



**SPECIAL AND REGULAR MEETING AGENDA - AMENDED**

**Date:** 1/14/2020  
**Time:** 5:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

This amended agenda includes:

- Revised title and update to item K1
- Attachment A for item I3
- Updates to items SS1 and I4
- Items F1 and I2 have been removed

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.

**5:00 p.m. Closed Session (City Hall - “Downtown” Conference Room, 1st Floor)**

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

- CL1. Public employment (Gov. Code section 54957.)  
City Attorney recruitment

**5:30 p.m. Study Session**

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

- SS1. Preliminary resource capacity analysis for anticipated 2020 projects ([Staff Report #20-011-CC](#))
- SS2. Confirm the approach to updating the transportation impact analysis guidelines related to vehicle miles traveled and level of service ([Staff Report #20-009-CC](#))

**Regular Session**

- D. Report from Closed Session**
- E. Presentations and Proclamations**
  - E1. Manzanita Talks
- F. Commissioner Reports**
  - F1. ~~Sister City Committee update~~ ([Staff Report #20-003-CC](#))
  - F2. Complete Streets Commission report ([Staff Report #20-007-CC](#))

## **G. Commission/Committee Vacancies and Appointments**

- G1. Consider applicants and make an appointment to fill a vacancy on the San Mateo County Mosquito and Vector Control District ([Staff Report #20-002-CC](#))

## **H. Public Comment**

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

## **I. Consent Calendar**

- I1. Accept the City Council meeting minutes for December 2, 2019 ([Attachment](#))
- ~~I2. Adopt a resolution changing Menlo Park's Friendship City agreement with Bizen, Japan to a Sister City agreement ([Staff Report #20-006-CC](#))~~
- I3. Confirmation that city has no current need to use the pre-school building located at Nealon Park and authorize city manager to memorialize five year extension to lease agreement with Menlo-Atherton Cooperative Nursery School ([Staff Report #20-008-CC](#))
- I4. Authorize a representative of the City Council to sign the Manzanita Talks joint statement ([Staff Report #20-010-CC](#))

## **J. Regular Business**

- J1. Amend the agreement with AECOM Technical Services, Inc. for the Ravenswood Avenue railroad crossing study ([Staff Report #20-004-CC](#))

## **K. Informational Items**

- K1. Update on Belle Haven community center and library ([Staff Report #20-005-CC](#))
- K2. City Council agenda topics: January 2020 to March 2020 ([Staff Report #20-001-CC](#))

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

## **M. City Councilmember Reports**

- M1. Request by Vice Mayor Combs to adopt a safe storage of firearms in a residence ([Attachment](#))

## **N. 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 Council 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. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

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](http://menlopark.org/agenda) and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at [menlopark.org/notifyme](http://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 1/9/2020)



## STAFF REPORT

### City Council

Meeting Date:

1/14/2020

Staff Report Number:

20-011-CC

Study Session:

**Preliminary resource capacity assessment for 2020 goal-setting**

### Recommendation

The purpose of this study session is to provide background information and preliminary assessment of capacity as the City Council enters its goal-setting process for 2020. No City Council action or decision is requested. The City Council may identify additional areas of consideration and analysis in preparation for the City Council's January 30 goal-setting session.

### Policy Issues

Through the adoption of the annual budget, the City Council controls the resources available for the provision of services and the completion of projects. Resources take the form of full-time equivalent personnel (FTEs); operations budgets that provide for materials, supplies, utilities and contract services; and capital improvement plan project budgets, also referred to as "the what." The City Council delegates day-to-day administration of the budget and services to the City Manager, who has discretion over how to utilize resources in the most efficient, impactful and prudent manner, also referred to as "the how." As a matter of City Council policy, the City Council maintains full control over whether it is involved in "the how."

### Background

The City Council's 2020 goal-setting session is scheduled for January 30 from 1:00 pm to 5:00 pm., in the City Council Chambers. At that session, the City Council will have the opportunity to prioritize staff expectations for the upcoming year upon consideration of the available resources. To assist in this effort, staff will identify a top priority for each department/division/functional area. Unless directed otherwise, staff's recommendations will assume that the City Council accepts the proposal from Facebook to partner on the construction of a new Belle Haven Community Center and Library (BHCCL). The BHCCL project will require the expertise of some of the City's most experienced staff members to meet the project's ambitious timeline. Additionally, the recommendations will consider current staffing levels, assuming that vacant positions will not be productive in time to meet the BHCCL project timeline.

### Analysis

The purpose of this report is to transmit a series of memoranda prepared as background for the 2020 goal-setting session.

### Annual goal setting process

The City Council conducts an annual goal-setting session early in each calendar year to establish the priorities and work plan for the coming 12 to 18 months. The City Council adopted priorities and work plan are used to build the City Manager's proposed budget for the subsequent fiscal year. In 2018, due to staff

vacancies, the City Council amended its process to identify “top priority” projects as part of the goal-setting session. As a “top priority” project, the City Council provided the City Manager with discretion to strategically realign any available resources necessary to achieve the milestones outlined in the project description. If there is a challenge meeting critical milestones for a top priority project, the City Manager may choose to strategically defer work on other projects to keep the top priority project on schedule, to the greatest extent possible. While the focus is on the top priority projects, staff continues to work diligently on all the projects included in the work plan. Also, staff continues to work on the Capital Improvement Plan (CIP) project and deliver daily services to the community.

#### 2019-20 City Council adopted priorities and work plan update

At the December 16 City Council meeting, staff transmitted a quarterly update on the City Council’s adopted priorities and work plan. In preparation for the City Council’s 2020 goal setting session the following projects require prioritization:

- 2019 City Council adopted work plan carry-over into 2020 – Work on the following projects will continue unless directed by the City Council to either suspend or cancel.
  - Transportation master plan (TMP) 80 percent complete
  - Chilco Street improvement project 80 percent complete
  - Middle Avenue pedestrian and bicycle rail crossing planning 90 percent complete\*
  - Heritage tree ordinance update 90 percent complete\*
  - Transportation management association (TMA) formation 20 percent complete
  - Transportation impact analysis guidelines >10% complete
  - Near-term downtown parking and access strategies 0 percent complete
  - El Camino Real (ECR) / Downtown Specific Plan update 0 percent complete
  - Short-term rental ordinance 50 percent complete
  - Single-family residential design review 0 percent complete
  - Zero waste ordinance implementation 10 percent complete
  - Local minimum wage ordinance 90 percent complete\*
  - City Council procedures manual update 10 percent complete
  - Information technology master plan, year 2; 60 percent complete
  - Citywide communication program development 90 percent complete\*
  - \*90% of the policy work is substantially complete however significant staff work remains to implement the policy.
  
- New/anticipated work plan efforts – Substantive work will not commence on these projects without City Council direction.
  - Belle Haven Multigenerational Community Center and Library (MGCCCL)
  - Education series on the development and environmental review processes
  - ConnectMenlo community amenities list update
  - Development incentives for housing in the El Camino Real/Downtown Specific Plan area
  - Secondary dwelling unit ordinance update
  - Affordable Housing and Sustainable Communities (AHSC) grant opportunity
  - 2022 Housing Element, zoning code update and related work (e.g., preparation of an Environmental Justice Element, Land Use Element amendments, rezoning, etc.)
  - Climate Action Plan 2.0
  - Community Electric Vehicle Infrastructure Master Plan
  - Consider a reusable food ware ordinance to reduce and divert waste from landfill

- Update the Solid Waste Ordinance (State mandates and Zero Waste Plan)
- Update the Construction and Demolition Ordinance (Zero Waste Plan)

#### Capital Improvement Plan (CIP) prioritization

As part of the goal-setting process, staff will present an updated listing of CIP project prioritization. The CIP is comprised of 73 funded projects as outlined in the adopted budget, Attachment E. Similar to last year, staff intends to use a three-tier prioritization methodology – 1, 2 and 3 – with 1 being the highest relative priority and 3 being the lowest relative priority. Along with available staff, a project priority tier considers the following additional criteria:

- Regulatory compliance
- Public safety
- Preservation of city assets
- Improved efficiencies
- Grant funding timelines
- First in, first out

If the City Council accepts the Facebook proposal and staff's recommendation for the BHCCL, the project will have the most immediate impact on the CIP team and the City Manager's Office. The project will be led by Deputy City Manager Justin Murphy. Mr. Murphy will coordinate building construction with Chris Lamm, Assistant Public Works Director-Engineering. Mr. Murphy will coordinate community engagement with Clay Curtin, Public Engagement Manager. Additionally, the project will require senior staff members in the Community Services, Library, and Community Development departments as well as engineers assigned to other capital projects.

In the preparation of the information attached, certain assumptions were necessary:

- The City of Menlo Park aspires to be an organization where staff, management, and the City Council maintain a productive working relationship built on respect and trust and encourages open and frank discussion about opportunities and challenges anticipated in the next 12 months and beyond.
- The BHCCL project is likely to be the City's sole priority for 2020.
- To meet the BHCCL milestones, the City Council shall strive to maintain their deliberations to policy considerations ("the what") and delegate implementation ("the how") to professional staff.
- The City Council prioritizes employee retention and provides management with the tools necessary to retain staff.
- Vacant positions as of January 7 cannot be filled in time to have a meaningful impact on the ability to complete projects in the first six months of 2020. Management will not request the addition of full-time equivalent personnel (FTEs) to create capacity.
- Few, if any, options are available to retain contract services to backfill vacant staff positions or staff reassigned to the BHCCL project.
- No significant emergencies or natural disasters occur that draw staff away from the BHCCL project.

Staff will transmit a draft of the PowerPoint presentation to the City Council on Monday, January 13.

#### **Impact on City Resources**

There is no impact on City resources.

### **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. Memo - Resource capacity by functional area
- B. Memo - Staff vacancies as of January 7
- C. Memo - Analysis of the State Controller's open data portal on employee compensation
- D. Memo - Challenges that are likely to impact existing and new projects in 2020

Report prepared by:  
Nick Pegueros, Assistant City Manager



## MEMORANDUM

**Date:** 1/9/2020  
**To:** Starla Jerome-Robinson, City Manager  
**From:** Nick Pegueros, Assistant City Manager  
**Re:** Resource capacity by functional area

The purpose of this memorandum is to transmit a draft document of work compiled by the department heads regarding the various services provided to residents and how the City's workforce is allocated to those services.

### Background

The City of Menlo Park, under the direction of the City Council, provides a level of service to the community that has evolved as the result of legal mandates and decisions to expand service levels to fill identified needs. More recently, the City has elected to tackle quality of life matters that are symptoms of policy decisions both locally and regionally. Examples include traffic congestion management, work to reduce the impacts of Caltrain electrification, and the provision of affordable housing. In addition, the City has taken a leadership role in the area of climate change with the implementation of local amendments to the building code (energy reach codes), zero waste efforts, and the preliminary discussion of a Climate Action Plan 2.0 that strives for net-zero by 2030. Finally, the City has taken action on matters typically regulated by the State or Federal governments with the adoption of a local minimum wage and a ban on e-cigarettes/flavored tobacco sales. Each of these areas results in new demands on staff capacity, either temporarily or long-term, that impact City staff's ability to complete mandated and baseline services or previously approved projects.

### City organization

For a snapshot of the various services approved by the City Council over the past several decades, staff has compiled a preliminary view of capacity by functional area. The City provides services in 45 functional areas with 286.75 authorized FTEs and an annual personnel budget of \$53.2 million across all funds in fiscal year 2019-20. Functional areas reflect the department's effort to identify discrete business units that provide mandated, baseline, and flexible services (defined below). Each functional area has evolved over the past several decades to meet service level demands by community members and to fulfill the requirements of various federal, state, and local mandates. In the absence of an identified tradeoff, each new mandate or service level enhancement increases the demand for City staff capacity. In many cases, the City Council has supported the increased demand through the approval of new FTEs, most commonly during the annual budget cycle. Through the City Council's budget hearings for the fiscal year 2019-20, the City Council decided to defer action to increase the number of FTEs until more information became available regarding a variety of competing requests.

### Resource capacity assessment methodology

Attachment 1 provides a summary of resource allocation by identified functional areas. To assist department heads in their compilation of this information, they



answered four questions:

- **How is your department functionally divided?**

As opposed to a hierarchical organizational chart, departments prepared a functional organizational chart that identified the department's discrete service areas. For example, four units comprise the public works department: administration, transportation, engineering, and maintenance. The public works maintenance unit is responsible for city-owned facilities, streets, trees, and water delivery in a portion of the City.

- **Approximately what percentage of staff capacity is dedicated to mandated services?**

Federal, state, or local laws impose a series of mandates on local government. An example of a federal mandate is the National Pollutant Discharge and Elimination System (NPDES) related to storm water. Cities must comply with NPDES mandates to control or eliminate pollution of waterways such as creeks and the San Francisco Bay or face daily fines by the regulating agency. NPDES mandates require the capacity of technical, maintenance, and administrative support staff. To create capacity, the City Council may take action to deprioritize compliance with a specific federal mandate upon consideration of the legal and financial risk exposure created by such action.

An example of a state mandate includes compliance with public contract code regulations regarding public works such as the street resurfacing project. Compliance with the public contract code requires administrative and technical staff capacity to manage the bidding process and confirmation of certified payrolls to ensure compliance with the prevailing wage mandates. Failure to comply with the public contract code requirements may result in increased costs to the taxpayer as well as project delays if there are legal challenges or a need to re-bid. To create capacity, the City Council may take action to deprioritize compliance with a specific state mandate upon consideration of the legal and financial risk exposure created by such action.

At the local level, the City's municipal code outlines local mandates that require maintenance, technical, and administrative staff support. The City Council retains control over aspects of the municipal code that are not directly mandated by the general laws of the State of California. One recent example of a local mandate is the energy reach codes local amendment to the State building code. To create capacity, the City Council may take action to temporarily suspend or eliminate sections of the municipal code that require maintenance, technical, or administrative support.

- **Approximately what percentage of staff capacity is dedicated to baseline services?**

Baseline services are those services not mandated by federal or state laws and have evolved to represent the City's level of service to the community. Baseline services have their origin in a desire to improve the quality of life for residents and are directly related to the increase in the number of FTEs. Examples of baseline services in Public Works – transportation are the shuttle program, neighborhood traffic management program, and coordination with regional transportation agencies such as CalTrain and SamTrans.

The City Council retains full discretion over baseline services. It may direct staff to identify functions to suspend or eliminate to create capacity for new projects in 2020. For example, if the City Council prefers to suspend the neighborhood traffic management program, the transportation engineer typically responsible for that work may be dedicated to another transportation priority. It is important to note, however, that all existing services have a constituency.

- **Approximately what percentage of staff capacity is flexible to perform nice-to-have services?**

Flexible services are those that are not mission-critical to the organization; however, they are responsive to the City Council's work plan and management initiatives to improve processes or procedures. In concept, flexible capacity is most available for new projects. Unfortunately, there are more requests than available capacity, so the addition of something new to a function area requires the reprioritization of something underway. An excellent example of a project that currently relies on flexible capacity is improvements to Geographic Information Systems (GIS.), which helps with visualizing data.

#### Attachments

1. City of Menlo Park Staff Capacity Summary DRAFT – January 9

# City of Menlo Park Staff Capacity Summary

DRAFT - January 9

Ref #	City Manager's Office	0	10	20	30	40	50	60	70	80	90	100	Total FTEs	
		% of available hours											10.00	
1	City Council support												3.25	
2	Special projects												2.00	
3	Public records												0.75	
4	Communication												1.00	
5	Public engagement												1.00	
6	Sustainability												2.00	
		% of available hours											23.00	
7	Finance												9.40	
8	Human resources												6.30	
9	Information technology												7.30	
		% of available hours											31.00	
10	Planning												13.90	
11	Building - inspections												6.30	
12	Building - plan checks												1.30	
13	Building - permitting												6.30	
14	Housing												2.15	
15	Economic development												1.05	
		% of available hours											52.25	
16	Gymnastics												7.95	
17	Menlo Children's Center												11.60	
18	Onetta Harris Community Center												3.05	
19	Seniors												3.10	
20	Belle Haven Children's Development Center												16.20	
21	Arrillaga Recreation Center												4.40	
22	Youth and adult sports												3.50	
23	Special events												2.45	
		% of available hours											18.50	
24	Main library - youth services												4.75	
25	Main library - information services												5.00	
26	Main library - access services												5.00	
27	Branch library												3.75	
		% of available hours											76.50	
28	Patrol - beats 1, 2, and 3												32.60	
29	Patrol - traffic												10.95	
30	Patrol - community response team												6.25	
31	Special operations - investigations unit												4.30	
32	Special operations - detective unit												5.35	
33	Special operations - administration												3.30	
34	Special operations - communications												8.95	
35	Special operations - records												4.80	
		% of available hours											69.50	
36	Transportation												10.10	
37	Engineering - capital projects												8.80	
38	Engineering - land development												9.95	
39	Engineering - utilities												4.35	
40	Maintenance - facilities												7.00	
41	Maintenance - fleet												2.45	
42	Maintenance - parks												9.25	
43	Maintenance - streets												5.90	
44	Maintenance - trees												4.70	
45	Maintenance - water												7.00	
		% of available hours											280.75	
	Mandated by fed, state, local law												City Council	5.00
	Baseline services												City Attorney	1.00
	Flexible - project oriented												<b>Total FTEs</b>	<b>286.75</b>



**MEMORANDUM**

**Date:** 1/9/2020  
**To:** Starla Jerome-Robinson, City Manager  
**From:** Nick Pegueros, Assistant City Manager  
**Re:** Vacancies as of January 7

As of January 7, of the City’s 286.75 authorized FTEs across all departments, 28.5 FTEs or 9.9 percent are vacant. Vacancy rates are accurate only on the day compiled and may change by the goal-setting session.

The excellent news is that our HR team, working closely with departments, has managed to achieve a vacancy rate that is far below the experience in recent years. That said, creating an environment that promotes employee retention is a daily task and the organization must continue their good work that has resulted in relatively low turnover.

While a 9.9 percent vacancy rate is low in comparison to recent years, the following table outlines the vacancy rates by department. As demonstrated in Table 1, the City Manager’s Office and Community Development are most impacted by vacancies. Drilling down to the division level, I’ve noted that the transportation team’s vacancy rate is the highest.

Table 1: Vacancies by department				
Department	Authorized FTEs	Filled FTEs	Vacant FTEs	Vacancy rate
City Council	5.00	5.00	-	0.0%
City Attorney	1.00	1.00	-	0.0%
City Manager's Office	10.00	8.00	2.00	20.0%
Administrative Services	22.75	21.00	1.75	7.7%
Community Development <sup>1</sup>	31.00	25.50	5.50	17.7%
Community Services	52.75	49.75	3.00	5.7%
Library <sup>2</sup>	18.25	18.75	(0.50)	-2.7%
Police	76.50	68.00	8.50	11.1%
Public Works <sup>3</sup>	69.50	61.25	8.25	11.9%
<b>Total</b>	<b>286.75</b>	<b>258.25</b>	<b>28.50</b>	<b>9.9%</b>
<sup>1</sup> The vacancy rate in Community Development's planning and building teams is 23%				
<sup>2</sup> The negative vacant FTE results from backfill staffing for an extended leave				
<sup>3</sup> The vacancy rate in Public Works' transportation team is 30%				



## MEMORANDUM

**Date:** 1/9/2020  
**To:** Starla Jerome-Robinson, City Manager  
**From:** Nick Pegueros, Assistant City Manager  
John Passmann, Management Analyst II – Economic Development  
**Re:** Analysis of the State Controller's open data portal on employee compensation

A question periodically raised by community members is whether Menlo Park has more staff than other cities its size. The answer may be yes if we use data collected by the State Controller's Office (SCO) for all public agencies and published on the [Government Compensation in California](#) open data portal. While the SCO's data portal for 2018 reports that the City of Menlo Park paid more employees than any other city in the 9 Bay Area counties with a population between 25,000 and 45,000, the data point lacks context.

The number of employees a city pays depends on the services provided by the city. Menlo Park is not a full-service city. It does not provide fire protection or full water and wastewater utilities to all residents, as is customary for a full-service city. On the other hand, Menlo Park provides services not traditionally offered by cities such as gymnastics and childcare programming. The City's 286.75 FTEs are the direct result of decisions of past City Councils, and each FTE corresponds to service levels.

### How does the SCO count employees?

The State Controller's Office requires that cities report all individuals receiving an IRS form W-2 for wages paid. The City issues W-2s to full-time, part-time, and temporary workers. Whether an individual worked one hour or 2,080 hours, the City must issue a W-2 for their hours worked. The SCO counts each W-2 as one paid employee. The City also issues a W-2 to beneficiaries of the retiree medical benefit to report their premium reimbursement as income to taxing agencies. It is also possible to have two or more W-2s issued for a single position. In 2018, the City issued a W-2 to both the former City Manager and his successor. A Bay Area city of similar size, as shown in Table 1, the City of Campbell, reports a total of 171 FTEs in their fiscal year 2019-20 budget and issued 501 W-2s in 2018.

### How do we compare to other cities?

An analysis of open portal data allows some comparison of Menlo Park to the other 101 incorporated cities in the nine Bay Area counties. Of the 101 Bay Area cities, Menlo Park ranks 48<sup>th</sup> largest in the nine Bay Area counties with a population of 35,790. Menlo Park ranks 21<sup>st</sup> highest in total wages and benefit costs paid in 2018 per capita, \$1,091.52. With regard to the number of residents per employee paid in 2018, Menlo Park ranks 19<sup>th</sup> lowest in the number of residents per employee, 67 residents per paid employee in 2018.

Table 1 provides a comparison of employees paid in the 22 Bay Area cities with populations between 25,000 and 45,000, as reported to the SCO.

Table 1: Cities in 9 Bay Area Counties with Populations of 25,000 - 45,000						
City	Population	# of Employees Paid	# of residents per employee	Total Wages, Retirement and Health Contributions	Total Wages and Benefits Per Capita	
Belmont	27,174	222	122	\$ 21,733,490	\$ 799.79	
Benicia	27,570	461	60	\$ 27,488,799	\$ 997.05	
Burlingame	30,317	435	70	\$ 29,449,451	\$ 971.38	
Campbell	43,250	501	86	\$ 28,171,088	\$ 651.35	
East Palo Alto	30,499	132	231	\$ 12,662,537	\$ 415.18	
El Cerrito	25,459	384	66	\$ 25,871,651	\$ 1,016.21	
Foster City	33,693	334	101	\$ 31,017,195	\$ 920.58	
Hercules	26,224	172	152	\$ 8,337,559	\$ 317.94	
Lafayette	26,327	125	211	\$ 6,216,325	\$ 236.12	
Los Altos	31,190	232	134	\$ 19,532,234	\$ 626.23	
Los Gatos	30,988	233	133	\$ 21,352,628	\$ 689.06	
Martinez	38,490	273	141	\$ 17,418,543	\$ 452.55	
<b>Menlo Park</b>	<b>35,790</b>	<b>531</b>	<b>67</b>	<b>\$ 39,065,326</b>	<b>\$ 1,091.52</b>	
Oakley	41,759	129	324	\$ 11,226,038	\$ 268.83	
Pacifica	38,674	331	117	\$ 23,210,835	\$ 600.17	
Pleasant Hill	35,055	143	245	\$ 15,404,622	\$ 439.44	
Rohnert Park	43,339	417	104	\$ 23,449,962	\$ 541.08	
San Carlos	29,864	140	213	\$ 10,281,731	\$ 344.29	
San Pablo	31,817	254	125	\$ 19,751,568	\$ 620.79	
Saratoga	31,407	97	324	\$ 8,295,462	\$ 264.13	
Suisun City	29,447	167	176	\$ 8,962,756	\$ 304.37	
Windsor	28,565	225	127	\$ 12,076,559	\$ 422.77	

Source: California State Controller's Office: Government Compensation in California data portal

How can we use the SCO's data to benchmark Menlo Park's staffing levels?  
 The initial calculations of per capita wages and benefit costs or the number of residents per employee are interesting, however, neither provide a meaningful answer to queries attempting to assess whether Menlo Park has an appropriate amount of staff. Every city offers the services demanded by their constituents within the resources available. For example, Menlo Park does not have a fire department, but it does have gymnastics and childcare services. Rather than dive into a time-

consuming multi-agency analysis, staff looked at the Bay Area city with the lowest per capita wages and benefits paid in 2018, the City of Dublin.

With a population of 64,577 and 511 paid employees in 2018, the City of Dublin, California, reported a per capita total wage and benefit costs of \$217.54. Dublin is not entirely comparable to Menlo Park. It is a relatively young city in comparison, incorporated in 1982 compared to 1927 for Menlo Park. Dublin's infrastructure is also younger, given that it experienced its development boom long past World War II. Table 2 compares personnel differences between Menlo Park and Dublin by department with minor adjustments to Dublin's data to provide for an accurate comparison between the cities.

Table 2: Comparison of 2019-20 authorized FTEs			
Department	City of Menlo Park	City of Dublin <sup>1</sup>	Difference in FTEs
City Council <sup>2</sup>	5.00		5.00
City Attorney <sup>2</sup>	1.00		1.00
City Manager's Office <sup>3</sup>	10.00	11.20	(1.20)
Administrative Services <sup>4</sup>	22.75	15.60	7.15
Community Development <sup>5</sup>	31.00	20.65	10.35
Community Services <sup>5</sup>	52.75	23.10	29.65
Library <sup>5</sup>	18.25	-	18.25
Police <sup>6</sup>	76.50	5.00	71.50
Public Works <sup>7</sup>	69.50	18.45	51.05
<b>Total</b>	<b>286.75</b>	<b>94.00</b>	<b>192.75</b>
<sup>1</sup> Source: City of Dublin FY 2019-20 Position Allocation Plan Summary by Department			
<sup>2</sup> Information not presented in the source document for City of Dublin			
<sup>3</sup> Dublin's NonDept and EcDev FTEs reallocated			
<sup>4</sup> Dublin's ratio of ASD FTEs to total FTEs = 16.6/100 FTEs; MP is 7.9/100 FTEs			
<sup>5</sup> More analysis required to understand difference in service levels that drive FTE count			
<sup>6</sup> City of Dublin contracts with Alameda Co for police services +63 FTEs			
<sup>7</sup> City of Dublin contracts maintenance functions +39.54 FTEs			

The comparison to Dublin is relevant insofar as it allows for some amount of analysis if we assume that salary and wages paid per capita is an efficiency indicator. Dublin contracts or is not responsible for the following services:

- Police
- Fire
- Library
- Water
- Public works maintenance

It is worthwhile to note that contracting services do not release the employer from

unfunded pension liabilities. In a situation where a city elects to contract fire services with another agency, the city continues to pay its unfunded pension liability until extinguished. Further, the agency providing the contract fire services passes on its unfunded pension liabilities incurred for those individuals providing services under the contract. Additionally, the city loses control over pay rates for the firefighters, which is one of three variables used to calculate pension benefits for retirees.

Another consideration in the comparison between Dublin and Menlo Park is the demand on services by both residents and businesses. Dublin's largest employer is the United States Government & Federal Correction Institute with 2,100 employees followed by Dublin Unified School District with 975 employees, according to the Dublin's June 30, 2019, CAFR. Menlo Park's largest employers are Facebook, Inc., with 15,407 employees followed by SRI International with 1,418 employees.

A full understanding of significant differences between Dublin and Menlo Park requires additional analysis and may provide policy insight regarding the number of Menlo Park staff. Absent such analysis; there is no defensible approach to benchmark Menlo Park's FTEs to any other agency.





MEMORANDUM

**Date:** 1/9/2020  
**To:** Starla Jerome-Robinson, City Manager  
**From:** Nick Pegueros, Assistant City Manager  
**Re:** Challenges that are likely to impact existing and new projects in 2020

In preparation for the 2020 goal-setting session, this memo identifies several challenges we expect to encounter in 2020 that will impact our ability to deliver on City Council priorities and projects. I have also identified several options that may manage the impact of those identified challenges.

In my public service career, I have consistently experienced goal-setting processes that attempt to do more than is reasonably possible. While stretch goals are more than appropriate under certain circumstances, if unchecked, stretch goals can lead to costly delays or errors and both employee burnout and turnover. Under normal circumstances, Menlo Park's goal-setting session is challenging due to the multitude of ideas generated by advisory bodies and engaged residents. Over the past several years, the absence of staff capacity due to vacancies has severely hampered the ability to add new projects.

Challenge #1 – Too many or unclear priorities.

In 2020, the City has a unique opportunity to partner with Facebook on the construction of the Belle Haven Community Center & Library (BHCCL). In their proposal to the City, Facebook requested that the City make the BHCCL a high priority project to ensure that the project has the resources necessary to achieve the ambitious entitlement, permitting and construction timeline. More than ever, the organization must exercise discipline in how resources are utilized to ensure that the BHCCL timeline is met. The following options may help to address the challenge:

- **Adopt the BHCCL as the sole citywide priority for staff and advisory bodies in 2020.**  
If the goal is to partner with Facebook on the BHCCL, all city resources must be at management's discretion to meet the ambitious timeline. The only way to make this possible is if the City Council clearly states that the BHCCL is the sole citywide priority. Absent this statement, members of the public, advisory body members, and potentially the City Council are likely to add projects "here and there." The 2019-20 adopted priorities and work plan, as well as the adopted CIP, comprise more than enough work to occupy any capacity remaining after the BHCCL project needs are fulfilled.
- **Accept staff's recommendation for a limited work plan in each functional area.**  
The City Council's goal-setting session typically engages only a portion of the organization due to a focus on special projects and not baseline services. With more detailed information on functional areas provided to the City Council this year, the City Council can engage the full organization by accepting

recommendations for priority effort by functional area. For the goal-setting session, staff will provide the City Council with a recommended list of priorities, by functional area, for 2020. The City Council may then determine whether the recommended priorities are consistent with the City Council's majority view of city services.

- **Reboot the 5-year Capital Improvement Plan (CIP).**  
The CIP budget includes 73 distinct projects with existing funding either from the current or previous fiscal years. For the goal-setting session, staff can prepare a recommendation to effectively reboot the CIP. The effect would be to eliminate projects that are unlikely to receive attention in 2020, 2021, or 2022. As projects such as the BHCCL release capacity, the capacity can then focus on building a new 5-year CIP.
- **Authorize the City Manager to impact public service levels, if necessary.**  
Outside of matters threatening the life/safety of the public or staff, the City Manager's ability to move resources as needed will increase the success rate of the BHCCL project.

Challenge # 2 - Lack of transparency in ad hoc requests submitted to staff.

Public agencies struggle with triage of ad hoc requests generated by members of the City Council, Commissions, and Committees, and members of the public. Ad hoc requests are inconsistently prioritized based on several criteria by the recipient 1) threat to public safety, 2) the requestor's rank, e.g., City Councilmember or member of the public, and 3) the perceived or demonstrated influence of the requestor over City Council actions. The City Council Email Log (CCIN), Public Records Act requests, and ACT Menlo Park are three tools available to the public but are insufficient to manage more complex requests. Councilmembers, Commissioners, Committee members, and active members of the public are more likely to know the service/project manager's name or can easily identify the responsible individuals and go directly to that person either in person, by phone, or by email. Quick requests can quickly add up and result in staff diverting attention away from work prioritized by their manager. To get our arms around the magnitude of this challenge, I recommend:

- **A pilot ad hoc request management system.**  
Utilizing software already available to staff and sharable with individuals outside of the organization, ad hoc requests can be centralized to collect data, manage requests and provide accessibility to requestors regarding the status of their request. While the pilot project will have impacts on turnaround time, the pilot project will gather data necessary to identify operational efficiencies and or improvements in a proactive manner.

Challenge #3 - Inconsistent expectations of advisory body roles.

Over the past year, a great deal of frustration has been expressed directly to the City Council and management over the role of advisory bodies in the City's various workflows ranging from the production of staff reports and public information to the development of infrastructure improvements. Staff have reported that some commissioners and committee members attempt to influence staff's work behind the scenes or direct staff to carry out work that is out of alignment with adopted City

Council priorities. On several occasions, staff members report that the advisory body members cited one-on-one conversations with individual City Council members signaling that the advisory body member has City Council authority to direct staff's work. For goal setting, the City Council may consider the following:

- **Clearly outline the role of each commission and committee on the BHCCL project.**

With time constraints, staff envisions that only the Planning Commission will have a role in the project's design. The Library and Parks and Recreation commissions will play a role in programming but not design or construction. Complete Streets, Environmental Quality, and Finance and Audit will not have a role in programming, design, or construction.

- **Reaffirm that all advisory bodies perform work directed by a majority of the City Council.**

Advisory bodies serve the full City Council and should refrain from taking direction from individual councilmembers.

#### Challenge # 4 - Employee retention

The City contracted with the Institute for Public Sector Employee Engagement (Institute) in 2017 to conduct an employee engagement survey. According to the Institute, "Engaged employees have pride in their organization and its mission and are deeply committed to its success. As a result, engaged employees provide 'discretionary effort,' going above basic job requirements to help the organization achieve its mission. Engaged employees find their work meaningful and rewarding and, in turn, they deliver for the organization, its leaders, their coworkers and the public."

In 2017, 163 employees from across the organization participated in an employee engagement survey conducted by the Institute. At that time, only 29 percent of the survey respondents were "fully engaged," a full 15 percentage points below the local government benchmark supplied by the Institute. Also, in that survey, 49 percent of the respondents were categorized as somewhat engaged, significantly higher than the local government benchmark. The workplace drivers with an impact on engagement scores were: 1) Leadership and managing change - citywide, 2) My work, and 3) My organization's mission. In response to the survey results, the organization launched an employee engagement program. The Institute surveyed employees again in November 2019. Management expects to provide the results to staff and the City Council in February 2020.

In 2019, the 21 regular employees left their employment with the City. Approximately 50 percent, 11, left Menlo Park to take a job with another public agency and 33 percent, 7, retired. The balance of departures assumed roles in the private sector or resigned for personal reasons. The most common reasons cited in exit interviews were shorter commutes and professional development opportunities (promotion or career path available in the new organization). While the turnover rate is relatively low, turnover has impacted the functional areas with the most significant project load from the City Council adopted priorities and work plan: Public Works Transportation and Community Development.

Exit interview feedback received in 2019, cited career opportunities and work-life balance as the most common reasons employee left the City. Career opportunities are entirely within the City's control. Over the past several years, management has worked to identify career paths for employees. The general proposition is, "If you come to work in Menlo Park and you demonstrate an interest and capacity in learning, we will do everything possible to offer increasingly challenging opportunities for you to grow your skills and serve the community." The current recruitment for Management Analysts to fill vacancies in several departments demonstrates the strategy to attract talent and build that talent internally to meet the needs of the community.

Work-life balance can be addressed in two ways. First, the organization's leaders can take affirmative measures to understand the challenges employee face that are within the City's control. Examples include setting realistic expectations and workloads, clarify priorities, and soliciting suggestions for efficiency. Action on several of the previously mentioned challenges are likely to help employees better achieve their desired level of work-life balance.

Second, the City can explore why certain positions are difficult to recruit. There may be justification to study compensation adjustments for hard-to-fill positions and to prevent staff turnover in those areas. Additionally, the City might explore benefit changes that encourage employees to live along the Caltrain corridor, thereby reducing commute times and greenhouse gas emissions. Of course, any matter regarding compensation requires direction from City Council.

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## STAFF REPORT

### City Council

Meeting Date:

1/14/2020

Staff Report Number:

20-009-CC

Study Session:

**Confirm the approach to updating the transportation impact analysis guidelines related to vehicle miles traveled and level of service**

### Recommendation

Staff recommends that City Council receive a report on the transportation impact analysis (TIA) guidelines update and confirm the approach for preparation of the update related to vehicle miles traveled (VMT) and level of service (LOS.)

This report is intended to:

1. Provide a summary of the policy context and background on how transportation analyses are completed under the California Environmental Quality Act (CEQA;)
2. Provide a clear definition of VMT; and
3. Summarize the approach recommended to develop an update to the TIA guidelines.

At the January 14 meeting, staff will also present further background information on the implications of using VMT, respond to questions, and request the City Council confirm the proposed approach.

### Policy Issues

Modification to the City's TIA guidelines requires City Council consideration and adoption. An update to the TIA guidelines is required before July 1, 2020, to be compliant with the CEQA and Senate Bill (SB) 743. The City's TIA guidelines define whether a project is required to conduct a transportation analysis, and the methods and procedures to follow in the analysis. The guidelines also define the City's adopted thresholds of significance.

Updating the TIA guidelines is consistent with policies CIRC-2.5, 2.14, 3.1, 3.4, and 5.7 in the circulation element of the general plan (Attachment A) and was added to the 2019 City Council work plan in October 2019.

### Background

#### State policy context

Over the last 10 years, the State of California has adopted several bills to reduce greenhouse gas (GHG) emissions and the effects of climate change which include:

- Senate Bill (SB) 32: requires greenhouse gas emission reductions by 40 percent below 1990 levels by 2030;
- SB 375: set target for greenhouse gas emission reductions from cars and light trucks at 19 percent below 2005 levels by 2035 based on land use pattern and transportation systems planned at the regional level; and

- SB 391: requires the California Transportation Plan to support an 80 percent reduction in greenhouse gas emissions below 1990 levels by 2050.

Further, in 2013, SB 743 was signed with intent to re-examine the transportation/traffic impact evaluation methodologies to:

- Ensure that the environmental impacts of traffic, such as noise, air pollution and safety concerns, continue to be properly addressed and mitigated through CEQA, and
- More appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.

In December 2018, the State of California Governor's Office of Planning and Research (OPR) adopted new CEQA guidelines specifying how transportation impacts should be evaluated under CEQA to advance the goals of the State's greenhouse gas emission reduction goals (Attachment B.) Sections A (introduction) and B (background) of this document provide additional explanation on the State policy context considered under SB 743.

The new CEQA guidelines require the transportation analysis to evaluate a different metric to assess a project's impacts, VMT, instead of using roadway congestion LOS. The purpose of using VMT as the transportation metric is to reduce greenhouse gas emissions, develop multimodal transportation networks, and provide a diversity of land uses (Public Resources Code Section 21099 (b)(1).) While the City must adopt VMT measures to assess impacts under State law, the City has some discretion to define the performance standard (threshold of significance) to be evaluated under CEQA. The advantages and disadvantages of VMT and LOS are further explained in the Analysis section below.

#### Local policy context

The City's current general plan circulation element has multiple policies and programs that guide consideration of transportation impacts of new development and the reduction in greenhouse gas emissions (Attachment A.) These generally establish the City's policy to:

- Require mitigation of transportation impacts from new development;
- Reduce greenhouse gas emissions;
- Support street improvements that maintain quality of life in residential neighborhoods; and
- Evaluate both VMT and LOS in reviewing transportation impacts.

While local agencies are required to adopt and utilize a VMT threshold for CEQA transportation analysis by July 1, 2020, they may still require LOS for local planning and/or general plan compliance purposes. At this time, the City cannot eliminate LOS analysis from transportation review unless the circulation element is amended to remove this analysis requirement.

In addition to the circulation element, the City's climate action plan (CAP) identifies community policies, programs and projects to reduce greenhouse gas emissions contributing to climate change. The CAP was first adopted in 2009, and the implementation strategies were last updated in 2018. The City's current greenhouse gas reduction target is 27 percent below 2005 levels by 2020. On December 10, the City Council held a study session to provide direction on a potential future CAP update and established a City Council subcommittee of City Councilmembers Mueller and Nash to provide input into such efforts. In addition, the City Council also adopted Resolution No. 6535 declaring a climate emergency that demands accelerated actions on the climate crisis and requests regional collaboration to address climate change.

Finally, the City's current TIA guidelines were originally adopted in 2000. The guidelines define whether a

project is required to conduct a transportation analysis, and the methods and procedures to follow in the analysis. The guidelines currently use LOS as the threshold of significance for potential impacts to intersections. The guidelines also include review of daily volumes on neighborhood streets, site access and circulation, pedestrian and bicycle circulation, parking and neighborhood cut-through traffic; these practices and thresholds could also be revisited through the TIA guidelines update. The guidelines were last modified in 2015. This was a minor change to allow consideration of a project incorporating transportation demand management strategies to reduce the number of vehicle trips generated. If the strategies were successful in reducing vehicle trips below the level that is otherwise exempt, no further analysis was then required. The City's threshold for commercial space is the number of trips generated equivalent to a 10,000 square foot building, or approximately 15 peak hour trips. Attachment C includes the City's current TIA guidelines.

## **Analysis**

SB 743 and the new CEQA guidelines require cities to adopt new standards before July 1, 2020. To meet this timeline, staff requested proposals from consultants with expertise in this area, and selected CHS Consulting Group to assist with updating the TIA guidelines. Attachment D includes the proposed scope of work. The update to the TIA guidelines includes the following tasks, and a preliminary schedule is provided at the end of this section:

- Project initiation and City Council study session;
- Review of current TIA guidelines, including city and City/County Association of Governments (C/CAG) requirements;
- Review of policies in other guiding city documents for consistency with SB 743;
- Development of draft guidelines, including assessing best practices in other cities, establishing VMT methodology and defining the threshold of significance;
- Comparison of three recently approved projects using the draft guidelines;
- Presentation to the Complete Streets Commission for review and recommendation; and
- Presentation to City Council (two meetings) for review and adoption.

### VMT definition, benefits and example policies

VMT is a measurement of the amount of travel for all vehicles in a defined area, such as within the City boundaries, within San Mateo County or within the Bay Area region. It represents the total number of vehicle trips multiplied by the total distance each vehicle travels.

SB 743 and OPR's implementation guidelines provide guidance for the use of an efficiency metric, "VMT per capita" or "VMT per employee," as a better measure of a project's impact than total VMT. According to OPR and supported by research from the California Air Resources Board, the use of an efficiency metric would encourage projects in travel-efficient locations, which is the most important characteristic in determining VMT, since proximity to other key destinations, services, and transit service influences travel choices. Key benefits to using a VMT threshold are described in an eight-minute video presentation prepared by OPR (Attachment E) including benefits to public health, safety, housing supply/affordability, walkability and the environment.

OPR recommends strategies to streamline projects (i.e., not require further transportation analysis) that are proposed in low-VMT areas and along high transit service corridors. For projects that are not located in low-VMT areas and require further VMT analysis, OPR recommends a threshold of 15 percent reduction in VMT per capita or employee over existing development. This threshold can be evaluated both locally and regionally.

Several cities in the state have already adopted VMT measures and thresholds including the three major



cities in the Bay Area (San Francisco, Oakland and San Jose.) In addition, the City of Pasadena was an early adopter of using VMT for CEQA analysis. Each of these cities have identified significance thresholds for VMT analysis (Attachment F.) For the most part, the thresholds are based on the type of land use. None of the cities in San Mateo County or Santa Clara County, with the exception of San Jose, have adopted VMT guidelines. Both C/CAG and VTA, congestion management agencies for San Mateo and Santa Clara counties, respectively, are currently working on developing VMT estimation tools that could be used by cities in their county. As a member of the C/CAG SB 743 Ad Hoc Working Group, staff will continue to monitor the development of the VMT estimation tool and how it may be incorporated within the City's TIA guidelines.

#### Mitigation measures under VMT evaluation and other considerations

Mitigation measures for VMT impacts typically would include implementing transportation demand management (TDM) measures and strategies to encourage low-emission, multimodal transportation. As such, staff and the consultant will also review the City's TDM guidelines (Attachment G) and whether they should be updated to align with the changes to the TIA guidelines. Since VMT is not a well-known transportation metric, the consultant would also prepare a comparison of up to three recently completed TIAs with the proposed VMT methodology to provide a better understanding of the differences in the analyses. VMT analysis and mitigation measures would typically not support strategies to encourage faster automobile travel times, reduce peak commute time congestion, implement roadway widening and other infrastructure or strategies that could encourage travel by single-occupant vehicles.

#### LOS definition, benefits and possible applications

LOS assigns a letter grade (A to F) related to the delay per vehicle for an intersection or roadway segment. LOS A represents free flowing conditions and little to no delay to vehicles while LOS F represents congested conditions with higher delays and long queues for vehicles. LOS analysis and mitigation measures, different from VMT, would typically support strategies that encourage faster automobile travel times, reduce peak commute time congestion, implement roadway widening and other infrastructure or strategies that could encourage travel by single-occupant vehicles. Although this may reduce perceived levels of congestion, OPR has also produced a short video (Attachment H) describing some of the drawbacks to LOS such as limiting accessibility to destinations and leading to worse congestion.

Another consideration to the update to the TIA guidelines is how the City will use LOS for impacts to traffic operations. LOS could be useful in certain instances such as identifying when an intersection with stop signs should be replaced with a traffic signal, evaluating intersection operations when access to a site creates a new leg to the intersection, and evaluating when queuing may exceed a turn pocket length. One option for LOS analysis could be to focus on specific key locations within the City rather than citywide to evaluate a project's consistency with the circulation element as a land use/planning review topic. In addition, a project that is not expected to create significant VMT impacts could still have LOS operational impacts, so it's possible that a CEQA analysis evaluating VMT may not be required, but an operational analysis to identify intersection impacts will be needed. As such, the TIA guidelines could include a flowchart to help identify when a VMT analysis, LOS operational analysis or both analyses will be required of a development project.

#### City Council feedback requested and next steps

Staff is requesting direction from City Council to confirm the planned approach as part of the study session to prepare the draft TIA guidelines.

The proposed project schedule is shown below. The draft guidelines will be presented to the Complete Streets Commission for feedback and comments before returning to the City Council for review. Staff would then work with the consultant to finalize the guidelines and return to City Council for adoption of the

guidelines in June 2020.

Task	Schedule
City Council study session	January 14, 2020
Staff/consultant developing draft TIA guidelines	Mid-January to April 2020
Complete Streets Commission review of draft TIA guidelines	April 2020
City Council review of draft TIA guidelines	April 2020
City Council adoption of TIA guidelines	June 2020

### Impact on City Resources

The estimated cost to update the TIA guidelines is \$48,500, which is included in the 2019-20 capital improvement program in the Transportation Projects (minor) project budget. No additional resources are being requested at this time.

### 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. Circulation element policies and programs excerpts
- B. Hyperlink – Governor’s Office of Planning and research Technical Advisory on Evaluating transportation Impacts in CEQA: [opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf)
- C. Hyperlink – City of Menlo Park TIA guidelines: [menlopark.org/DocumentCenter/View/302/Transportation-Impact-Analysis-Guidelines?bidId=](http://menlopark.org/DocumentCenter/View/302/Transportation-Impact-Analysis-Guidelines?bidId=)
- D. CHS Consulting Group scope of work
- E. Hyperlink – Benefits of VMT video: [youtube.com/watch?v=HpOsLf1i\\_7k](https://www.youtube.com/watch?v=HpOsLf1i_7k)
- F. Other cities VMT significance thresholds
- G. Hyperlink – City of Menlo Park transportation demand management guidelines: [menlopark.org/DocumentCenter/View/303/Transportation-Demand-Management-TDM-Guidelines?bidId=](http://menlopark.org/DocumentCenter/View/303/Transportation-Demand-Management-TDM-Guidelines?bidId=)
- H. Hyperlink – Drawbacks of LOS video - <https://www.youtube.com/watch?v=tM3rdWOkbWA>

Report prepared by:  
Kristiann Choy, Acting Transportation Manager

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

The Circulation Element adopted in 2016 has eight policy and program references to the transportation metrics (VMT and LOS), new development and transportation impact analysis guidelines, as summarized below.

- Policies
  - CIRC-2.5: Neighborhood Streets. Support a classification system with target design speeds that promotes safe, multimodal streets, and minimizes cut-through and high-speed traffic that diminishes the quality of life in Menlo Park's residential neighborhoods.
  - 
  - CIRC-2.14: Impacts of New Development. Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., vehicle miles traveled (VMT) per service population or other efficiency metric) of the circulation system. New development should minimize cut-through and high-speed vehicle traffic on residential streets; minimize the number of vehicle trips; provide appropriate bicycle, pedestrian, and transit connections, amenities, and improvements in proportion with the scale of proposed projects; and facilitate appropriate or adequate response times and access for emergency vehicles.
  - 
  - CIRC-3.1: Vehicle-Miles Traveled. Support development and transportation improvements that help reduce per service population (or other efficiency metric) vehicle miles traveled.
  - 
  - CIRC-3.3: Greenhouse Gas Emissions. Support development, transportation improvements, and emerging vehicle technology that help reduce per capita (or other efficiency metric) greenhouse gas emissions.
  - 
  - CIRC-3.4: Level of Service. Strive to maintain level of service (LOS) D at all City-controlled signalized intersections during peak hours, except at the intersection of Ravenswood Avenue and Middlefield Road and at intersections along Willow Road from Middlefield Road to US 101. The City shall work with Caltrans to ensure that average stopped delay on local approaches to State-controlled signalized intersections does not exceed LOS E.
  - 
  - CIRC-5.7: New Development. Ensure that new nonresidential, mixed-use, and multiple-dwelling residential development provides associated needed transit service, improvements and amenities in proportion with demand attributable to the type and scale of the proposed development.
- Programs
  - CIRC-2.6L: Transportation Impact Analysis Guidelines. Review and update the City's Transportation Impact Analysis (TIA) Guidelines, as needed. Consider factors such as preserving residential quality of life, appropriate accounting for mixed land uses, use of multiple transportation modes, and induced travel demand.
  - 
  - CIRC-3.A: Transportation Impact Metrics. Supplement Vehicle Miles Traveled (VMT) and greenhouse gas emissions per service population \*(or other efficiency metric) metrics with Level of Service (LOS) in the transportation impact review process, and utilize LOS for identification of potential operational improvements, such as traffic signal upgrades and coordination, as part of the Transportation Master Plan.

# Scope of Services

In order to build on the City's existing practices, we have elected to present the tasks in a different order than they were listed in the RFP. Instead of establishing VMT analysis guidelines first, we propose reviewing the City's existing Transportation Impact Analysis Guidelines (including LOS and TDM), followed by other project evaluations, and then establishing the VMT analysis guidelines. We believe that structuring the project in this way will allow us to create a better and more consistent update to the transportation impact analysis guidelines that is consistent with SB 743 and also the City's vision for future development that supports their community.

## Task 1: Kickoff Meeting and Council Study Session

### Task 1.1: Kickoff Meeting with City Staff

Prior to the City Council study session, the CHS team will meet with City staff to review the Project scope, prepare for the council session, and agree on Project communications protocols.

### Task 1.2: Study Session with City Council

CHS will lead a study session with City Council and staff to review the Project goals and scope in detail. The study session will include background on SB 743 and VMT analysis as background so that City Council can provide informed input on Project direction and any adjustments needed to the Project scope.

### Task 1.3: Final Scope of Work

Following the study session, CHS will, in coordination with City staff, create a finalized scope of work and budget.

### Task 1.4: Biweekly Coordination Calls

In order to ensure that the Project stays on track and good communication is maintained between City staff and the CHS team, we propose biweekly coordination calls for the duration of the Project.

#### Task 1 Deliverables

- Kickoff meeting with City staff
- Study session with City Council on scope of work
- January 14 2020, finalized scope of work and budget

## Task 2: Redefining the City's Current Transportation Impact Analysis Guidelines

In order to provide a thoughtful update to the City's transportation impact analysis guidelines, we propose reviewing the existing guidelines before defining the VMT methodology. With a thorough understanding of existing guidelines, CHS can highlight where changes could best be made in order to best adapt current practices to a VMT-based approach. Beginning with this task also allows more time for the City to provide policy direction where there may be multiple ways of addressing a given issue. For example, although LOS criteria might be maintained for key intersections in some areas, the City may wish to consider dropping the LOS requirement from the General Plan.

This Task will develop a review of the existing methodology, along with a determination of which aspects should be retained as they are, which should be kept with alterations, and which are no longer needed.

## Task 2.1: Existing Level of Service Guidelines

The City's current level of service guidelines focus on a Citywide policy for maintaining acceptable traffic operations at the roadway and intersection level with the addition of added vehicular traffic from new projects. As the City migrates its TIA metric from LOS to VMT, CHS will evaluate to what extent LOS may still be used on an informational basis and relevant at the project level. Although LOS will no longer be a CEQA criterion, LOS may still be needed to inform whether added vehicular traffic would have a negative effect on local transit, pedestrian, and bicycle circulation, TDM measures that can be implemented to reduce vehicular demand, and as such may require improvement measures to address these effects (i.e., not mitigations per new VMT thresholds).

## Task 2.2: Baseline Condition and Study Scenarios

Current TIA guidelines prescribe that a near term cumulative or baseline analysis be performed based on the latest City Circulation System Assessment (CSA). The typical process in developing the baseline includes coordination with City staff to obtain data on pipeline projects expected to be in place at the time of project opening. These pipeline projects are combined with existing traffic conditions to create a baseline condition upon which to evaluate project traffic impacts. Once project traffic is added to the baseline, incremental impacts or effects on the City roadway system may be determined. Also, depending on project scale or other specific circumstances, longer term cumulative scenarios may be needed to fully disclose project transportation impacts. CHS will review such TIA practices relative to study scenario development and determine applicability to the new VMT-based analysis guidelines.

Since the intent of SB 743 is to encourage infill development that will reduce the distances between destinations, it should over time make walking, biking

and transit more realistic for a greater number of people. This means that the methods used to estimate future traffic volumes likely need to be reconsidered in order to ensure that future vehicular capacity needs are not overestimated. A possible scenario could be elimination of baseline and scenario analysis in favor of a Citywide or area-wide transportation assessment. The Citywide or area-wide assessment will include multimodal transportation improvements and TDM measures necessary for the study area. No individual Project-based analysis would be required.

## Task 2.3: Thresholds and Significance Criteria

Current TIA guidelines identify thresholds and significance criteria based primarily on vehicular LOS, while allowing further discretionary review from City staff for projects that add a substantial number of vehicle trips proportionate to current ADT on individual neighborhood streets. CHS will evaluate whether criteria other than LOS could reasonably carry forward under new VMT-based guidelines, or would become obviated by VMT.

In some situations, staff may find localized traffic operational evaluations would still be valuable to determine project feasibility from a multimodal circulation perspective, such as ensuring safe pedestrian crossing, elimination of major conflicts between vehicles and other modes, and assist in preparing project conditions of approval. As such, CHS will further evaluate and advise on potential situations where circulation evaluations based on LOS and other analysis procedures may be used for these purposes, even though LOS is no longer the primary metric and not the determining factor for CEQA project transportation impacts.

## Task 2.4: Exemption Criteria

CHS will review current TIA criteria exempting certain projects from the TIA process as well as identifying opportunities for further streamlining review for projects that meet proposed new VMT thresholds. Currently, the

City exempts small projects that are expected to have a very small vehicular footprint based on trip generation estimates, or are in a designated infill area such as the M-2 zone where trip reduction is demonstrated through a Project-specific TDM plan. CHS will evaluate which current Project TIA exemptions may carry forward into the new TIA guidelines, and also find possible opportunities to expand the exemptions to add certain project types and geographic areas where the potential for VMT-based impacts are expected to be minimal.

### **Task 2.5: Trip Generation and Trip Reduction**

Trip generation is currently carried out using the ITE Trip Generation Manual, and this likely remains the best available choice. However, as acknowledged in the ITE Trip Generation Manual, their trip rates often overestimate motor vehicle trips in urban settings or near transit stops, and should be adjusted to account for the availability of transportation alternatives. Other trip reduction methods such as pass-by trips and internal trip capture remain relevant and necessary to account for the density and mix of land uses in Menlo Park.

### **Task 2.6: Modeling Requirements**

It is our understanding that the City does not currently dictate specific software for modeling transportation impacts, rather leaving it at the consultants' discretion to select the software most appropriate to the task. In practice, this means that Synchro/Simtraffic or VISTRO/VISSIM are used, depending on the complexity and scope of a given project. This seems a sensible approach and the most likely change under a VMT-based approach is unrelated to modeling itself but rather the criteria deciding which projects need to carry out LOS modeling.

### **Task 2.7: City and County Transportation Demand Management Requirements**

The City currently requires a TDM program for projects that generate net new trips above a certain threshold or would distribute trips onto certain roadways. The City has adopted the City/County Association of Governments of San Mateo County's (C/CAG) methodology for quantifying trip reductions, whereby a selection of strategies have a certain point value associated with them and projects are required to achieve enough points to bring net new trips to zero.

The TDM program will take on greater importance when VMT is the primary transportation impact criteria. Until now, projects exceeding LOS threshold criteria could provide mitigations primarily focused on reducing vehicular delay or increasing vehicular capacity, such as widening roads or intersections. However, mitigating significant impacts by adding vehicle capacity would be counter to the goals of SB 743 due to induced demand. Mitigation measures should therefore prioritize safety and capacity improvements for transit, bike, pedestrian, and infrastructure as well as TDM programs. These would control congestion by reducing auto demand and hence VMT, rather than by increasing auto capacity which would lead to more driving and increased VMT.

#### **Task 2 Deliverables**

- Technical memorandum summarizing existing transportation impact analysis guidelines and proposed changes needed to align with VMT-based approach

### **Task 3: Defining Other Project Evaluations and Accessibility**

Beyond the technical considerations evaluated in Task 2, there are a range of City documents providing policy guidance to ensure that the transportation system provides all Menlo Park residents and visitors with safe and convenient access to their destinations, regardless of their mode choice.

## Compliance with City Documents

The main documents guiding transportation policy in Menlo Park are the General Plan, Specific Plans defining special conditions in smaller parts of the City (such as the El Camino Real and Downtown Specific Plan), and Municipal Codes specifying development parameters such as standard street designs, parking provisions, vehicular access to properties, and features of the public realm such as sidewalks and public space.

Some of the existing policy guidance may need adjustments to be consistent with the goals of a VMT-based approach to transportation impact analysis. As an example, SB 743 encourages infill development that will increase the density of land uses and shorten distances between destinations: both of which make transit and active transportation more compelling to a wider range of people. With a mode shift to transit and active modes, and shared autonomous vehicles expected to reduce personal vehicle ownership in the not-too-distant future, parking demand is likely to be reduced over time and parking requirements should be revisited. That is outside the scope of this project, so one of the recommendations of this project is likely that a future study should determine if minimum parking standards are lowered or if they should be abolished entirely as has been done in San Francisco and elsewhere.

One way to potentially reconcile existing project-based roadway mitigations with the goal of creating a more multimodal system that reduces VMT could be to charge developers a transportation impact fee proportional to their estimated impact rather than request improvements at specific locations. The City could then use the combined fees in a coordinated and strategic way to make improvements to the transportation system as a whole in the ways that best meet community needs while also reducing VMT.

### Task 3 Deliverables

- Technical memorandum on how existing policy guid-

ance will be applied under VMT-based TIA guidelines, as well as proposed changes or recommendations for further study where needed

## Task 4: Establish VMT-based Transportation Impact Analysis Guidelines

The Technical Advisory on implementation of SB 743 from California's Office of Planning and Research (OPR) is clear - the average daily VMT for residents or workers at new developments must be 15 percent below that for existing development. The threshold for VMT in this context may be defined either in relation to regional VMT or to local VMT. The intention behind this choice is that a project could generate an increase in local VMT, but still result in a reduction in carbon emissions if regional VMT is reduced.

### Task 4.1: Best Practices

Many Bay Area cities have updated their TIA processes to include VMT, including San Francisco, Oakland, San Jose and Alameda. CHS will identify commonalities in their approaches and draw on any available experience from projects that have been approved through the new processes. The best features and any potential pitfalls will inform the City's VMT guidelines.

### Task 4.2: Define Methodology

The VMT analysis methodology will be developed to comply with guidance from OPR and San Mateo County. At a high level, the VMT-based impact analysis compares the average VMT in the project's Traffic Analysis Zone (TAZ) with Citywide and regional thresholds. This can be used as a high level filter to determine if a more detailed analysis will be necessary. The OPR guidance suggests exemptions for projects generating a significant numbers of new trips. Similarly, projects located in TAZ with average VMT below City and regional thresholds

are unlikely to contribute significant VMT to the transportation network.

City and regional thresholds are set at 15 percent below City and regional average VMT, respectively. Where a project is located in a high VMT TAZ, the project sponsor would need to demonstrate that average project VMT would be below the threshold values. This could be a combination of internal trip capture through compatible land uses within the project; through other land use factors such as proximity to rail transit or bus rapid transit, or locating housing adjacent to a major employer; or through a TDM program that would achieve sufficient mode shift.

Rather than using a points-based system as the existing C/CAG TDM methodology does, it is common to analyze trip reductions in terms of percentage reductions for each strategy. There are excellent tools and research on this, such as “Quantifying Greenhouse Gas Mitigation Measures” by the California Air Pollution Control Officers Association (CAPCOA) and the California Emissions Estimator Model (CalEEMod), also by CAPCOA.

### **Task 4.3 Define Project Types and Geographic Boundaries**

The methodology will define approaches for the various project types in Menlo Park. The OPR guidelines primarily deal with residential and office land uses. CHS has previously worked on defining VMT impacts for industrial land uses, such as cement factories and recycling facilities. The methodology will define criteria for project types, intensities, and locations that may be exempt from detailed impact analysis.

As part of defining geographic boundaries shaping analysis requirements, CHS will develop maps showing VMT per capita or VMT per job. (See example on the following page.) In addition to guiding analysis requirements, they are also compelling ways to communicate to developers and the general public how

project location will affect their project’s trip generation and VMT, and what level of analysis and mitigation measures will be required.

### **Task 4.4 Thresholds and Significance Criteria**

Typically, the local and regional VMT averages used to establish thresholds are derived from regional or local transportation models. The most likely choices for the City would be between the Municipal Transportation Commission’s (MTC) regional model, C/CAG’s countywide model, or the City’s own model. The City may be able to control which TAZs are most attractive for development by carefully selecting which model is used to establish thresholds. CHS has extensive experience with MTC and C/CAG models and will discuss pros and cons of using each model in terms of potential implications of project approvals and can work with City staff to identify the best option.

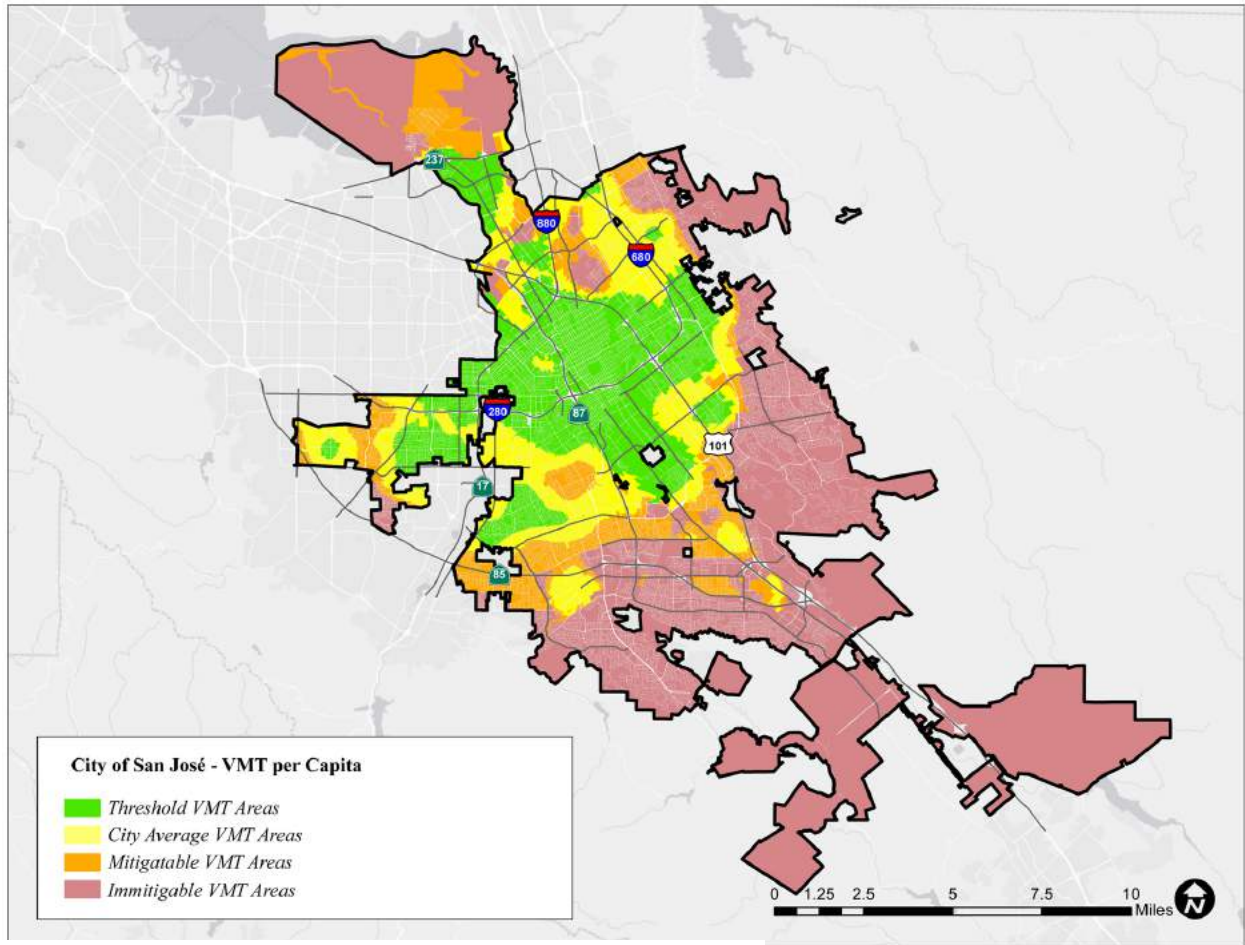
### **Task 4.5: Comparison with Up To Three Existing Projects (Optional Task)**

As an optional task, CHS is proposing to evaluate up to three recent projects using the draft VMT process. The projects would be selected in coordination with City staff. We would suggest a representative mix of different land use types and contexts. This will give City staff and City Council a basis for comparing the new approach against known outcomes, and to make adjustments where needed to ensure that the new process aligns with the City’s broader goals for development.

#### **Task 4 Deliverables**

- VMT-based transportation impact analysis methodology
- Draft, draft final, and final report





VMT Per Capita, City of San Jose. (Source: City of San Jose)

### Task 5: City Council and Complete Streets Commission Meetings

Meeting with City Council and the Complete Streets Commission is an important part of the overall Project. This will help obtain policy direction to ensure that the updated TIA guidelines align with the City's broader goals of maintaining quality of life, safety, and a vital local economy, while allowing development in opportunity areas such as east of US101.

#### Task 5.1: City Council Scope Study Session

The City Council scope study session is addressed and budgeted in Task 1.2.

#### Task 5.2: Complete Streets Commission Meeting

CHS will meet with the Complete Street Commission to brief them on the Update and how it could impact complete streets, active transportation, and safety. For example, infill development, mode shift away from vehicles, and de-emphasizing auto capacity increases will all contribute to lower vehicle volumes on local streets and make it easier to implement complete streets design changes.

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### **Task 5.3: City Council Draft Final Review**

CHS will recap the goals of SB 742 and the Project process, and present the Final Draft TIA Guidelines to City Council. We will answer questions and feedback will be incorporated into the Final TIA Guidelines.

### **Task 5.4: City Council Adoption of Final Guidelines**

CHS will present the Final TIA Guidelines to City Council and answer questions as they deliberate approving the updated guidelines.

#### **Task 5 Deliverables**

- One (1) Complete Streets Commission Meeting to review TIA guidelines
- One (1) City Council meeting to review draft final TIA guidelines
- One (1) City Council meeting to adopt final TIA guidelines

City	Significance Threshold
Oakland	<ul style="list-style-type: none"> <li>• For residential projects, a project would cause substantial additional VMT if it exceeds existing regional household VMT per capita minus 15 percent.</li> <li>• For office projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent.</li> <li>• For retail projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent.</li> </ul>
San Jose	<ul style="list-style-type: none"> <li>• For residential uses, Project VMT per capita exceeds existing citywide average VMT of 11.91 per capita minus 15 percent OR existing regional average VMT per capita minus 15 percent, whichever is lower.</li> <li>• For general employment uses, Project VMT per employee exceeds existing regional average VMT of 14.37 per employee minus 15 percent</li> <li>• For industrial employment uses, Project VMT per employee exceeds existing regional average of 14.37 VMT per employee</li> <li>• For retail/hotel/school uses, a net increase in existing regional total VMT</li> </ul>
San Francisco	<ul style="list-style-type: none"> <li>• A residential-type project would exceed the existing city household VMT per capita minus 15 percent and the existing regional household VMT per capita minus 15 percent</li> <li>• An office-type project would exceed the existing regional VMT per employee minus 15 percent</li> <li>• An retail-type project would exceed the existing regional VMT per retail employee minus 15 percent</li> </ul>
Pasadena	<ul style="list-style-type: none"> <li>• An increase over the existing Citywide VMT per Capita of 22.6</li> <li>• An increase over existing Vehicle Trips (VT) per capita of 2.8</li> </ul>



## STAFF REPORT

### City Council

**Meeting Date:** 1/14/2020  
**Staff Report Number:** 20-007-CC

**Commission Report:** Complete Streets Commission report

### Executive Summary

This report provides updates on progress toward the goals outlined in the Complete Streets Commission workplan (Attachment A) and potential opportunities for the next workplan update.

### Policy Issues

The Complete Streets Commission (Commission) is charged primarily with advising the City Council on multimodal transportation issues according to the goals and policies of the City's general plan. This includes strategies to encourage safe travel, improve accessibility, and maintaining a functional and efficient transportation network for all modes and persons traveling within and around the City.

City Council Policy CC-19-004 (Attachment B) was adopted in May and outlines the procedures, roles and responsibilities of the City Council-appointed advisory bodies, including the responsibility to provide periodic progress reports to City Council.

### Background

On February 28, 2017, the City Council adopted Resolution No. 6377 to merge the former Transportation Commission and Bicycle Commission to form the Commission, as a pilot program. Additionally, the City Council elected to defer the development of a new Commission mission statement and workplan until after a full evaluation of the program. Commission meetings are held on every second Wednesday of the month at the City Council Chambers at 7 p.m. The Commission's roles and responsibilities include:

- Coordination of multimodal (motor vehicle, bicycle, transit and pedestrian) transportation facilities
- Advising City Council on ways to encourage vehicle, multimodal, 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 5, the City Council adopted Resolution No. 6477 to continue the 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. Subsequently, the Commission discussed various operational subjects in the following chronological order:

- May 21 - the Commission provided an update to the City Council and the City Council approved the Commission's workplan, including mission statement and goals and priorities.
- October 9 - the Commission discussed the content for the next City Council update and designated Chair

- Behroozi to provide the update.
- November 13 - the Commission discussed the topic of commission membership size and elected to include the discussion summary as part of the next City Council update.
- December 11 - the Commission approved the content for the next City Council update.

## Analysis

The Commission's workplan guides the work of the Commission for the coming year in alignment with City Council goals and the needs of the Menlo Park community. Highlights since the last update to City Council in May 2019 and potential opportunities for the next workplan update include:

- The charges, roles and responsibilities of the Commission
- Commission subcommittees and members
  - Active Transportation Network Subcommittee (Goldin/Kirsch/Weiner)
  - Climate Action Plan Subcommittee (Cromie/Goldin/Levin/Meyer)
  - Downtown Access and Parking Subcommittee (Behroozi/Goldin/Levin)
  - Multimodal Subcommittee (Cebrian/Levin)
  - Safe Routes to School Program Subcommittee (Cebrian/Lee/Meyer)
  - Transportation Master Plan Subcommittee (Behroozi/Levin)
  - Zero Emission Subcommittee (Cromie/Goldin/Meyer)
- Types of projects reviewed by the Commission
  - Neighborhood Traffic Management Program
  - Driveway and intersection sight distance evaluation
  - Pedestrian and bicycle infrastructure project(s)
  - Streetscape project(s)
  - Citywide plans and policies
- 2019-2020 workplan tasks completed by the Commission
  - Submitted the Middle Avenue project on a page to City Council
  - Assisted in the advancement of the Safe Routes to School Program
  - Advised the City Council on the citywide Rail Policy
  - Advised the City Council on the development of the Transportation Master Plan
- Opportunities for the 2020-2021 workplan
  - Request to assist the City Council Climate Action Plan Subcommittee and request to collaborate with the Environmental Quality Commission on a potential Climate Action Plan update
  - Recommend to the City Council a project planning approach for upcoming street paving projects (e.g., Ravenswood Avenue)
  - Recommend to the City Council an ECR/Downtown circulation vision in anticipation of Middle Avenue Rail Crossing, New Guild Theater, Middle Plaza, Station 1300, etc., by year 2022
- Inquiries to the City Council
  - How to support the staff and City Council in: community outreach, transportation circulation visions, etc.

## Impact on City Resources

There is no impact on City resources.

### **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. Hyperlink – Commission workplan 2019-2020:  
[menlopark.org/DocumentCenter/View/14194/COMMISSION-WORK-PLAN?bidId=](http://menlopark.org/DocumentCenter/View/14194/COMMISSION-WORK-PLAN?bidId=)
- B. Hyperlink – City Council Policy CC-19-004: [menlopark.org/DocumentCenter/View/21774/CC-19-0004-Commission-Committee-January-2019](http://menlopark.org/DocumentCenter/View/21774/CC-19-0004-Commission-Committee-January-2019)

Report prepared by:  
Kevin Chen, Acting Senior Transportation Engineer

Report reviewed by:  
Kristiann Choy, Acting Transportation Manager

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**STAFF REPORT**

**City Council**  
**Meeting Date:** 1/14/2020  
**Staff Report Number:** 20-002-CC

**Commission Reports**      **Consider applicants and make an appointment to fill a vacancy on the San Mateo County Mosquito and Vector Control District**

**Recommendation**

Staff recommends that the City Council

1. Consider applications from members of the public to represent the City of Menlo Park on the San Mateo County Mosquito and Vector Control District (SMCMVCD) for a term expiration of either December 2021 or December 2023
2. Make appointment

**Policy Issues**

City Council procedure CC-19-004 establishes the policies, procedures, roles and responsibilities for the City's appointed commissions and committees, including the manner in which commissioners are selected.

**Background**

The current term of office for Justin Evans, representative to the board of trustees of this district from the City of Menlo Park, expired December 31, 2019.

SMCMVCD has requested the City Council make an appoint for the ensuing term of January 2020 through December 2021 or December 2023. According to the California Health and Safety Code, Section 2020-2030, which dictates appointments to vector control district boards:

- The city council of each city or town may appoint one person to the board of trustees
- The term of office for a member of the board of trustees shall be a term of two or four years, at the discretion of the appointing authority
- Term of office began at noon on the first Monday in January

The common law incompatibility of office doctrine was addressed in SB 1588, (2002) and now a city councilmember may be appointed to the board of trustees.

**Analysis**

Residency for all applicants has been verified by the city clerk's office. In addition, the City Council's policy states that the selection/appointment process shall be conducted before the public at a regularly scheduled meeting of the City Council.

The City received the following applicants, listed in alphabetical order by last name. SMCMVCD, one



vacancy with a term expiring December 31, 2021 or December 31, 2023:

- Ron Shepherd

Recommended voting process

The city clerk will defer to the City Council for required term expiration of December 2021 or December 2023.

The city clerk will call for City Council nomination of applicant (Attachment A.) If applicant is nominated, by acclamation, the City Council will appoint applicant to the SMCMVCD board.

**Impact on City Resources**

There is no impact on City resources.

**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. Application

Report prepared by:  
Judi A. Herren, City Clerk

**COMMISSION AND COMMITTEE APPLICATION**

City Manager's Office - City Clerk  
 701 Laurel St., Menlo Park, CA 94025  
 tel 650-330-6620 fax 650-328-7935



**Please type or print clearly. You may attach additional pages, if necessary. This is a public document.**

Date: December 11, 2019

Commission or committee of interest: Trustee, San Mateo County Mosquito & Vector Control District

Name: Ronald W Shepherd

Education: San Diego State University, B S Accounting 1963

Civic affiliations and community activities, including service on other commissions or committees:  
 West Bay Sanitary District, 11/1999-11/2016, Director, Treasurer, President (approximately 10 years)  
 Silicon Valley Clean Water, 11/1999-11/2016, Commissioner, Chairman (1 year)  
 Menlo Park Chamber of Commerce, Director (approximately 5 years) Chairman 2007  
 Menlo Park City Finance and Audit Committee, 3/2017 - present

Describe your understanding of the responsibilities of the commission or committee that you are applying for and how your personal community or professional experience relate to these responsibilities:  
 To assist in establishing policy to provide services needed by residents on a long-term cost-effective basis. I am a Certified Public Accountant (inactive) having been an auditor for Deloitte 1963 -1973. From 1973 I have mainly been a partner or sole owner of my own small business. The skills acquired as a CPA, business skills developed through owning my own businesses, and skills obtained by participating in civil activities have provided me with the knowledge and skills to provide a positive impact to the District.

Describe why you want to serve on this commission or committee and what you hope to accomplish as a member:  
 I am a naturalized citizen. I understand what a great country this is and appreciate the opportunities I have received. I appreciate the joy of giving back.

Signature: [Redacted]

Date: 12/11/19

**OFFICE USE ONLY:**

Application received: _____	Address verified in City Limits (if necessary): <input type="checkbox"/> By: _____
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No (Initials)
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
Considered by City Council: _____	Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If appointed, term ends: _____	

<b>Personal information:</b>			
Name: Ronald W Shepherd		Number of years as a Menlo Park resident: about 50	
Resident address [REDACTED]		City: Menlo Park	State: CA
			Zip: 94025
Mailing address (if different):		City:	State:
			Zip:
Phone [REDACTED]		Email: [REDACTED]	
Business address [REDACTED]		City: San Jose	State: CA
			Zip: 95131
Business phone [REDACTED]			
How did you hear about this opportunity:			
<input type="checkbox"/> Local newspaper <input type="checkbox"/> Email <input type="checkbox"/> City website <input type="checkbox"/> Nextdoor <input type="checkbox"/> Patch.com <input checked="" type="checkbox"/> Other _____			
If I am appointed, the City is authorized to post the following information on the city website (please select at least one):		Cellphone:	<input type="radio"/> Yes <input checked="" type="radio"/> No
		Business phone:	<input checked="" type="radio"/> Yes <input type="radio"/> No
		Home phone:	<input type="radio"/> Yes <input type="radio"/> No
		Email:	<input checked="" type="radio"/> Yes <input type="radio"/> No



**SPECIAL MEETING MINUTES – DRAFT**

**Date:** 12/2/2019  
**Time:** 4:30 p.m.  
**City Hall/Administration Building**  
**701 Laurel St., Menlo Park, CA 94025**

**4:30 p.m. Closed Session (City Hall - “Downtown” Conference Room, 1st Floor)**

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

Mayor Muller called the meeting to order at 4:31 p.m.

**Roll Call**

**Present:** Carlton, Combs, Nash, Mueller, Taylor  
**Absent:** None  
**Staff:** City Attorney William McClure, City Clerk Judi A. Herren (excused at 4:40 p.m.),  
Administrative Services Director Lenka Diaz, Human Resources Manager Theresa  
DellaSanta

CL1. Public employee performance evaluation (Gov. Code section 54957(b)(1).)  
Title: City Manager

Mayor Mueller continued this item to a future meeting.

CL2. Public employment (Gov. Code section 54957.)  
City Attorney recruitment

- Lynne Bramlett spoke in support of an open search process for the city attorney recruitment.
- Soody Tronson provided recommendations for the city attorney recruitment process.

City Clerk Judi Herren excused.

City Attorney Bill McClure excused.

Mayor Mueller adjourned the meeting at 5:47 p.m.

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## STAFF REPORT

### City Council

Meeting Date:

1/14/2020

Staff Report Number:

20-008-CC

### Consent Calendar:

**Confirmation that city has no current need to use the pre-school building located at Nealon Park and authorize city manager to memorialize five year extension to lease agreement with Menlo-Atherton Cooperative Nursery School**

### Recommendation

Staff recommends that the City Council confirm that it has no present need to use the pre-school building located in Nealon Park (premises) currently in use by Menlo-Atherton Cooperative Nursery School (School) and authorize the city manager to work with the School to memorialize a five lease extension for the premises.

### Policy Issues

The City Council has long supported the provision of affordable child care services in the City.

### Background

The School was founded in 1951 as the Menlo Play Center by the American Association of University Women, in co-sponsorship with the Sequoia District Adult School.

For its first ten years, the school was housed in a series of temporary spaces. In 1961, the City of Menlo Park and the School entered into a mutually beneficial arrangement to ensure the delivery of affordable child care services for Menlo Park residents. Under the arrangement, the School contributed \$10,000 to the City to construct a recreation building in Nealon Park. In exchange, the City contributed funding to construct public restrooms, storage facilities and limited office space; pre-funded \$9,500 in construction costs for the building and agreed to enter into a long term lease for space in Nealon Park on terms similar to the "Little House". After the building was completed, the School dedicated it to the City. The parties agreed that the School would use the building during the day for pre-school programs and adult education courses and the City would use it in the evenings for recreation programs. The parties subsequently determined the shared use of the building was impractical and deleted that lease requirement once additional recreation facilities were developed on the main campus. The School continues to allow its playground to be used by the public when school is not in session.

The initial term of the lease was ten years. The lease was extended several times until on February 16, 1992, the building was destroyed in an arson fire. The City and the School again entered into arrangement to rebuild the school. The School retained a former co-op parent Sam Sinnott to design a new building and serve as construction manager. The School also contributed approximately \$20,000 for construction upgrades. In turn, the City contributed approximately \$350,000 in insurance proceeds for construction costs and secured temporary trailers to house the School during the construction period. The new building re-

opened in June 1994.

On January 1, 2000, the parties entered into a new lease agreement for 20 years, 8 months terminating on August 31 (Attachment A.) The lease rate is \$20 for the entire term payable in advance. The School is permitted to use the premises for “operation of a non-profit non-sectarian pre-school” and for adult education classes in association with the Sequoia Adult School. The School is responsible for utilities and day-to-day maintenance and janitorial services for the premises. The City is responsible for all structural repairs, except that the School is responsible for the first \$2,500 of the cost of each repair.

The lease contains the following five-year lease extension provision:

If at the end of the initial Lease term, Lessor desires to use the Premises for its own purposes, this Lease shall terminate and Lessee shall immediately vacate the Premises. If Lessor does not desire to use the Premises for its own purposes, Lessee shall have the option, but not the obligation, to extend the Lease for a period of five (5) years on the same terms and conditions contained in this Lease. Lessor shall give Lessee notice of Lessor’s intent to use the Premises for its own purposes no less than one hundred eighty (180) days prior to the end of the Lease term. If Lessor does not notify Lessee of its desire to use the Premises for its own purpose, Lessee shall give Lessor notice of the exercise of its option to extend the term not less than one hundred twenty (120) days prior to the expiration of the Lease. (Attachment A, Section 2.2.)

The School has informed the City that it would like to exercise the five-year option under the lease.

### **Analysis**

The lease is structured to permit the City to take back the building for its own purposes at the end of the initial term. In order to do so, the lease requires the City to inform the School that it desires to use the premises for its own purposes by February 29, 2019. City staff has not identified a current need for the premises. Before communicating this to the School, staff would like to give the City Council the opportunity to weigh in on this decision.

The School currently has 82 students and approximately 95 percent of the students live in Menlo Park. The School typically has a waiting list of 20-30 students. The school offers financial aid to any student who requires it.

### **Impact on City Resources**

Extending the lease for five years will not have any significant financial impact on the City as the lessee is currently incurring the costs of day-to-day maintenance. If the City were to assume responsibility for the premises, there could be additional financial impacts.

### **Environmental Review**

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15301 and 15061(b)(3) as it the premises is an existing facility and the lease extension 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 and posting a notice at the City Hall front counter.

**Attachments**

A. Lease agreement

Report prepared by:  
Cara Silver, Assistant City Attorney



## LEASE

THIS LEASE is executed effective as of January 1, 2000, by and between the CITY OF MENLO PARK (hereinafter referred to as "Lessor"), and MENLO-ATHERTON COOPERATIVE NURSERY SCHOOL (hereinafter referred to as "Lessee"), who agree as follows:

1. PREMISES. Lessor leases to Lessee the Premises commonly known as the Menlo-Atherton Co-op Nursery School building, and located at 802 Middle Avenue, Menlo Park, California, including the outside fenced area, as more particularly shown on Exhibit A attached hereto and incorporated herein by this reference. The Premises do not include the public restrooms and the exterior storage room that are a part of the building of which the Premises are a part.
2. TERM.
  - 2.1 The term of this Lease shall be for a period of twenty (20) years and eight (8) months, commencing January 1, 2000, and terminating August 31, 2020.
  - 2.2 If, at the end of the initial Lease term, Lessor desires to use the Premises for its own purposes, this Lease shall terminate and Lessee shall immediately vacate the Premises. If Lessor does not desire to use the Premises for its own purposes, Lessee shall have the option, but not the obligation, to extend the Lease for a period of five (5) years on the same terms and conditions contained in this Lease. Lessor shall give Lessee notice of Lessor's intent to use the Premises for its own purposes no less than one hundred eighty (180) days prior to the end of the Lease term. If Lessor does not notify Lessee of its desire to use the Premises for its own purpose, Lessee shall give Lessor notice of the exercise of its option to extend the term not less than one hundred twenty (120) days prior to the expiration of the Lease.
3. RENTAL. Lessee agrees to pay to Lessor as rental for the Premises the sum of Twenty Dollars (\$20.00) payable in advance at the commencement of the Term of the Lease for the entire Lease Term.
4. USE. Lessee shall use the Premises for the operation of a non-profit non-sectarian pre-school and for no other primary use without Lessor's written consent. Lessee may use the Premises for adult education classes in association with the Sequoia Adult School in conjunction with the primary purpose and for other purposes incidental to the operation of the pre-school. Lessee shall obtain all necessary licenses, either directly or through Sequoia Adult School, and shall comply with all Local, State, and Federal regulations pertaining to the use of the Premises.
5. ALTERATIONS. Lessee shall not make any additions, alterations, or changes to the Premises having a cost of more than Two Thousand Five Hundred Dollars (\$2,500.00) per addition, alteration or change, without the prior written consent of the Lessor. Lessor agrees not to unreasonably withhold its consent. Lessee shall request Lessor's consent in writing by forty-five (45) days prior written notice; failure by Lessor to respond to Lessee within thirty (30) days from the date of notice will expressly be deemed affirmative written consent by Lessor. Any additions or alterations to the Premises, other than trade fixtures and

personal property, shall become a part of the realty and shall revert to Lessor. Lessee shall not change any of the locks on the Premises without providing Lessor with a duplicate key.

6. MAINTENANCE AND UTILITIES.

- 6.1 Except as provided below, Lessee shall be responsible for day-to-day maintenance and janitorial services for the Premises. Lessee shall be responsible for all costs associated with such daily maintenance and janitorial services, including but not limited to supplies, contract services for cleaning and maintenance, minor alterations, repairs and other maintenance costs arising during the term of the Lease. During the summer months when the pre-school is not in session, Lessee may request that Lessor provide exterior maintenance/clean up and review the grounds for needed repairs, reporting any problems to Lessee in order that such problems might be addressed by the appropriate party in accordance with the terms of the Lease. Each Spring, Lessee may request in writing that Lessor perform such exterior maintenance, clean-up and review. Lessor shall notify Lessee in writing if Lessor has accepted such responsibility for the upcoming Summer months. If Lessor accepts such responsibility, Lessor shall be responsible for such exterior maintenance, clean-up and review for the Summer. When school is not in session, Lessor shall report any problems, if noticed, to the Director or other contact for Lessee.
- 6.2 Lessee shall be responsible for all utility costs, including gas, electricity, water and telephone, and all maintenance, repair, installation and deposits for these services occurring during the term of the Lease for the Premises only which may require proration of invoices for such services, to exclude charges attributable to the adjacent bathrooms and/or storage room. Any invoice submitted by Lessor to Lessee for payment will show any proration of such invoice in sufficient detail for independent calculation.
- 6.3 Lessee shall report all problems and maintenance needs as soon as practicable to Lessor. Upon request by Lessee, but not more frequently than once per year, Lessor shall perform periodic maintenance checks. The scope of such maintenance checks shall be mutually agreed upon, and may include interior and exterior features, together with comments on the condition of the grounds, walls, windows, doorways, light fixtures, heating and ventilation systems, hot water heater, plumbing, and sewage disposal system.
- 6.4 Lessor shall be solely responsible for structural repairs and repair of items that are under warranty. For all other repairs, Lessee is responsible for the first \$2,500.00 of the cost of each repair and Lessor shall be responsible for the cost in excess of \$2,500.00 per repair.
- 6.5 Lessee shall use the Premises in a careful, safe, and proper manner. Lessee agrees to pay Lessor on demand for any damages to the Premises by Lessee through its misuse, abuse or lack of maintenance of the Premises.

7. **ASSIGNMENT AND SUBLETTING.** Except by operation of law, Lessee may not assign this Lease nor sublet the Premises without Lessor's prior written consent, which consent may be withheld in Lessor's sole and absolute discretion.
8. **ABANDONMENT.** Should the Lessee abandon, be dispossessed, surrender or otherwise vacate the Premises, the Lessor, at Lessor's option, may immediately terminate this Lease and enter the Premises and remove all persons and property. Lessee shall not allow the Premises to be vacant for more than a thirty (30) day period except during the summer months when the pre-school is out of session.
9. **DEFAULT.** In the event of a material default, the non-defaulting party shall give written notice thereof to the defaulting party. In the event that defaulting party shall not have cured the default within ten (10) days of the notice, or if the default cannot reasonably be cured within ten (10) days and the defaulting party shall not have commenced to cure the default and be diligently pursuing such cure to completion, then the non-defaulting party, besides any other right or remedies that such party may have, shall have the right to terminate this Lease.
10. **DESTRUCTION:** In the event the Premises are partially destroyed from any cause, Lessor shall repair the property—provided the full cost of such repairs are covered by insurance and such repairs can be made within one hundred eighty (180) days. Such partial destruction shall not void this Lease.  
If the repairs cannot be made within one hundred eighty (180) days, this Lease may be terminated at the option of either party. In the event the Premises suffer the destruction of more than 40 percent of the replacement cost or in the event insurance proceeds are not sufficient to cover the cost of repairs (and Lessee is unwilling to contribute the funds necessary to supplement the insurance proceeds to pay for the cost of repairs), Lessor may elect to terminate this Lease. Lessor shall not be obligated to replace any of the Lessee's personal property which may be damaged or destroyed.
11. **INSURANCE AND INDEMNIFICATION.** Lessee, at its own expense, shall provide and keep in force, either directly or through Sequoia Adult School, public liability insurance for the benefit of Lessor and Lessee jointly against liability for bodily injury and property damage in an amount of not less than One Million Dollars (\$1,000,000.00) for injury to, or death of one person in any one accident or occurrence, and in an amount of not less than One Million Dollars (\$1,000,000.00) for injury to, or death of more than one person in any one accident or occurrence, and in the amount of not less than One Million Dollars (\$1,000,000.00) per occurrence in respect to damage to property, such limits to be for any greater amounts as may be reasonably indicated by circumstances from time to time existing following a mutual review of the circumstances upon Lessor's written request. Lessor shall be named as an additional insured on Lessee's insurance policy.  
Except as covered by Lessor's indemnification obligations below, Lessee, during the continuance of this Lease, covenants and agrees to indemnify and save harmless the Lessor, its agents and employees from each and every loss, cost, damage and expense arising out of any accident or other occurrence on the Premises causing injury to or death of persons or damage to property by reason of the operation of Lessee's pre-school program and/or other use of the

Premises, the condition of the Premises (excluding construction or design), or due to the use or neglect thereof by Lessee. Lessee further agrees during the continuance of this Lease also to indemnify and hold harmless the Lessor from all damages and penalties arising out of any claims of Lessee's negligence or failure of the Lessee to comply with any of Lessee's obligations hereunder.

Lessee, as a material part of the consideration to Lessor, hereby assumes all risk of damages to property or injury to persons in or about the Premises from any cause whatsoever except that which is caused by the failure of the Lessor to observe any of the terms and conditions of this Lease. The obligations of Lessee under this section arising by reason of any occurrence taking place during the term of this Lease shall survive any termination of this Lease.

Lessor shall indemnify, defend and hold Lessee harmless from and against any and all costs, attorneys' fees, expenses and liabilities arising out of Lessor's negligence, willful misconduct or breach of this Lease.

12. **QUIET POSSESSION.** Lessor shall not disturb Lessee's quiet enjoyment and possession of the Premises during the term of this Lease.
13. **INSPECTION.** Lessor may enter the Premises at all reasonable times to inspect, maintain and repair the property. Lessor shall attempt to provide twenty-four (24) hours notice to Lessee prior to such entry.
14. **LIENS.** Lessee shall keep the Premises free from any and all liens arising out of any work performed, materials furnished, or obligations incurred by or for Lessee; and Lessee agrees to defend Lessor at its sole cost and expense against any and all law suits arising from such lien upon receipt of notice of opportunity to defend from Lessor.
15. **NOTICES.** All notices between the parties shall be in writing and hand delivered or sent by U.S. Certified Mail - Return Receipt to: Lessor: CITY OF MENLO PARK, 701 Laurel Street, Menlo Park, California 94025, Attn: Finance Director; Lessee: MENLO-ATHERTON COOPERATIVE NURSERY SCHOOL, P.O. Box 693, Menlo Park, California 94026, Attn: President of the Board. Any notice of an alleged default issued by Lessee to Lessor shall also be delivered to the attention of the City Attorney care of the City of Menlo Park at 701 Laurel Street, Menlo Park, CA 94025. Any notice of required maintenance issued to Lessee shall also be given by telephone communication to the Director of Lessee at (650) 325-5133 or such other telephone number as may be provided by written notice from Lessee to Lessor.
16. **WAIVER.**
  - 16.1 The waiver by Lessor of a breach by Lessee of any agreement herein, shall not be deemed to be a waiver on a part of Lessor of any covenant of this Lease. Such waiver by Lessor shall not constitute a waiver of any future breach by Lessee of the same or other covenants of this Lease.
  - 16.2 The waiver by Lessee of a breach by Lessor of any agreement herein, shall not be deemed to be a waiver on a part of Lessee of any covenant of this Lease. Such waiver by Lessee shall not constitute a waiver of any future breach by Lessor of the same or other covenants of this Lease.
17. **ATTORNEYS' FEES.** Should either party bring an action for breach under any of the conditions and terms of this Lease, the losing party agrees to pay to the prevailing party all reasonable attorneys' fees and cost, as fixed by the court.

18. **MISCELLANEOUS.** This Lease shall be binding on the administrators, assigns, executors, heirs and successors of Lessor and Lessee.  
 Section headings are for reference only and shall have no effect upon the interpretations of this Lease.  
 Time is of the essence of each provision of this Lease.  
 The unenforceability, invalidity or illegality of any provision shall not render the other provisions unenforceable, invalid or illegal.  
 The law governing this Lease shall be that of the State of California.

LESSOR

LESSEE

CITY OF MENLO PARK

MENLO-ATHERTON COOPERATIVE  
 NURSERY SCHOOL

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

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

(Signature)

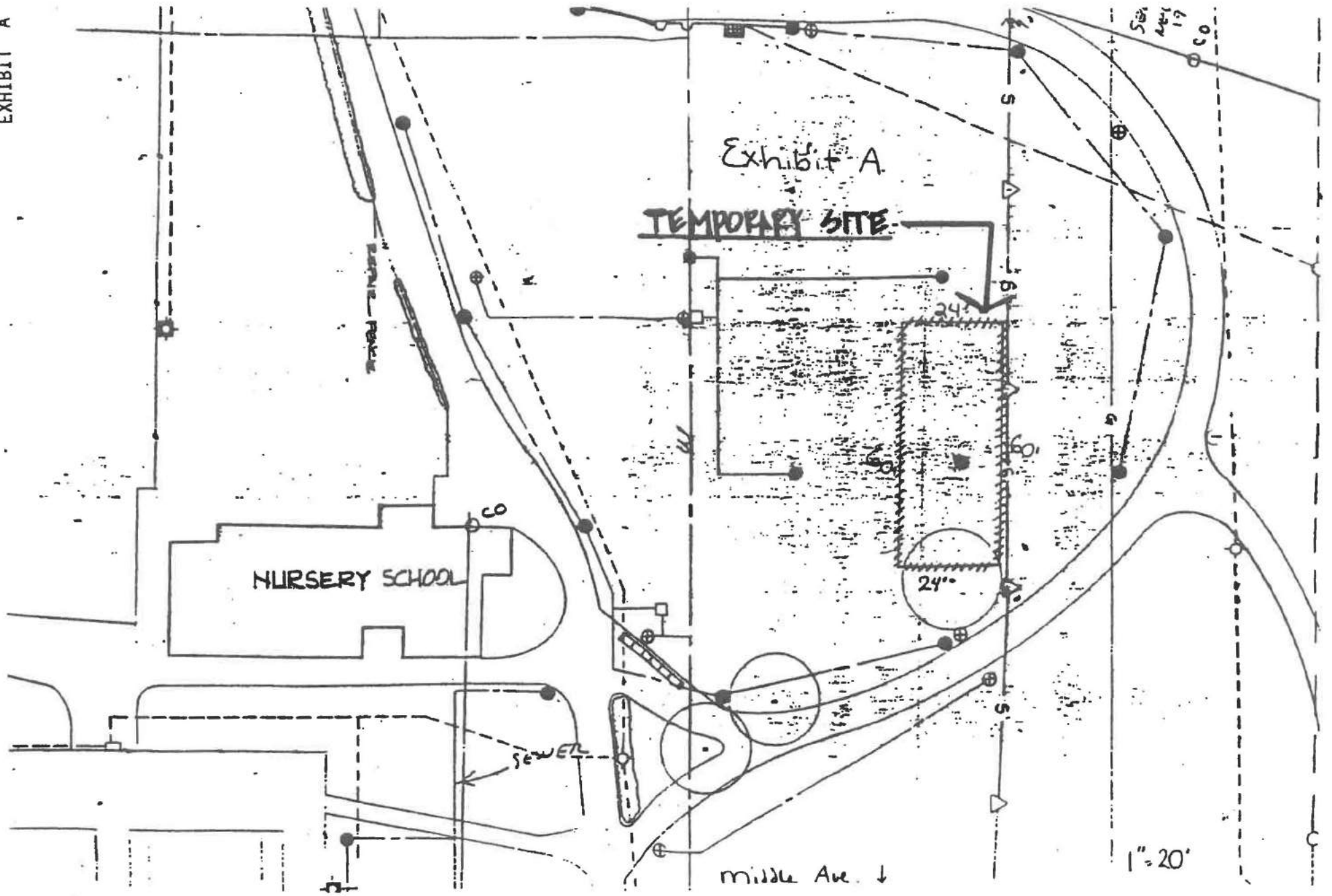
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## STAFF REPORT

### City Council

**Meeting Date:** 1/14/2020  
**Staff Report Number:** 20-010-CC

**Consent Calendar:** **Authorize a representative of the City Council to sign the Manzanita Talks joint statement**

### Recommendation

Staff recommends that the City Council authorize a representative of the City Council to sign the Manzanita Talks joint statement.

### Policy Issues

Chapter 4 of the City Council procedures manual (“City Council communications”) requires the City Council to authorize a position on a topic on behalf of the City.

The policy issues underlying the Manzanita Talks are consistent with the Circulation Element of the City’s General Plan, which encourages transportation demand management programs and collaboration with other nearby agencies on transportation programs and infrastructure.

### Background

In early 2019, the City of Menlo Park was invited to participate in a series of discussions, called the Manzanita Talks, convened by Joint Venture Silicon Valley, in partnership with the Bay Area Council, to explore the logic and desirability of cross-sector collaboration to address transportation challenges in the region. Specifically, the Manzanita Talks identified issues including “first and last mile” challenges, traffic mitigation, the potential for coordinating and integrating existing Transportation Management Associations, and whether to form a sub-regional Transportation Management Association on the midPeninsula.

The first meeting was held April 18, 2019, and four additional sessions were held between May and October. Other agencies and private-sector partners that were invited to participate included:

- City of East Palo Alto
- City of Los Altos
- City of Mountain View
- City of Palo Alto
- City of Redwood City
- Town of Atherton
- Good City Company
- Facebook
- Genentech
- Google
- Intuit
- LinkedIn



- Palantir
- Tesla

The City Council is scheduled to receive a presentation from Manzanita Works and Joint Venture Silicon Valley at its January 14, 2020 meeting.

### **Analysis**

Over the series of five meetings of the Manzanita Talks, participants shared information about transportation initiatives underway in each city and on behalf of the private sector partners. The meetings included dialogue between the participants, with the goal of improving collaboration, particularly on transportation demand management programs and strategies.

At the conclusion of the series of meetings, Good City Company on behalf of Joint Venture issued a final report (Attachment A) summarizing the background, research, case studies and alternatives analysis. Joint Venture requested each participating partner sign a joint statement (Attachment B) to be issued to publically share the final report and next steps.

Councilmember Mueller (as Mayor in 2019), Councilmember Nash and Mayor Taylor (as Mayor Pro Tempore in 2019) participated in the various meetings throughout the year.

Staff recommends the City Council authorize a representative from the City Council sign the joint statement on behalf of the City. Joint Venture has requested Councilmember Mueller sign the statement, as the 2019 mayors of other participating agencies signed the statement. According to Joint Venture, all other participating agencies and partners have signed the statement as of the publication date of this report.

### **Other Menlo Park transportation demand management efforts**

The City authorized Steer Transportation Group to prepare a transportation management association feasibility study in July 2019. This work effort was identified in the City Council's 2019 work plan (priority reference number 6). Following a kickoff meeting with the City in August 2019, Steer Group has been actively engaging local stakeholders and businesses. This outreach is comprised of interviews, inperson 'drop-in' chats with small downtown businesses, and sharing a survey link to gather information and opinions about current commute habits. Staff is anticipating bringing a more detailed informational update to the City Council February 11 on the status of this work and planned next steps.

### **Impact on City Resources**

There is no new impact to City resources associated with this update.

### **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. Hyperlink – Manzanita Talks Final Report:  
[https://jointventure.org/images/stories/pdf/manzanita\\_report\\_Nov2019.pdf](https://jointventure.org/images/stories/pdf/manzanita_report_Nov2019.pdf)
- B. Joint Statement

Report prepared by:  
Nikki Nagaya, Interim Public Works Director

Report reviewed by:  
Justin Murphy, Deputy City Manager

## **Manzanita Talks: Joint Statement**

October 17, 2019

The Bay Area is one of the world's most vibrant and fastest growing economies. If our region were a nation unto itself our GDP would make us the world's 18th largest economy.

Our growth continues unabated. The region added nearly 900,000 new jobs over the past decade, and as our companies move into promising new areas the pace is projected to increase.

But there are perils associated with growth and prosperity, and ours include the nation's highest housing prices, income inequality, and a substantial portion of our labor pool forced to locate on the outskirts of our region and beyond. As a result, we have 90,000 megacommuters driving more than 90 minutes each way to their Silicon Valley opportunities. Our roadway congestion, already the nation's worst, will only worsen.

The Manzanita Talks are a response to our transportation challenges.

At the invitation of Joint Venture Silicon Valley, and in conjunction with the Bay Area Council, government and business leaders sat down in 2019 for five directed conversations called "The Manzanita Talks." The question on the table: is there an effective way for cities and companies to collaborate on Transportation Demand Management (TDM) strategies within our subregion?

The talks began with government and industry leaders simply getting acquainted, sitting side by side for the first time. They continued with a field trip to the Contra Costa Centre, an awardwinning transit village which has reduced solo driving by 30 percent annually, using harmonized TDM strategies.

Subsequent meetings provided the direction for this, the Manzanita Report, a document which received extensive input from city planning staff and industry experts.

Now we deliver this report to the public. It is intended to provide the analytical background and conceptual literacy necessary for future planning and decision making. The report also articulates our belief that collaboration between public and private sectors will be vital to resolving this dilemma. As participants in these talks we believe the criteria and recommendations herein are a necessary foundation for moving forward.



## STAFF REPORT

### City Council

Meeting Date:

1/14/2020

Staff Report Number:

20-004-CC

Regular Business:

**Amend the agreement with AECOM Technical Services, Inc. for the Ravenswood Avenue railroad crossing study**

### Recommendation

Staff recommends that City Council authorize the city manager to amend the agreement with AECOM Technical Services, Inc. for the Ravenswood Avenue railroad crossing study. The scope of the amended agreement is consistent with the direction received from the City Council Rail Subcommittee (Rail Subcommittee) July 16, 2019, to proceed with evaluation of a fully elevated over downtown alternative.

### Policy Issues

The project was included in the 2018 City Council's work plan and the final project study report (PSR) was adopted by the City Council in early 2019. The additional scope of work was requested by the City Council to further evaluate two additional options: a fully elevated grade separation over downtown and a multicity tunnel option. While the project was not prioritized in the City Council's 2019 work plan, staff is continuing to advance the project as resources allow.

The project is consistent with the City Council rail policy (Attachment B) and with the 2016 general plan goals to increase mobility options to reduce traffic congestion and greenhouse gas emissions; increase safety; improve Menlo Park's overall health, wellness, and quality of life through transportation enhancements; support local and regional transit that is efficient, frequent, convenient and safe; provide a range of transportation choices for the Menlo Park community; and to promote the safe use of bicycles as a commute alternative and for recreation.

### Background

In March 2016, City Council awarded a contract to a consultant team, led by AECOM, to perform the Ravenswood Avenue railroad crossing PSR. Over 50 meetings were held for the project and feedback received was incorporated into the project analysis. On May 8, 2018, the City Council approved the selection of Alternative A (an underpass crossing at Ravenswood Avenue and keeps Oak Grove, Glenwood and Encinal Avenues open to all modes of traffic as existing,) and provided general direction to staff to bring back the following additional items at a future meeting:

- Letters to Palo Alto, Atherton, Redwood City, Mountain View and Sunnyvale to request consideration of a multicity trench or tunnel
- Letter to Caltrain to request a bicycle/pedestrian path adjacent to the rail within Caltrain right of way
- Additional scope of work and appropriation request to prepare (1) a financial assessment of a trench/tunnel; (2) a conceptual design, noise, tree, and visual impact assessment of a fully elevated alternative

On November 28, 2018, the agenda packet for the City Council meeting December 4, 2018 was released including the staff report addressing the above requests. The draft PSR and draft scope for additional studies were attached to that staff report for public review and comment. Staff returned to City Council January 15, 2019 with a summary of all comments received on both documents and suggested edits to the scope. At that time, City Council directed staff to revise the preferred alternative to Alternative C (hybrid grade separation with Ravenswood, Oak Grove, and Glenwood Avenues grade separated and Encinal Avenue to remain open, at grade.)

On January 31, 2019 the Rail Subcommittee received an update on the Ravenswood Avenue railroad crossing project including a discussion of the comments received on the draft documents and a “fully elevated over downtown” rail profile option. Approximately 25 community members were in attendance and 22 provided public comment. The Rail Subcommittee discussed options for a rating criteria system that would reflect the various land uses adjacent to the rail corridor along the length.

On March 5, 2019, City Council approved the final PSR identifying Alternative C as the preferred alternative, which completed the current grant funded scope of work. No direction was given regarding the draft scope for additional studies at that time.

On April 22, 2019, the Rail Subcommittee received a brief update on the Ravenswood Avenue railroad crossing project. Approximately 10 community members and stakeholders attended the meeting and spoke regarding the need to coordinate with the Middle Avenue pedestrian and bicycle rail crossing and advance the Middle Avenue project as soon as possible, given the benefits of a rail tunnel.

On May 21, 2019, City Council received a oral presentation from professor Michael Bennon of the Stanford Global Project Center regarding the feasibility of a rail tunnel in Menlo Park and information regarding the proposed land use densities that could be needed to finance a rail tunnel. Since this was an informational presentation, no direction was given as a result of this presentation.

On July 16, 2019, the Rail Subcommittee received a brief update on the Ravenswood Avenue railroad crossing project. Eight community members and stakeholders attended the meeting and spoke regarding the desire to remove a trench/tunnel alternative from further consideration, shared both support and concerns about a fully elevated rail alternative, provided specific input regarding the treatment of Encinal Avenue, and concerns about construction impacts. The Rail Subcommittee provided direction to proceed as follows:

1. Eliminate the tunnel option from further study in the scope of work, given the information provided by professor Michael Bennon of the Stanford Global Projects Center at the May 21, 2019, City Council meeting
2. Concur with the creation of three geographic segments presented based on adjacent land uses to evaluate the options in the future (north of Oak Grove Avenue; Oak Grove Avenue to Burgess Drive; south of Burgess Drive)
3. Incorporate the ability to provide a menu/iterative analysis of possible fully elevated options, including starting the rise of the railroad tracks at Atherton border and nearer to Encinal Avenue, into the scope of work and evaluate the pros and cons of each
4. Include assessment of beautification/aesthetic improvements options and a cost comparison to “base” case
5. Include assessment of construction impacts in each alternative

## Analysis

Following the Rail Subcommittee direction July 16, 2019, staff worked with AECOM to revise their proposal for additional services. In addition, the California Public Utilities Commission (CPUC) solicited applications to prioritize grade separation projects in August, which were due in mid-October 2019. In addition, the transportation division of the public works department has three positions vacant, including the previous project manager for the Ravenswood Avenue railroad crossing project. Staff prioritized submittal of an application to the CPUC for a grade separation project in Menlo Park over finalizing the scope of work through fall 2019. Now that the application has been submitted, staff returned attention to the revised scope of work and is returning to City Council to seek authorization to amend AECOM's agreement.

A revised scope of work is provided in Attachment A incorporating the Rail Subcommittee's July 16 direction described above. In summary, the scope of work defines two phases:

- Feasibility study assessment and community engagement process
- Technical evaluation of noise, vibration and potential real estate impacts

The following summary table identifies how each item identified by the Rail Subcommittee was addressed in the final scope of work.

Table 1: Direction on revised scope of work	
1. Eliminate tunnel option from further study	Task removed
2. Geographic segments for criteria evaluation presented July 16, 2019	Segments incorporated into Task 10, comparison matrix
3. Provide option to iterate possible fully elevated options	Included in Task 7, up to six iterations included
4. Include beautification/aesthetic improvement assessment	Added optional Task 11 to retain an architect to assess alternatives
5. Include assessment of construction impacts	Included in Task 7

### Next steps

Following City Council authorization to amend the agreement with AECOM, staff will continue to advance this project as time allows, according to any direction given on the relative priority of this project as part of City Council's 2020 work plan development anticipated in early 2020. Staff resource constraints are discussed further in the Impact on City Resource section below.

### Impact on City Resources

The City Council's approved budget for fiscal year 2019-20 includes \$300,000 in the capital improvement program to advance this project. This budget would be sufficient for the scope of work as included in Attachment A and staff time needed to complete this phase of work, as summarized in Table 2 below.

Table 2: Cost estimate			
Phase	Consultant cost	Staff time	Subtotal
Phase 1: Feasibility Study	\$114,190	\$25,000	\$139,190
Phase 2: Technical evaluations (including optional Task 11 for architect's services)	\$100,960	\$20,000	\$120,960
<b>Subtotal</b>	<b>\$215,150</b>	<b>\$45,000</b>	<b>\$260,150</b>

The staff resources required to perform and manage the additional scope of work may impact other transportation projects. City Council is scheduled to discuss the 2020 work plan in January 2020, which could impact project priorities for this and other projects moving forward. Currently, three vacancies in the transportation division of the public works department will impact staff's ability to deliver this next phase of work when considering other project priorities. Staff will assess project schedules and impacts taking into consideration the City Council work plan direction before reporting back to the Rail Subcommittee with the next project update.

### **Environmental Review**

The results of this phase of the Project will identify required environmental reviews and studies required to advance the project. Environmental reviews and studies will be completed as part of the next phase of work.

### **Public Notice**

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours before the meeting. Additional notifications are being made through the project webpage, a public works project list email blast.

### **Attachments**

- A. Revised scope of additional work
- B. Hyperlink – rail policy: [menlopark.org/DocumentCenter/View/6388/City-Council-Rail-Policy?bidId](http://menlopark.org/DocumentCenter/View/6388/City-Council-Rail-Policy?bidId)

Report prepared by:  
Nicole H. Nagaya, Interim Public Works Director

Report reviewed by:  
Justin Murphy, Deputy City Manager

December 19, 2019

Nicole Nagaya  
City of Menlo Park  
701 Laurel Street  
Menlo Park, CA 94025

**RE: Ravenswood Avenue Railroad Crossing Project, Extra Work Request (Amendment 3)**

Dear Nikki:

At the May 8, 2018 City Council meeting, Council directed that additional scope items be considered for the project. Per these City Council meeting minutes, additional scope items included “(1) a financial assessment for a trench/tunnel and; (2) a conceptual design, noise, tree, and visual impact assessment of a fully elevated alternative.” However, subsequent to the City Council meeting, the Rail Subcommittee recommended on July 16, 2019 that the financial assessment for the trench/tunnel be removed following a presentation to the City Council by Professor Michael Bennon of the Stanford Global Project Center on May 21, 2019. Below is a description of the scope of work for evaluating a fully elevated alternative only.

**SCOPE OF WORK****Task 1: Project Management**Task 1.1 Project Administration

Due the additional scope items described below which extends the schedule, AECOM will provide additional project management services for the period of approximately 6 months from the Notice to Proceed. These services include:

- Coordinating with in-house design staff, subconsultants, and the City
- Conducting additional check-in conference calls
- Monitoring schedule and budget status and preparing invoices

Task 1.6 CPUC Grade Separation Nomination

AECOM will assist the City in the completion of the CPUC’s GSN-1 form, which is required for Nomination for Separation of Existing At-Grade Crossing. The nominations help the CPUC establish a priority list of railroad grade separation projects most urgently in need of separation. The form will include the three at-grade crossings proposed for separation in the City’s currently identified preferred Alternative C: Ravenswood Avenue, Oak Grove Avenue and Glenwood Avenue.

**Phase 1: Feasibility Assessment**

The following tasks are structured in two phases to evaluate the potential feasibility of a fully elevated in downtown alternative. Phase 1 (Task 7) provides a feasibility study and review of similar built projects to provide examples of how a project might look and integrate into the community. Phase 1 includes a community engagement process and series of Rail subcommittee, Complete Streets Commission and Planning Commission and City Council meetings to provide input and direction. Direction to proceed to Phase 2 (Technical evaluations described in tasks 8, 9, 10, 11) would be initiated following Phase 1, only with direction by the City Council to staff to proceed,



## Task 7: Fully Elevated in Downtown Alternative Analysis

### Task 7.1 Collection of Sample Projects

AECOM will identify up to and provide photographs of fully elevated rail systems from other, similar (elevated rail) projects around the world. AECOM will also provide order-of-magnitude (square foot) cost estimates, as available, of these sample projects.

### Task 7.2 Preliminary Engineering

AECOM will develop preliminary engineering for an alternative that will include a fully elevated rail profile at a minimum between Ravenswood Avenue and Oak Grove Avenue with an iterative process to evaluate the elevations at the remainder of the corridor within the Menlo Park city limits. Examples could include conforming at the Atherton city limit or near Encinal Avenue, as well as varying the grade of the railroad. Part of the task below will include determining the resulting profile at Glenwood Avenue and Encinal Avenue for various criteria and constraints. This task will include conducting track profile analyses for a range of fully elevated alternatives (maximum of six) with the following design options:

1. Minimize elevation gain of the railroad tracks at Encinal Avenue as a result of using the maximum grade possible north of Oak Grove Avenue.
2. Similar to #1 above, except use a maximum grade of 1% (Caltrain's maximum allowable grade that does not require a design exception).
3. Begin elevation gain at Menlo Park-Atherton city limits and vary the railroad grades to minimize impacts (elevation and/or right way) to Encinal Avenue.

Each rail profile option shall provide vertical clearance under the railroad tracks on an elevated structure in the downtown station area, between Ravenswood Avenue and Oak Grove Avenue, such that minor modifications, if any, of these two roads and their access points are required.

A maximum of six track profiles will be developed to illustrate rail elevation, construction limits, and roadway depths. Based on City Council input, two of the six track profiles will be selected to complete the following tasks.

- Track and road profiles, shoofly track alignment, and all other basic geometric features of the alternative required to determine the limits of construction and approximate quantities to complete an order-of-magnitude cost estimate. This includes potential construction impacts such as staging and temporary road closures.
- Utility and Right-of-Way requirements and impacts.
- Preliminary cost estimate (using a similar format that was used for Alternatives A & C).

### Task 7.3 Meetings

AECOM will attend and prepare PowerPoint slides for up to six (6) separate meetings: City Council (2), Rail Subcommittee (2), Planning Commission (1) and the Complete Streets Commission (1).

### Task 7.4 Visual Renderings

AECOM will develop renderings that illustrate the visual elements from two different vantage points (camera locations) at up to three (3) locations along the Menlo Park Caltrain corridor for each of the two track profiles considered, for a maximum total of twelve (12) renderings.

### Task 7.5 Draft Technical Memorandum (Fully Elevated Alternatives)

AECOM will prepare a Draft Technical Memorandum to summarize the items prepared as part of Tasks 7.1, 7.2 and 7.4.

### Task 7.6 Develop Final Technical Memorandum (Fully Elevated Alternatives)

AECOM will provide responses to one set of agency comments and prepare a final Technical Memorandum.

## Phase 2: Technical Evaluations

If directed by the City Council through staff, AECOM will conduct the following technical evaluations for a fully elevated over downtown alternative and previously defined alternatives as described in each task below.

### Task 8: Noise Study

AECOM will evaluate how each of the four proposed alternatives, noted below, would affect noise levels; both on a single event (pass-by) basis as well as average daily exposure (such as day-night noise level,  $L_{dn}$ ) which would likely be used to assess environmental noise impacts as per Federal Transit Administration (FTA) noise impact criteria.

The study will include a round of noise measurements describing single event and daily noise exposure for existing conditions. The study will also include prediction of expected changes in noise level (single event and daily exposure) for the different alternatives. The alternatives to be studied are as follows:

- i. Existing (Baseline) Condition (No Build)
- ii. Alternative A: Hybrid with two grade separations
- iii. Alternative C: Hybrid with three grade separations
- iv. Alternative D – Fully elevated with three grade separations (two alternatives)

#### Task 8.1 Review Project information

The AECOM noise team will review provided and relevant project information including other available and relevant noise studies, at our judgment and discretion. At the conclusion of this review, the noise team will develop a data request to the City and/or Caltrain, for any additionally required information.

#### Task 8.2 Site Visit and Noise Measurements

Two AECOM noise specialists will visit the project area and conduct a series of long-and short-term measurements of current existing conditions. The long-term measurements will run for at least 24 hours at two different locations in the noise study area, and short-term measurements will be conducted for a shorter duration (typically 15-30 minutes each) to document ambient conditions and individual train events at another 4 to 8 locations representing a variety of noise-sensitive land uses throughout the study area. The noise team will also carefully identify and document other existing noise sources present as well as buildings, topography and other features that could influence acoustical propagation in the study area.

#### Task 8.3 Analyze Noise Measurement Data

The noise measurement data will be analyzed and developed into charts and tables to represent the varying noise environment over the course of the day at each of the measurement locations as well as detailed noise levels for individual train events identifying individual contributions from train cars, locomotives and horn soundings on a per event basis (to the degree possible).

#### Task 8.4 Conduct FTA and CadnaA Noise Modeling

AECOM will conduct an FTA style spreadsheet analysis to predict and compare project related 24-hour ( $L_{dn}$ ) noise levels consistent with methods described in the FTA Transit Noise and Vibration Impact Assessment Manual (FTA VA-90-1003-06), general noise assessment method, at up to 20 different point locations representing noise sensitive locations within the project area. The noise team will also develop more detailed noise models using the CadnaA noise model platform to produce noise contour data for typical maximum noise levels for each alternative.

#### Task 8.5 Conduct Comparative Vibration Analysis

AECOM will conduct a comparative operational train vibration analysis in accordance with FTA general assessment methods for the four identified alternatives. The general assessment does not include or rely

upon vibration measurements and employs on some relatively conservative assumptions regarding soil characteristics, track structures and rail vehicles.

#### Task 8.6 Develop Draft Noise and Vibration Technical Memorandum

AECOM will prepare a technical noise memorandum reporting the methodology, results and conclusions of Tasks 8.1 to 8.5.

#### Task 8.7 Develop Final Noise and Vibration Technical Memorandum

AECOM will provide responses to one set of agency comments and prepare a final technical memorandum.

### **Task 9: Real Estate Impacts**

#### Task 9.1 Develop Draft and Final Real Estate Analysis Technical Memorandum

AECOM will develop a memorandum that will include some examples from past studies to derive order of magnitude estimates of the livability impacts due to changes in the visual and noise conditions as a result of each of the four Build alternatives described in Task 8.

The memorandum will also include a qualitative assessment, focusing on the differences of each Build alternative in the impacted areas (i.e. number/type of affected properties).

### **Task 10: Develop Comparison Method**

#### Task 10.1 Develop Comparison Method

AECOM will develop a comparison matrix/method based on community and Rail Subcommittee feedback, to reflect impacts of each of the two alternatives identified in Task 7.2, plus the two alternatives identified in the PSR (Alternatives A and C), on local land uses in each of the three main area segments of Menlo Park along the Caltrain corridor as defined in the July 16, 2019 Rail Subcommittee meeting:

1. Northern Segment (North of Oak Grove Avenue)
2. Downtown Segment (Between Oak Grove Avenue and Ravenswood Avenue)
3. Southern Segment (South of Ravenswood Avenue)

### **Task 11: Architectural Evaluation (Optional Task)**

#### Task 11.1 Develop Enhanced Aesthetic Concepts

The AECOM will have an architect provide examples, and approximate costs, of some aesthetic features that can be used to help soften the visual appearance of the elevated structure.

#### Task 11.2 Customize Renderings

As an additional optional task, AECOM will customize the renderings for Task 7.4 for up to two unique aesthetic concepts.

## **DELIVERABLES LIST**

The following deliverables will be provided as part of this extra work:

- Visual Renderings (Task 7.4)
- Draft & Final Technical Memorandum of Fully Elevated Alternative (Tasks 7.5 & 7.6)
- Draft & Final Noise and Vibration Technical Memorandum (Tasks 8.6 & 8.7)
- Draft & Final Real Estate Analysis Technical Memorandum (Task 9.1)
- Comparison Matrix (Task 10.1)

## FEE ESTIMATE

A detailed level of effort per task for this Extra Work (Amendment 3) is provided as an attachment.

We look forward to working with the City to complete these additional tasks. If you have any questions, please contact Millette Litzinger at 408.961.8417 or [millette.litzinger@aecom.com](mailto:millette.litzinger@aecom.com).

Yours sincerely,

**AECOM Technical Services, Inc.**

Millette Litzinger, PE  
Project Manager

Etty Mercurio, PE  
Vice President

Attachments

DRAFT

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

**Meeting Date:** 1/14/2020  
**Staff Report Number:** 20-005-CC

**Informational Item:** Update on Belle Haven community center and library

**Recommendation**

The purpose of this information item is to provide the City Council and members of the public an update on Facebook's offer to build a multi-generational community center and library in Belle Haven.

**Policy Issues**

As an information item, there are no policy issues. Staff will identify any applicable policy issues for the City Council consideration as part of action on the offer.

**Background**

In October 2019, Facebook announced its intent to collaborate with the community and City to build a new multi-generational community center and library on the site of the current Onetta Harris Community Center, Menlo Park Senior Center and Belle Haven Youth Center located at 100-110 Terminal Avenue.

On December 10, staff provided an Informational Item staff report to provide an update to City Council while awaiting a written offer. In addition, the City Council appointed Council members Carlton and Taylor to an ad hoc subcommittee on this project.

**Analysis**

This staff report serves as an update on activities since December 10.

On December 16, Facebook submitted an offer letter (Attachment A) for the City Council's consideration. The letter provides some background, as well as an explanation as to why Facebook is making this offer. The letter then outlines a two-phase framework for delivering a new building in 2.5 years, which is extremely accelerated timeline for the construction of a public building. Phase One (Outreach, Design, Space Programming and Approvals) would occur over six months from January to June 2020. Phase Two (Developing Construction Plans and Building) would occur over two years from July 2020 to July 2022, with a goal of starting construction in January 2021. The letter outlines a number of assumptions that will require a concerted, focused effort from Facebook, the community and the City in order to achieve these goals.

Staff met with the City Council subcommittee on December 18 and January 7 to review the offer letter and discuss next steps.

A community meeting will be held on Saturday, January 11 from 10 a.m. to noon in the Senior Center at

110 Terminal Avenue. The meeting will provide an opportunity for people to:

- Learn about Facebook's offer to build a Menlo Park community center and library in the Belle Haven neighborhood
- Provide your thoughts and input on how you'd like to use the proposed facility
- Understand the process and timeline going forward and how community members can be involved

In addition, staff has started identifying a number of issues for which decisions will need to be made over the coming months and how best to efficiently work through the decision making process, such as the following:

- Accepting the offer with any clarifications in order to prioritize the project and proceed with next steps.
- Creating a public engagement plan that reflects any applicable givens from the offer and when and how to receive input.
- Identifying the approach to budgeting and contracting authority specific to this project.
- Confirming that the project would comply with a categorical exemption from the California Environmental Quality Act (CEQA) as a replacement of an existing facility
- Identifying the applicable discretionary approvals, which is likely to consist of architectural control, use permit, right of way vacation and abandonment, and heritage tree removals.
- Memorializing the offer in a binding agreement at the appropriate time.
- Revising the current scope of work with Noll & Tam for design assistance on this project.
- Determining whether to reconstruct the existing pool as part of the project and identifying potential funding options, including the use of Measure T recreation bonds.
- Exploring how best to provide interim services during construction.
- Considering the operational opportunities from a combined building compared to multiple facilities.

Some of these items will require decisions by the City Council on January 28 in order to keep the project on track, while other decisions will occur over the coming months.

### **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. Offer letter from Facebook, dated December 16, 2019

Report prepared by:

Justin Murphy, Deputy City Manager

December 16, 2019

City Council  
City of Menlo Park  
701 Laurel St.  
Menlo Park, CA 94025

**Re: Multi-Generational Community Center and Library in Belle Haven**

Dear Mayor Mueller and Honorable Members of the City Council:

On behalf of Facebook, I am honored to submit our proposal to explore funding and the development of a new multi-generational community center and library for Menlo Park's Belle Haven neighborhood. This is an incredibly exciting project that will bring vitality and vibrancy to Belle Haven, and ties back to the long-term vision that we share for our surrounding community.

As you know, we have a long history of partnering with the City – dating back to the 2011 Belle Haven & Willow Business Area Design Charrette that we initiated when we moved to Menlo Park. That was the catalyst for our collaboration with the community to realize our shared goals and create a sense of place. Eight years after making Menlo Park our home, our commitment has not wavered, and we are in a strong position to make this donation.

Today, we are presenting the City an opportunity to continue our work together and move these important efforts forward. The purpose of this letter is to suggest a framework for completing the Belle Haven Senior Center and Onetta Harris Community Center as quickly as possible – a project that we know from listening to residents has been a long-desired wish of the community.

Before getting into the framework, I want to address why we're making this significant philanthropic commitment and clarify that the Community Center should be treated as a standalone endeavor that is not connected to any other Facebook project. By providing updated facilities, our goal is to give residents a welcoming place to gather, celebrate and reinforce the social fabric that makes this neighborhood special.

This is an ambitious undertaking but fortunately, we have a head start. Through the City's development of the Parks and Recreation Facilities Master Plan and Belle Haven Branch Library studies – as well as our own engagement – we have direct input from the community, City staff and City Council. We want to thank Mayor ProTem Cecilia Taylor, whose leadership enabled us to begin working with architect Hart Howerton to develop preliminary space/site plans and a conceptual design for the project. We hope our proposal will go a long way in meeting the City and community's desired goals of redeveloping the existing facilities.



With Facebook's bias for action, we can quickly turn this vision into a reality – and we think it's feasible to do so within 2.5 years. This expedited schedule is contingent upon leveraging existing information and achieving consensus among key stakeholders, including community members, City staff and City leadership.

With the above in mind, we propose that the project proceed in two phases as outlined below:

#### Phase One – Outreach, Design, Space Programming and Approvals

As mentioned above, we have developed a preliminary space plan and building design concept. As a first step in conjunction with the city, we plan to present the concept and preliminary space plan at a community meeting in Belle Haven in mid-January and at a City Council meeting in late January. These meetings will give the city council, community and stakeholders the opportunity to share initial feedback and discuss the types of activities and programs the community would like to have in the new facility.

In February and March, we will hold additional meetings with the community and operations staff to further define the space needs. In January, we'll provide additional information on the community engagement plan and give specific details on the meetings to be held. We envision the meetings will provide additional data on the types of programs the community would like to see run in the new facilities. Facebook will not decide what programs will be operated in the facility, as that will be for the City to determine.

After those meetings, we will consider all the feedback and work with the architect to further refine the floor plans and building design. The updated design will then be presented to the Planning Commission and City Council for approval in the summer of 2020. While the design will need to be refined through the process outlined above, we plan to study the following:

- New youth facilities and a new senior center;
- Health & fitness facilities (gymnasium);
- Incorporation of the proposed Belle Haven Library program into the facility;
- Renovated amenities near the existing swimming pools, such as new locker rooms and additional areas for picnics and gatherings. At this time, Facebook is not offering to pay for a complete reconstruction of the swimming pools; however, we are willing to work with the City to understand what improvements can be accommodated within the budget for the project. Facebook is open to building new pools if additional funding sources are identified by the City or third parties.
- Improved access to Kelly Park by extending pedestrian access through a breezeway in the new building and by better orienting new communal spaces to the park; and
- Additional amenities, such as a new arrival area and improvements to the parking lot, circulation and drop-off zones.

During this phase, we would also complete the following steps:

1. Gather information to ensure that our proposal will meet Menlo Park's existing zoning and building requirements. To keep the project on track, we intend to design a building to meet the parameters of a categorical exemption to satisfy the environmental review – Class 2 replacement of existing facilities.
2. Conduct due diligence on the site to ensure we understand its condition and whether there is anything that may affect the feasibility of the different redevelopment options or inform the design. This involves understanding the parameters for geotechnical conditions, site easements and location of existing site conditions and utilities.
3. Our team will work with the City Manager and the City Attorney to develop an agreement that documents project development details related to design, construction, financing, operations and maintenance.
4. We anticipate that Facebook would act in the capacity of a master developer and be responsible for design and construction, with the scope of our funding commitment contingent on the outcome of the design process. If there are additional items the City would like to see included that are not a part of the fixed budget, such as replacement of the swimming pool, then those items would need to be funded with contributions from the City.

Our interest in this project is driven in large part by our desire to deliver benefits to the community in a relatively short duration. If this initial phase takes more than 6 months, we will reassess whether the project is feasible under the goals we have outlined in this letter.

#### Phase Two – Developing Construction Plans & Building

During the second phase, we will finalize the technical requirements of the project, develop plans for construction, submit plans to the City for permit and ultimately demolish the existing facilities and construct the facility.

Details related to construction phasing, timing, community notifications and progress reporting would also be developed during this phase. We optimistically believe that we can complete construction within 18 months after receiving the building permit.

#### Further Clarifications

1. Facebook is proposing that Hart Howerton be the lead project planner and designer and that the City retain a consultant to help guide requirements.
2. While the site plan that we have developed does allow for some of the existing facilities to remain open during construction, it does add risk to the project schedule, and we would need to ensure the public can safely access facilities given the proximity to the new construction. Facebook's preference would be to relocate all existing programs with the expectations of the requirements to maintain access for Beechwood and the soccer fields.

3. The project is expected to be phased, and Facebook will not be responsible for providing temporary facilities during the construction period.
4. We ask that the City Council designate this project as a priority project and direct staff to prioritize timely project approvals and plan check / permitting reviews. Currently, permits can take up to 8 months after projects are approved, and our request for this project is that permits be issued within 2 months of submittal. This will lead to an expedited completion date and ultimately benefit the residents of Menlo Park.
5. We are also requesting that the City cover all costs related to processing of the project approvals, permitting, plan checking and building department inspections.
6. Facebook is not responsible for developing or funding the activities and programs that will be run from the new facility.
7. The City will be responsible for all ongoing operations and maintenance costs associated with operating the facility. Facebook will, however, assign the City any construction warranties it receives.
8. Formal roles and responsibilities between Facebook and the City will need to be established so expectations and lines of communication are clear for all parties. In order to move quickly, communication will need to be streamlined.

#### Next Steps

As for immediate next steps, we anticipate working with the community and the City to schedule the community outreach and engagement meetings and, with City Council support, proceeding with the tasks outlined in phase one above.

This project is an exciting opportunity to provide a tremendous neighborhood resource that will serve as a community gathering place in Menlo Park, the place we consider home. Thank you for this opportunity, and we look forward to working closely with you, Menlo Park's Belle Haven residents and City staff on this important initiative.

Sincerely,



John Tenanes

cc: Starla Jerome-Robinson, City Manager  
William McClure, City Attorney  
Deanna Chow, Interim Community Development Director



**STAFF REPORT**

**City Council**

**Meeting Date:** 1/14/2020  
**Staff Report Number:** 20-001-CC

**Informational Item:** City Council agenda topics: January 2020 to March 2020

**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 March 10. 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: January 2020 to March 2020

Report prepared by:  
Judi A. Herren, City Clerk

**Tentative City Council Agenda**

#	Title	Department	Item type
1	Finance and Audit Committee update	ASD	Committee Report
2	Agree/amend with M-A Cooperative Nursery School lease	CA	Regular
3	Below Market Rate (BMR) - Notice of Funding Availability (NOFA) Issuance	CDD	Consent
4	Newsrack regulations ordinance, first reading	CDD	Regular
5	706 Santa Cruz Ave - mixed use development	CDD	Regular
6	Amendment to conditional development permit for CitizenM Hotel	CDD	Public Hearing
7	Update on short term rental regulation community outreach	CDD	Informational
8	Manzanita Talks	CMO	Presentation
9	San Mateo County Mosquito and Vector Control District appointment	CMO	Committee Report
10	Term of lease for pool operations	CMO	Study Session
11	Update on Belle Haven Multi-generational community center & library	CMO	Informational
12	2019 STEM Winners	CMO	Presentation
13	City Council agenda topics: February 11 2020 – March 10 2020	CMO	Informational
14	City Council agenda topics: February 25 2020 – March 24 2020	CMO	Informational
15	City Council agenda topics: January 21 2020 – February 25 2020	CMO	Informational
16	ConnectMenlo community amenities options, direct staff to initiate review	CMO	Regular
17	Mayor and Sister City Committee honor boy scouts for assistance with the Bizen delegation	CMO	Presentation
18	Midpeninsula Regional Open Space District	CMO	Presentation
19	Minutes: 12/10 and 12/17	CMO	Consent
20	Multi- generational community center	CMO	Regular
21	Sister City Committee recommendation to upgrade Bizen, Japan to full Sister City status	CMO	Consent
22	Sister City Committee update	CMO	Committee Report
23	Update on zero waste plan progress	CMO	Regular
24	Regular meeting schedule ordinance, first reading	CMO, CA	Regular
25	Regular meeting schedule ordinance, second reading and adoption	CMO, CA	Consent
26	Big Lift grant for Belle Haven child development center, resolution adoption	CSD	Consent
27	Approve scope of work for the Ravenswood Avenue railroad crossing project	PW	Regular
28	Follow up on utility undergrounding	PW	Regular

### Tentative City Council Agenda

#	Title	Department	Item type
29	Funding agreements with C/CAG and Caltrans, approve a design-build approach for the project (Haven)	PW	Consent
30	Transportation impact analysis guidelines	PW	Study Session

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9.09.020 - Safe storage of firearms in a residence required.

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

- A. Except when carried on the person, no person shall keep a firearm in any residence unless the firearm is stored in a locked container or is disabled with a trigger lock.
- B. To encourage reporting of lost or stolen firearms, a person who complies with California Penal Code Section 25250 by reporting the loss or theft of a firearm they own or possess to a local law enforcement agency within five days from the time they knew or reasonably should have known the firearm had been lost or stolen shall not be prosecuted for violation of subsection A.

(Ord. No. 2019-432 § 1, 2019)

9.09.030 - Penalty.

A violation of this section shall be subject to enforcement through criminal prosecution and/or civil penalties, as provided herein.

- A. Violation a Misdemeanor. A person who violates this chapter shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months or by fine not exceeding one thousand dollars, or by both.
- B. Civil Penalties. The town may assess administrative penalties in an amount not to exceed one hundred dollars per day or as adopted by town council resolution, whichever amount is greater.
- C. Each violation shall be deemed a distinct and separate offense.

(Ord. No. 2019-432 § 1, 2019)



## Chapter 3.54 - SAFE STORAGE OF FIREARMS IN A RESIDENCE

### Sections:

#### 3.54.010 - Application of Chapter.

The provisions of this chapter shall apply within the unincorporated area of San Mateo County.

(Ord. No. 04809, § 2, 2-26-2019)

#### 3.54.020 - Definitions.

- (a) For the purpose of this chapter, "Firearm" means a firearm as defined in California Penal Code, Section 16520.
- (b) "Locked Container" means a Locked Container, as defined in California Penal Code, Section 16850, listed on the California Department of Justice Bureau of Firearms roster of approved firearm safety devices. For purposes of this chapter, a Locked Container does not include a bag or other container made of fabric or other penetrable material, such as a regular purse, backpack, or gym bag.
- (c) "Residence" means any structure intended or used for human habitation, including but not limited to houses, condominiums, rooms, accessory dwelling units, motels, hotels, SRO's, time shares, recreational vehicles, and other vehicles where human habitation occurs.
- (d) "Trigger lock" means a trigger lock that is listed on the California Department of Justice's roster of approved firearms safety devices and that is identified as appropriate for that firearm by reference to either the manufacturer and model of the firearm or to the physical characteristics of the firearm that match those listed on the roster for use with the device under Penal Code section 23635.

(Ord. No. 04809, § 2, 2-26-2019)

#### 3.54.030 - Safe storage of firearms in a residence required.

- (a) Except when carried on the person, no person shall keep a Firearm in any Residence unless the Firearm is stored in a Locked Container or is disabled with a Trigger Lock.
- (b) To encourage reporting of lost or stolen Firearms, a person who complies with California Penal Code section 25250 by reporting the loss or theft of a Firearm they own or possess to a local law enforcement agency within five days from the time they knew or reasonably should have known the Firearm had been lost or stolen shall not be prosecuted for violation of subsection (a).

(Ord. No. 04809, § 2, 2-26-2019)

#### 3.54.040 - Penalty.

A violation of this section shall be subject to enforcement through criminal prosecution and/or civil penalties, as provided herein.

- (a) Violation a Misdemeanor. A person who violates this chapter shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months or by fine not exceeding one thousand dollars (\$1,000.00), or by both.
- (b) Civil Penalties. The County may assess civil penalties pursuant to San Mateo County Municipal Code Chapter 1.40 (Administrative Remedies) in the amounts provided in Section 1.40.070.
- (c) Each violation shall be deemed a distinct and separate offense.

(Ord. No. 04809, § 2, 2-26-2019)

3.54.050 - Effective Date.

This Ordinance shall be in effect thirty (30) days after adoption.

(Ord. No. 04809, § 2, 2-26-2019)

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