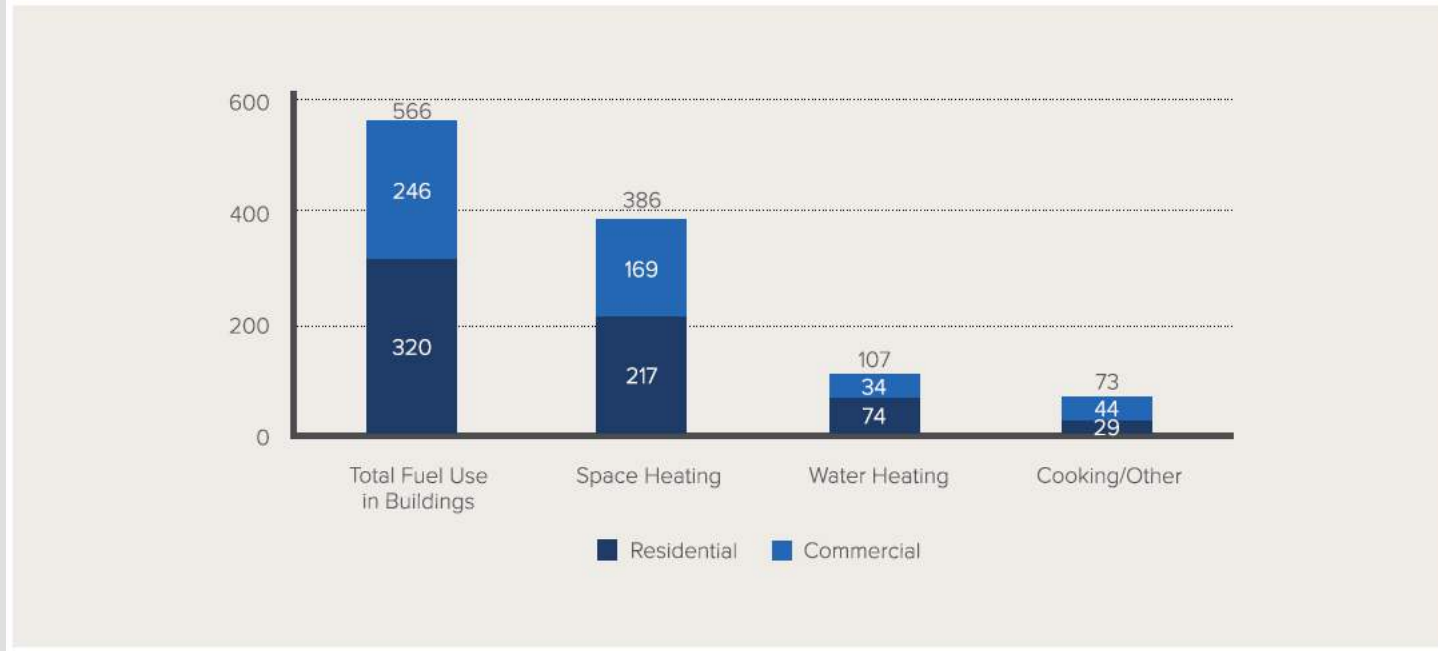


OTHER CITIES PROGRESS

Neighboring Cities	Progress
Brisbane	PCE's proposed reach codes
Burlingame	Interested in all electric option
San Mateo	PCE's proposed reach codes
Redwood City	Discussing reach code options
Palo Alto	Waiting for final draft of own cost effectiveness study
Mountain View	Interested in Menlo Park's recommendation and/or incentive based approach
Sunnyvale	Updated Green Building Ordinance, effective in July 2019



CARBON EMISSIONS OF FOSSIL FUEL END USES IN US BUILDINGS, 2015, MT CO₂E



Source: *The Economics of Electrifying Buildings: How Electric Space and Water Heating Supports Decarbonization of Residential Buildings*. Rocky Mountain Institute, 2018, <http://www.rmi.org/insights/reports/economics-electrifying-buildings/>



GREENHOUSE GAS INVENTORY

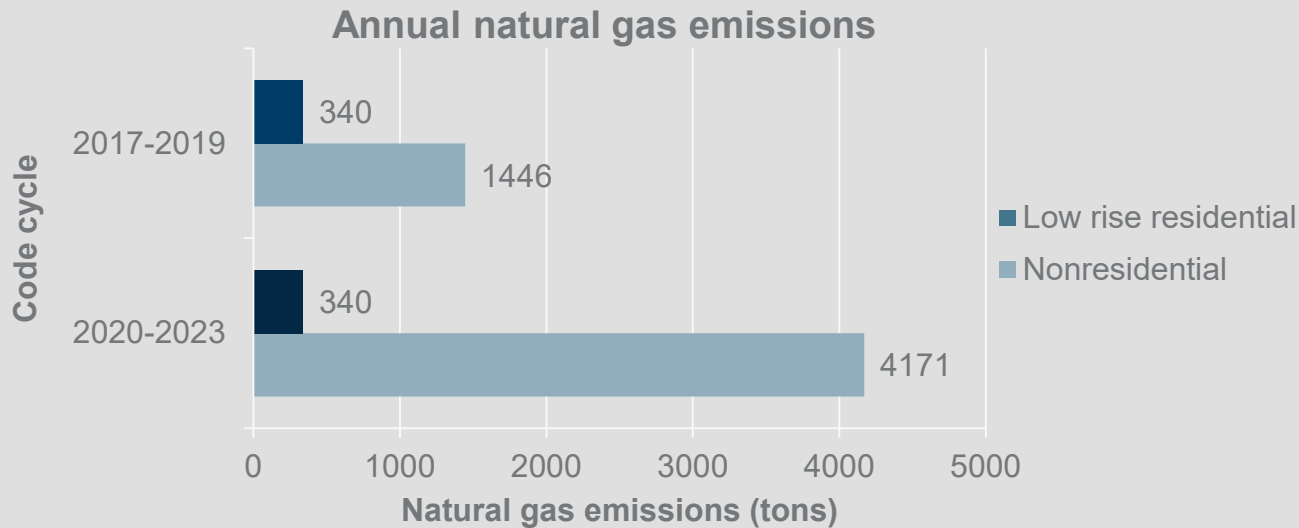
- If approved, here is what Menlo Park anticipates to see for the next 3 years:

Building Types	Number of projects	Total square footage	Building life expectancy	GHG emission, if use natural gas (tons)	GHG emissions, if all electric (tons)
Single family residential	~ 100	385,000	30 years	6,305	~ 0
Low rise multifamily (≤3 stories)	~ 9	8,838	30 years	145	~ 0
Nonresidential	~ 21	3 million	50 years	206,571	~ 0
Total				213,021	



GREENHOUSE GAS INVENTORY

- If approved, Menlo Park anticipates to see:
 - 100 low rise residential buildings
 - 21 nonresidential buildings



All-Electric Product Guides

Below offers a sampling of all electric products used for electrification including heating, ventilation and air conditioning, domestic hot water and laundry drying to cooking and outdoor uses (pool, landscaping, barbeque, fireplaces). This product guide also shows a small sample of energy management systems and electric vehicle chargers. The full "Zero Emissions All Electric Multifamily Construction Guide" provides many more products with their specifications.

Heating, Ventilation and Air Conditioning					
Air Source Variable Refrigerant Flow (Mitsubishi) 	Air to Water Hydronic (Spacepak) 	Mini-split (Fujitsu) 	Standard Heat Pump / Air Conditioner (York) 	Packaged Terminal Heat Pump (Innova) 	
Domestic Hot Water					
Heat Pump Water Heater (Colmac) 	Heat Pump Water Heater (AO Smith) 	Split Heat Pump Water Heater (Sanden CO2) 	Heat Pump Water Heater (Rheem) 	Tankless Electric Water Heater (Stiebel Eltron) 	
Residential Cooking		Commercial Cooking		Electric Dryers	
Glass Top Range (Whirlpool) 	Slide in Induction Range (Frigidaire) 	Electric Wok (Garland) 	Electric Oven (Vulcan) 	Standard Dyer (Samsung) 	Condensing Washer&Dyer (Whirlpool) 
Single Burner Induction (Eurodib, Vollrath) 	Multi-burner Induction (Bosch, Eurodib) 	Electric Range (Bertazzoni) 	Electric Fryer (Frymaster) 	Energy Management and EV Chargers	
				Energy Management Circuit Breaker (Eaton) 	DCC-9 EV Power Management (Thermolec) 
				Smart EV Charger (EVBOX, ChargePoint) 	
All-Electric Outdoor Life					
Heat Pump Pool 	Indoor/Outdoor Electric Fireplaces (Optimyst) 	Electric Landscaping (RYOBI) 	Electric Barbeque (Kenyon) 		



A Zero Emissions All-Electric Multifamily Construction Guide

Download the full report here: www.fossilfreebuildings.org/ElectricMFGuide.pdf

Contact: Sean Armstrong, Redwood Energy (sean@redwoodenergy.net (707)826-1450)

There is a growing trend of multi-family developments going all-electric across the U.S. and globally, providing significant cost savings, reducing pollution, and improving tenant comfort, health, and safety. Many states and cities are adopting policies to save energy, reduce climate and air pollution, and improve public health and safety; and these building standards (including several planned gas bans for new buildings) are creating a movement to all-electric construction for multi-family housing.¹ All electric buildings not only save a lot of money and energy they create healthy, pollution free living spaces, and the electricity that powers them is getting cleaner with many states adopting renewable energy standards.² As cities, developers, and other leaders work together to build much-needed new housing, this **Zero Emissions All Electric Multifamily Construction Guide** provides case studies, best practices and product catalogues, to support all-electric multifamily construction that is cheaper, cleaner and safer for everyone.

Benefits of All Electric Construction:

- **All-Electric construction costs less: A compiled study across five states found that additional gas infrastructure costs a median value of \$8,800 per home.**³
- **Cleaner, Low Carbon Living:** Buildings currently contribute roughly one third of carbon pollution through energy use. As new multifamily housing construction increases rapidly it can make a large reduction in carbon pollution by avoiding fossil fuels like natural gas with all-electric construction. The natural gas used for heating and cooking in conventional buildings has exceptionally high carbon emissions when the lifecycle of the fuel, including leaks, are considered.
- **Public Safety:** Natural gas is highly flammable. In the past ten years, 9,000 gas explosions in the U.S have killed 548 people,⁴ gas accounted for half the fires after two major California earthquakes (Los Angeles in 1994 and San Francisco in 1989),^{5,6} and gas leaks displaced thousands in four towns in Massachusetts in 2018.⁷
- **Public Health: gas stoves release smog-like NO2 pollution that doubles health risks for heart and lung disease and triples the use of asthma medications.**^{8,9} Improperly vented gas appliances lead to carbon monoxide poisoning that results in roughly 15,000 emergency room visits and 500 deaths every year.¹⁰
- **All-Electric buildings have lower utility bills.** Due to rapid gains in the efficiency of electric appliances (e.g. 300%-420% efficient heat pumps) they can reduce utility bills by 30% compared to the best (e.g. 97% efficient) gas burning appliances.

"[The change to all electric multifamily housing] is better in every way, a great simplification of the system. Less expensive, higher performance, less maintenance, more sustainable....It is a major cost saving move that pays for a lot of high performance upgrades." - Malcom Harris of Mithun Architecture

1 City of Vancouver. (2019). "Zero Emissions Buildings – policies and code requirements" <<https://vancouver.ca/green-vancouver/zero-emissions-buildings.aspx>>

2 Sierra Club. (2019). "100% Commitments in Cities, Counties & States." <<https://www.sierraclub.org/ready-for-100/commitments>>

3 Billimoria, Sherri (2018). Report Release: Electrifying Buildings for Decarbonization: The Role of Electric Space and Water Heating. Retrieved from Rocky Mountain Institute: <https://rmi.org/report-release-electrifying-buildings-for-decarbonization/>

4 Joseph, George. "30 Years of Oil and Gas Pipeline Accidents, Mapped." Citylab. November 30, 2016

5 California Seismic Safety Commission. (2002). "Improving Natural Gas Safety in Earthquakes." SSC-02-03

6 Taylor, Ann. "The Northridge Earthquake: 20 Years Ago Today." The Atlantic. January 17, 2014.

7 Sellers, F., Weintraub, K. and Wootson, C. (2018). "Thousands of residents still out of their homes after gas explosions trigger deadly chaos in Massachusetts." Washington Post. <https://www.washingtonpost.com/national/thousands-of-residents-still-out-of-their-homes-after-gas-explosions-trigger-deadly-chaos-in-massachusetts/2018/09/14/802ff690-b830-11e8-94eb-3bd52dfe917b_story.html>

8 Utah Department of Environmental Quality. (2018). "Understanding Utah's Air Quality" <<https://deq.utah.gov/communication/news/featured/understanding-utahs-air-quality>>

9 Jarvis et al. (1996) "Evaluation of asthma prescription measures and health system performance based on emergency department utilization." <<https://www.ncbi.nlm.nih.gov/pubmed/8618483>>

¹⁰ USDN, Methane Math, https://sfenvironment.org/sites/default/files/fliers/files/methane-math_natural-gas-report_final.pdf